

RUE GRODNOAVTODOR-CENTER

REPUBLIC OF BELARUS

Project “Upgrading of the M6 Motor Road “Minsk-Grodno-Border of the Republic of Poland (Bruzgi)” on the Section between km 57.2 211”

Transit Corridor Improvement Project (P149697)

Draft Resettlement Action Plan for Grodno region

August 20 2014

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1. Principles and objectives of the Resettlement Action Plan

RUE “GrodnoAvtoDor” has prepared a Resettlement Action Plan (hereinafter referred to as the RAP) for the 91st – 211th kilometer section of the road that lies in the Grodno Oblast within the framework of preparing a project to upgrade to Category 1 the 57th – 211th kilometer section of the M-6 highway “Minsk – Grodno – the border of the Republic of Poland (Bruzgi)” in accordance with the requirements of the Resettlement Policy of the World Bank (OP 4.12) and with the provisions of the Strategic Methodology for Land Acquisition and Resettlement Issues prepared for the implementation of the M-6 highway upgrading project.

The objective of this RAP is to enable persons that are negatively affected by the project either (at the minimum) to maintain the standards and conditions of living they enjoyed prior to the project implementation or even to improve them.

Compensation will be paid out with due regard of the following general principles:

- Through a meticulous selection of appropriate plots every possible effort will be taken to minimize the acquisition of productive, private land, and to avoid the acquisition of land that is inhabited by humans and used by them for entrepreneurial activity;
- Under the above indicated project state-owned land will be used to a greater extent;
- When acquiring for state needs land that is in private ownership, property rights of the adversely affected individuals will be taken in consideration along with the provisions of this RAP.

2. Project territory, land categories and property titles

Under the project of upgrading the M-6 highway “Minsk – Grodno – the border of the Republic of Poland (Bruzgi)”, two land plots with farmstead-type residential buildings and a section of the land plot owned by the private agro-farmstead “Alba Ruthenia” fall into the construction area. 6 additional residential buildings and adjacent land plots will have to be relocated due to excessive noise levels during construction works and after the completion of the planned road.

Overall, the upgrading of the above indicated highway affects the following land plots:

The private agricultural unitary enterprise “Noviy Dvor-Agro”;
The state forest management institution “Ivyevskiy Forest Farm”;
The Bakshty, Lelyuki, and Morino rural councils;
The Grodno Oblast Consumer Association;
AgroTransServis;
The agricultural production cooperative “Edkovskiy”;
The state enterprise “The Lida Poultry Farm”;
The agricultural production cooperative “Rassvet-Myto”;
“Mozheikovo”;
The state forest management institution “The Lida Forest Farm”;
The Dokudovo, Vaverka, Mozheikovo rural councils;
The open joint-stock company “The Lida Peat Briquette Factory”;
The limited liability company “Sayat”;
The republican unitary enterprise “BelorusNeft - GrodnoOblNefteProduct”;
“Lukoil Belorussiya”;
“Belarusian Railways”;
The state enterprise “The Schuchin Poultry Stock Reproduction Factory”;
The state forest management institution “The Schuchin Forest Farm”;
The Schuchin rural council;
OJSC "Vasilishki";

The state enterprise “Sovkhoz Bolshoye Mozheikovo”;
 The communal unitary enterprise “GrodnoOblDorStroi”;
 The republican unitary enterprise “Beltelekom”;
 The republican unitary enterprise “Grodnoenergo”;
 Land owned by the town of Schuchin,
 as well as the agro-farmstead “Alba Ruthenia” and land owned by individuals.

The total area of land additionally required for permanent and temporary use during the upgrading is 403.33 ha, including 0.6 ha of land privately owned by individual owners.

3. Alternative options that are being considered in order to avoid or minimize the consequences of resettlement

The upgrading of the M-6 highway to the parameters of a Category 1 highway envisages the widening of the road bed by 12 meters and the construction of a new two-lane roadway alongside the existing roadway. The layout and the physical profile of the existing highway are in compliance with technical standards, and significant changes are not envisaged by the project. The decision on widening the existing highway either on its left or right side was made in the project based on the maximum distance from residential buildings so as to minimize the consequences of resettlement, and on cost-benefit factors.

4. Adversely affected parties and eligibility for compensation

All the land-users who fall into the construction area or who are located in unacceptable noise areas, regardless of their land property titles, are defined as adversely affected persons and are entitled to compensation (or alternative forms of assistance). The following categories are included:

- Land owners who lose all or some of their land, buildings or property situated on it;
- Owners of land that is in use.

Table 1. Categories of persons and compensatory activities

| Categories of adversely affected persons | Compensatory activities |
|--|--|
| Individual land owners | They will be provided with an acceptable replacement of land of equivalent quality or a compensation provided for by the national legislation and the World Bank’s OP 4.12 (in case of a conflict, the provisions of OP 4.12 prevail). |
| Owners of residential houses with the respective land plots in hereditary lifelong ownership | Will receive residential buildings or a compensation provided for by the national legislation and the World Bank’s OP 4.12 (in case of a conflict, the provisions of OP 4.12 prevail). |
| Enterprises and organizations in state ownership | Will transfer the land for the project implementation without any compensation but with the reimbursement of losses and standby charges |

As of December 2013, the total amount of losses incurred on land users in connection with the acquisition of land plots was 4,689.8 mln. roubles at the exchange rate set by the National Bank of the Republic of Belarus on the day of making the estimate.

The compensation is estimated as follows:¹ tentative amounts of losses are estimated during the preparation of land-cadastral documentation that is required for the work of the commission on selecting land plot locations, and the final amounts – during the development of a design for the acquisition of the land plot. Compensation will be equal to full replacement costs.

The tentative and actual amount of losses (hereinafter referred to as the amount of losses) incurred on the owner (a citizen, individual entrepreneur, non-state legal entity) through the withdrawal of a land plot and the demolition of a single-family residential building, facilities and structures situated on it, is estimated on the basis on their market value in accordance with legislation, but it shall be not less than the costs of building a single-family home or apartment of equal worth. The compensation that will be paid to eligible project affected people will be equal to the full replacement costs of the acquired land and all adjacent property.

The costs of building a single-family residential house of equal worth with accompanying buildings and structures are estimated on the basis of Standards that determine how to estimate the market value of residential houses, garden sheds, summer houses, accompanying structures, as well as free-standing maintenance structures (auxiliary and backyard structures) and garages, as approved by the Resolution No. 623 of the Council of Ministers of the Republic of Belarus dated May 17, 2007, by specialists of the unitary enterprise “The Design Institute “Grodnogiprozem” in the presence of the owner.

The unitary enterprise “The Design Institute “Grodnogiprozem”, based on the agreement No. 497 of November 12, 2013 with the RUE “GrodnoAvtoDor”, has developed reports on an independent estimation of the market value of permanent structures on land plots, self-contained buildings, and long-standing plants. These reports lay down the methods of calculating the costs, of determining the amount of losses incurred on land users through the withdrawal of their land plots and the demolition of real estate situated on them. The methodology used by Grodnogiprozem assesses the market value of the property, based on comparison to recent sales of comparable properties in the region.

The reports that determined the market value and replacement costs of the affected land and property are attached to this Resettlement Action Plan in Annex II. These assessments are valid for one year and will be updated when compensation will have to be paid to reflect the most up-to-date value of the properties.

Individuals and businesses that are entitled to compensation for the loss of land or for the incurred losses, will receive compensation (full replacement costs) before the commencement of construction on the respective land plots.

A list of land owners (see clause 5 of the RAP) who are adversely affected by the project was prepared on the basis of an independent assessment conducted by the unitary enterprise “The Design Institute “Grodnogiprozem” in August 2013 and July 2014.

The mechanism of purchasing and paying out compensation to individual land owners envisages the participation of three parties: 1) owners of private housing estates; 2) RUE “GrodnoAvtoDor” and 3) local authorities.

¹ In accordance with the Provision on the Procedure for Estimating the Amount of Losses Incurred on Land Owners by the Acquisition of Their Land Plots and the Demolition of Real Estate on Them, approved by the Resolution No. 462 of the Council of Ministers of the Republic of Belarus dated March 26, 2008 “On Certain Measures on Implementing the Decree No. 667 of the President of the Republic of Belarus dated December 27, 2007” (hereinafter referred to as the Provision),

5. Census of the persons negatively affected by the project

RUE “GrodnoAvtoDor” is the ordering party for the development of design documentation for the project implementation and is responsible for the collection of data on land, land owners and all the persons who are affected by the project, as well as for conducting a census in the framework of this RAP.

The unitary enterprise “Grodnogiprozem” carried out the work on finalizing the materials required for the preliminary approval of selected land plot locations for the upgrading of the M-6 highway “Minsk-Grodno-the border of the Republic of Poland (Bruzgi)” in the territory of the Grodno Oblast, that contain all the necessary information on land users. The selection report for the Schuchin Rayon was approved on September 6, 2013, for the Lida Rayon – on September 10, 2013 and July 21, 2014, for the Ivey Rayon – on September 20, 2013.

A census of owners of residential houses situated on respective plots was conducted in August 2013 in the process of conducting an assessment with the participation of specialists from the unitary enterprise “The Design Institute “Grodnogiprozem”, the RUE “GrodnoAvtoDor”, and a representative of the district executive committee. The Decision No. 1255 on the forthcoming withdrawal of land plots and the demolition of residential houses was taken by the Lida District Executive Committee on December 9, 2013. Announcements regarding the project were placed in the local media and invited all interested stakeholders to ask questions or claim their rights. All residents of villages in the vicinity of the road were invited to attend public hearings to discuss the projects.

In the Lida village, public hearings were held on February 18, 2014, and announcements in local media were publicized throughout January 2014. In the Ivey village, an announcement went out in November 2013 and the public could submit claims with regard to the project till December 2013.

Table 2. A census of residential house owners affected by resettlement

| | Address | Description | Total area (sq.m.) | Persons affected by resettlement | Source of income | Requested/expected compensation |
|---|---|--|------------------------------------|---|--------------------------------------|--|
| 1 | The Lida Rayon, the village of Shpilki, House 11 | A residential house, single-family, one-storey with log walls lined with bricks, without bathroom or lavatory, 4 sheds and a summer kitchen. The total cost of replacement is BLR 169 mln. 0.3595 ha of land around the residential house. | 49.7 | Owner: Igor Nikolayevich Kovalenko. Registered as residing together with him are his wife (a housewife) and unmarried son (currently serving in the military) | Works as a hired construction worker | Wishes to obtain an apartment either in the town of Volkovysk where he is employed or in the town of Lida. In accordance with legislation, a residential dwelling with an area of no more than 45.0 sq.m. will be provided, along with free transportation for moving belongings and material possessions. All other transfer fees and taxes will be covered as well. It is necessary to process documents for a new dwelling. The market value of the long-standing plants is 46,460,000 Belarusian rubles (USD 5,209). |
| 2 | The Lida Rayon, the village of Radivonishki, House 57 | A residential house, single-family, One-storey with brick-lined log walls, without bathroom or lavatory, three sheds. The total value of replacement is BLR 126 mln. 0.0707 ha of land around the residential house. | 41.6 | Owner: Vladimir Vladimirovich Venskiy. Not registered as residing here, has a place of residence in the town of Lida. | Employed. | Wishes to obtain an apartment in the town of Lida. In accordance with legislation, a residential building with an area of no more than 40.0 sq.m. will be provided, along with free transportation for moving belongings and material possessions. All other transfer fees and taxes will be covered as well. It is necessary to process documents for a new dwelling. The market value of the long-standing plants is 2,890,000 Belarusian rubles (USD 324). |
| 3 | The Lida Rayon, the village of Biskuptsy, House 6 | The agro-farmstead “Alba Ruthenia” (a rural bed-and- | Out of the total land plot area of | Owner: Alexander Iosifovich Bartosik. | | The market value of the long-standing plants growing on the |

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|---|--|--|--|---|--|--|
| | | breakfast hotel). | 4.0 ha, 0.06 ha is to be withdrawn permanently. | The total area of the land plot is 4.0 ha. | | land plot to be withdrawn is 12,480,000 Belarusian rubles (USD 1,399). |
| 4 | The Lida Rayon, the village of Radivonishki, House 58 | Residential property | 0.25 ha (0.116 ha arable land, 0.134 ha that contains a residential building) | Owner: Leon Alekseyevich Bourmastrov | | The decision of the Lida Rayon Executive Committee to acquire the lands for project purposes was issued on July 21, 2014. The compensation that will be paid to land owners is currently being determined. |
| 5 | The Lida Rayon, the village of Tsybory, House 67 | Residential property and adjacent arable land plot | 0.25 ha allocated for the construction and service of a residential house, and 0.05 ha allocated for arable lands. | Owner: Raisa Nikolayevna Peletskaya | | The decision of the Lida Rayon Executive Committee to acquire the lands for project purposes was issued on July 21, 2014. The compensation that will be paid to land owners is currently being determined. |
| 6 | The Lida Rayon, the village of Tsybory, House 72 | Residential property and adjacent arable land plot | 0.25 ha allocated for the construction and service of a residential house, and 0.13 ha allocated for arable lands | Owner: Aleksander Vladimirovich Makarevich | | The decision of the Lida Rayon Executive Committee to acquire the lands for project purposes was issued on July 21, 2014. The compensation that will be paid to land owners is currently being determined. |
| 7 | The Lida Rayon, the village of Yedki, Pridorozhnaya Street, house 32 | Residential property and adjacent arable land plot | 0.25 ha allocated for the construction and service of a residential house, and 0.16 ha allocated for arable lands | Owner: Christina Boleslavovna Yushkevich | | The decision of the Lida Rayon Executive Committee to acquire the lands for project purposes was issued on July 21, 2014. The compensation that will be paid to land owners is currently being determined. |
| 8 | The Lida Rayon, the village of Biskuptsy | Residential property | 0.0529 ha for the construction and service of a residential building | Owners (1/4 each): Nina Fyodorovna Golovach, Mariya Fyodorovna Metskevich, Sofia Fyodorovna Shulga, Aleksandr Fyodorovich | | The decision of the Lida Rayon Executive Committee to acquire the lands for project purposes was issued on July 21, 2014. The compensation that will be paid to land owners is currently |

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|---|---|----------------------|--|---|--|--|
| | | | | Douki | | being determined. |
| 9 | The Lida Rayon, the village of Biskupty, house 64 | Residential property | 0.1618 ha for the construction and service of a residential building | Owners (1/3 each): Angela Valeryanovna Koursevich, Vladislav Vikotovich Koursevich, Dmitriy Valeryanovich Mikhalovich | | The decision of the Lida Rayon Executive Committee to acquire the lands for project purposes was issued on July 21, 2014. The compensation that will be paid to land owners is currently being determined. |
| | | | | | | |

The following expenses will be subject to reimbursement:

- ✓ Relocation, including change of place of residence within the boundaries of the Republic of Belarus;
 - ✓ Temporary use of another residential dwelling until a residential house/apartment is provided in compliance with this Decree;
 - ✓ Registration of a property right to the provided residential house/apartment;
 - ✓ Formal registration of the land plot provided as a replacement for the withdrawn plot, and rights thereto;
 - ✓ Compensation of all other losses that are incurred as a result of a loss of movable property
- Compensation for all items is paid based on the “full replacement costs” of the properties.

6. The mechanism of land plots acquisition

As determined by the Regulation on the Procedure of Enforcement of Proprietary Rights of Citizens in Forfeiture of Their Land Plots, approved by the Decree No. 58 of the President of the Republic of Belarus dated February 2, 2009:

1. *Where it is necessary to withdraw for state needs a land plot with attached **non-movable assets** owned by citizens or organizations, the local executive committee shall make a decision on the forthcoming withdrawal of the land plot and demolition of non-movable assets attached thereto (hereinafter referred to as the decision on the forthcoming withdrawal of a land plot).*
2. *The decision on the forthcoming withdrawal of a land plot shall be made by the local executive committee within five working days after the approval (endorsement) of the site selection report, if the land withdrawal and allocation process provides for preliminary approvals of the site location in accordance with the legislation.*

The period between making a decision on the forthcoming withdrawal of a land plot by the local executive committee and the decision on withdrawal and allocation of a land plot shall not be less than three months.

The decision on the forthcoming withdrawal of a land plot shall contain:

- *rationale for the withdrawal;*
- *list of non-movable assets subject to demolition, both registered and not registered in due order, including incomplete objects, except for those constructed without permission;*
- *owners of these assets and rent recipients (in case immovable property is rent burdened);*
- *options for exercising the rights of the non-movable assets owners provided for in paragraphs 4 and 5 of the Decree approving this Regulation;*
- *order to conduct an evaluation of non-movable assets;*
- *persons authorized by the local executive committee to enforce the rights of citizens and organizations provided for in paragraphs 4 and 5 of the Decree approving this Regulation, as well as to sign a protocol of disagreements if necessary;*
- *rights and obligations of the person who receives the land plot (if necessary);*
- *other issues associated with the forthcoming withdrawal of a land plot and demolition of non-movable assets attached thereto.*

When preparing a decision on the forthcoming withdrawal of a land plot, the local executive committee shall evaluate the possibility of implementing the rights of residential house owners (through a share in the common property right to a residential dwelling) in accordance with part 1 of clause 5 of the Decree that approves this Provision.

1. *Here, the local executive committee shall determine a possible location for a land plot for erecting a residential building, structures, facilities and plants on it that are of equal value to the ones to be demolished; conditions for relocating and reestablishing respective non-movable property assets, options for providing a residential house, structures, facilities and plants attached thereto in exchange for the ones to be demolished. The decision on the forthcoming withdrawal of a land plot must contain specific proposals on implementing respective rights or reasons for the impossibility of their provision to the owner of non-movable property assets.*
2. *A decision on the forthcoming withdrawal of a land plot can be contested by stakeholders in a court of law within two months of its issuance.*
3. *The local executive committee within three business days of taking a decision on a forthcoming withdrawal of a land plot shall send to the individual or business that is the*

owner of the non-movable property assets subject to demolition a registered mail letter containing a copy of the said decision (an extract from it) with an indication of the grounds for such a withdrawal and other information specified in clause 3 of this Provision.

- 4. At the same time, the local executive committee shall notify state notary's offices, notary's bureaus, and the relevant area-based office for state registration of non-movable assets, titles thereto and transactions therewith at the location of the land plot, about the forthcoming withdrawal of a land plot and the demolition of non-movable property assets situated on it and about the restriction of the owner's rights to disposing of it. Here, the owner is entitled in line with legislation to perform the state registration of previously unregistered assets of non-movable property that are located on the land plot to be withdrawn, with the exception of the ones built without permission, as well as to obtain in line with the established procedure a title-confirming document to the land plot.*

In the event the citizen who is the owner of a non-movable property asset to be demolished and who has not authorized any legally capable person to handle the issue of the future of this property is unknown or their place of residence is unknown (for a business - its place of business), the local executive committee shall take measures on finding them in line with legislation using the assistance of law-enforcement agencies.

Compensation

- 1. Following the receipt of a copy of the decision (an extract from the decision) of the forthcoming withdrawal of a land plot, the owner of the non-movable property asset to be demolished shall not be entitled to perform its division, sale, exchange, transfer by way of gift, transfer by way of rent, or to perform any other type of disposition of rights to the non-movable property asset to be demolished or to use it as collateral without the consent of the local executive committee that took the decision on the forthcoming withdrawal of the land plot.*
- 2. Expenditures for conducting activities that increase the value of the land plot or non-movable property asset situated on it that are made by their owner following the receipt of a copy of the decision (an extract from the decision) on the forthcoming withdrawal of the land plot without the consent of the local executive committee that took this decision shall not be subject to reimbursement.*
- 3. In the event the owner of the non-movable property asset to be demolished chooses to exercise one of the rights provided for in clauses 4 or 5 of the Decree that approves this Provision, they shall submit an appropriate application to the local executive committee that took the decision on the forthcoming withdrawal of the land plot. That application shall be submitted by the owner within a month of the day of receiving a proposal on exercising their rights envisaged in clauses 4 and 5 of the Decree that approves this Provision.*
- 4. When processing a request of the owner of a non-movable property asset for a selected method of exercising their rights provided for in clauses 4 and 5 of the Decree that approves this Provision, the local executive committee shall familiarize them with specific option(s) for the provision of relevant rights and get their signature. Here, the replacement of a specific option selected by the owner for exercising his rights can be performed by the local executive committee only with the consent of the owner of the non-movable property asset to be demolished.*
- 5. In the event the citizen who is the owner of a residential house/apartment, structures, facilities and plants attached thereto (a share in the common property title to respective non-movable property) chooses to exercise the right to receiving a monetary*

compensation, that right can be exercised with the consent of his family members of majority age who are registered as residing in the residential house/apartment to be demolished, and with the consent of guardianship agencies if family members of minority age are registered as residing in the residential house/apartment to be demolished who are acknowledged to be in a socially hazardous situation or in need of state protection; or if citizens reside in the residential house/apartment who are acknowledged to be legally incapable or whose legal competence has been restricted by a court of law, or if this residential house/apartment is used by orphaned children or by children who are not in the custody of their parents.

- 6. If during the exercise of the rights provided for by clauses 4 and 5 of the Decree that approves this Provision the market value of a residential house, structures, facilities and plants attached thereto or an apartment of typical consumer characteristics exceeds the market value of the non-movable property assets subject to demolition and burdened with rent, the provision of such a residential house/apartment shall be possible only when the consent of the rent recipient is available.*
- 7. When individuals who have a share in common property choose one of the rights provided for by clause 4 or 5 of the Decree that approves this Provision, their shares in that right shall correspond to their shares in the property title to the non-movable property assets subject to demolition.*
- 8. If the individual who is the owner of a non-movable property asset to be demolished chooses the right to taking ownership of an apartment of typical consumer characteristics in exchange for the non-movable property assets to be demolished, he shall be provided with an apartment typical consumer characteristics whose total area must be at least 15 sq.m. per each family member registered as residing in the residential house/apartment to be demolished.*
- 9. The total area of an apartment of typical consumer characteristics to be taken ownership of shall not be less than the total area of the residential house/apartment to be demolished, or at the consent of the owner it can be less than the total area of the residential house/apartment to be demolished but not less than the total area calculated as 15 sq.m. per each family member of the owner registered as residing in the residential house/apartment to be demolished.*
- 10. When determining the size of the total area, tenants and individuals shall not be taken into account if they received the right to owning and using the residential house/apartment following the receipt of a copy of the decision (an extract from the decision) on the forthcoming withdrawal of the land plot (with the exception of the owner and spouses, children of minority age and incapacitated children of majority age, incapacitated parents of both the owner and his family members residing in that dwelling who received the right to owning and using the residential dwelling in line with the established procedure).*
- 11. Where it is impossible to provide an apartment of typical consumer characteristics whose total area is not less than that determined in part 1 of this clause, the owner may be provided with several apartments of typical consumer characteristics.*
- 12. Individuals who are entitled in line with legislative acts to additional living area in excess of the established minimum standard of the total area of a residential dwelling shall be provided with additional living area in the form of a residential room or in the amount of 15 sq.m.*
- 13. In the event the organization that is the owner of a non-movable property asset to be demolished chooses the right provided for in paragraph 2 of clause 4 of the Decree that approves this Provision, that organization shall be provided with an apartment(s) of typical consumer characteristics whose total area shall be equal to the total area of the residential house/apartment to be demolished.*

14. *In the event an individual who is the owner of a non-movable property asset chooses the right to taking ownership of a residential house or apartment of typical consumer characteristics in exchange for the non-movable property asset to be demolished, his family members registered as residing in the residential house/apartment to be demolished and other individuals who have the right to owning and using that non-movable property object, shall acquire the right to owning and using the residential house/apartment transferred to the owner on the same conditions they enjoyed while occupying the previous residential house/apartment.*
15. *Eviction in line with a court order of an individual who is the owner of a non-movable property asset to be demolished and his family members from a residential house/apartment situated on a land plot subject to repossession, as well as the demolition of the residential house/apartment, structures, facilities and plants attached thereto, may be performed only following the state registration of the individual's title to a non-movable property asset provided to him in exchange for the one subject to demolition, or following the receipt by this individual of a monetary compensation for the non-movable property assets to be demolished.*
Compensation is paid based on the full replacement costs of the lost properties.

Dispute resolution

1. *In the event an application has not been submitted within the prescribed timeframe, or agreement has not been reached between the owner of the non-movable asset to be demolished and the local executive committee that took the decision on the forthcoming withdrawal of the land plot, or upon its decision the person to be provided with a land plot has not reached an agreement as to the choice of a right set forth in clause 4 or 5 of the Decree that approves this Provision or its implementation, as well as if the owner disagrees with the amount, method and/or conditions of reimbursement of his losses, the local executive committee shall draw up a dispute report that shall be signed by that owner, an official authorized by the relevant local executive committee and the person who is to be provided with the land plot (if available).*
2. *If the owner of the non-movable property asset to be demolished refuses to sign the dispute report, a relevant note shall be made on the report certified by the signature of the person who compiled it. The owner who has refused to sign the dispute report shall be entitled to provide an explanation for the reasons of his refusal that shall be noted on the report or attached thereto (which is to be noted on the report).*
3. *Within two weeks of the day of signing the dispute report, the local executive committee or the person to be provided with the land plot shall file a law suit to buy out the non-movable property asset or to evict the owner, his family members and other individuals who have the right to owning and using that non-movable property asset, and to provide them with other non-movable property assets that meet the requirements of this Provision and the Decree that approves this Provision within two weeks of the day of signing the dispute report. Here, the decision on the repossession and provision of a land plot may be taken by the local executive committee only after the court ruling comes into force.*
4. *If during the exercise of the rights specified in clauses 4 and 5 of the Decree that approves this Provision the market value of the provided residential house, structures, facilities and plants attached thereto or an apartment of typical consumer characteristics exceeds the market value of the non-movable property assets subject to demolition, the owner shall not be required to pay the price difference.*

Estimating the amount of compensation

1. *To identify the composition of property that is present in non-movable property assets subject to demolition and to solve other issues related to that property, the local executive committee shall set up a commission on inspecting derelict non-movable property that shall be composed of representatives of the local executive committee, law enforcement agencies, as well as of the area-based institution for the state registration of non-movable property, rights thereto and transactions therewith. Should movable property be identified in the said non-movable property assets, the commission on inspecting derelict non-movable property shall draw up an inventory of identified property (items, their main distinctive features, the degree of tear and wear, and other data) that shall be submitted to the local executive committee that set up that commission.*
2. *Whenever other property is available in such non-movable property assets that does not have an owner or whose owner is unknown, or property that has been renounced by the owner, the local executive committee shall file a law suit to acknowledge that property ownerless and to transfer it into the ownership of a relevant administrative-territorial unit.*
3. *In the event registered tenants reside in a residential house/apartment that is subject to demolition and whose owner has not been found following the conduct of activities in line with legislation, those tenants shall be resettled until the end of their rent agreement for the relevant residential dwelling to residential dwellings in the maneuverable housing stock of the local executive committee.*
4. *When a business or individual who is the owner of a non-movable property asset to be demolished chooses to exercise their right to monetary compensation, that right may be exercised if they provide to the individuals who are registered as residing in the residential house/apartment subject to demolition a residential house or apartment of typical consumer characteristics on the same terms and conditions they enjoyed while residing in the residential house/apartment that is subject to demolition.*
5. *The state registration of a land plot and/or a residential house or apartment of typical consumer characteristics situated on it that are provided in exchange for the withdrawn land plot and demolished non-movable property assets, and of the rights and limitations/encumbrances of rights thereto shall be performed at the request of the contender for the title of the rights holder (one of them in the case of the state registration of a common shared ownership interest). The state registration of the creation of a right to rent and a right of the rent payer to use the acquired non-movable property objects as collateral shall be performed at the request of the rent payer simultaneously with the state registration of the creation or transfer of a right to own the relevant non-movable property assets.*
6. *If the contender for the title of the rights holder (including the rent payer) evades the submission of an application for the state registration of the non-movable property assets transferred to him, the court at the request of the local executive committee, the person to whom the land plot is provided, the rent payer or the prosecutor shall be entitled to make a ruling on the state registration of the land plot and/or a residential house or apartment of typical consumer characteristics, rights, limitations/encumbrances of rights that have been transferred to the contender for the title of the rights holder, including the rent payer. In such a case, the state registration shall be conducted in compliance with the court ruling.*
7. *The non-movable property assets (or parts thereof) subject to demolition shall not be used by the previous owner or other persons starting with the day of exercising the rights indicated in clauses 4 and 5 of the Decree that approves this Provision, including the exercise of those rights following a court ruling in line with clauses 8, 17, and 20 of the Provision. The exercise of the said rights confirmed with documents in line with a*

legislatively prescribed procedure shall entail the cessation of the property right and other proprietary rights to the non-movable property asset to be demolished.

When a residential house/apartment, structures, facilities and plants attached thereto are demolished, the local executive committee or at its endorsement the person who is provided with the land plot, shall guarantee a reimbursement of expenses to the individuals whose rights are infringed on by the decision on the withdrawal of the land plot for use by the state.

In accordance with this Resettlement Action Plan, the following expenses will be subject to reimbursement:

- ✓ As determined by OP 4.12, full replacement costs will be paid to project affected people in accordance with this Resettlement Action Plan.
- ✓ Relocation, including change of place of residence within the boundaries of the Republic of Belarus;
- ✓ Temporary use of another residential dwelling until a residential house/apartment is provided in compliance with this Decree;
- ✓ Registration of a property right to the provided residential house/apartment;
- ✓ Formal registration of the land plot provided as a replacement for the withdrawn plot, and rights thereto;
- ✓ Compensation of all losses that are incurred as a result of a loss of movable property in the cases provided for in part 2 of clause 17 of the Provision on the Procedure of Implementing the Property Rights of Citizens and Organizations During the Acquisition of Their Land Plots, as approved by the Decree No. 58 of the President of the Republic of Belarus dated February 2, 2009.

7. Impact on infrastructure facilities

Many infrastructure facilities that are adjacent to the upgraded highway have been built within the last twenty years. The prospective widening of the highway was taken into account during the construction of each of those facilities.

8. Awareness of the persons adversely affected by the project

Public consultations and participatory process of the RAP preparation and implementation are needed to provide to the project affected persons a possibility to contribute to both development and implementation of the project, to reduce the probability of conflicts and to increase benefits for these persons. RUE "GrodnoAvtoDor" is responsible for the public disclosure and the collection of feedback and comments. Public hearings of the EIA (Environmental Impact Assessment) report took place from November 28, 2013 through December 28, 2013 in the Ivey Rayon Executive Committee; from November 27, 2013 through December 27, 2013 in the Schuchin Rayon Executive Committee; and from January 18, 2014 through February 17, 2014 in the Lida Rayon Executive Committee. General information about the project was presented in the course of those hearings.

This plan is additionally sent in the mail to every person adversely affected by the project. In addition, following the approval of the RAP by the World Bank it will be published in the Russian language on the website of RUE "GrodnoAvtoDor" and in the English language on the InfoShop website of the World Bank. Public consultations on the topic of resettlement will be conducted.

9. Grievance redress procedures

It should be pointed out that the risk of complaints will be reduced to a minimum through participation of the citizens subject to resettlement in the work of the evaluation committee and giving them a possibility to reach an agreement during a public discussion. Failing to reach such an agreement, the citizens will be able to file a complaint to the project's grievance redress mechanism, at the following address both in writing and in the electronic format:

RUE "GrodnoAvtoDor" at the following address: 9 Zamkovaya Str., Grodno 230023, www.grodnoautodor.com;

GrodnoAvtoDor will have a dedicated person, responsible for receiving, registering, and processing all complaints. Complaints will be reviewed within fifteen days, complaints requiring additional investigation and review will be reviewed within one month. All complaints will be registered and responded to.

In case that a solution cannot be found, citizens will also be able to file complaints to local authorities, at the following addresses:

The Iyve Rayon Executive Committee at the following address: 1 Komsomolskaya Str., Iyve 231330, ivie_rik@tut.by;

The Schuchin Rayon Executive Committee at the following address: 11 Svobody Square, Schuchin 231510, schuchin.arxstroi@yandex.ru;

The Lida Rayon Executive Committee: 8 Sovetskaya Str., Lida 231300, cabinet-27@mail.ru.

A person who thinks that his (her) rights are violated can file a complaint at any time.

Following the approval of resettlement plans that concern the respective land plot, adversely affected persons can hold negotiations with RUE "GrodnoAvtoDor" and with local authorities, as the market value of the property to be demolished, including the plants attached thereto is estimated only after taking the decision on the forthcoming withdrawal of the land plot for state needs and conducting an assessment of non-movable property assets – it is not feasible to talk about 100% resolution of all disputes prior to that moment. Negotiations will be conducted on an as-needed basis and at any stage.

Complaints relating to any aspect of the project will be addressed by way of negotiations that aim to reach a mutually-acceptable agreement. Adversely affected persons can make use of the below procedures:

- An adversely affected person completes an application form and submits it for consideration by RUE "GrodnoAvtoDor". The complaint is submitted using the form available in Annex 1;
- If an agreement or amicable settlement is not reached, the complainant can always approach local authorities for redress.

A specialist will be appointed who will review complaints and grievances and attempt to resolve them at the local level. At public meetings, adversely affected persons will receive contact details for that specialist. Subsequent registration of complaints will be conducted, and relevant information will be periodically forwarded to the World Bank project team, as part of implementation reporting. If an adversely affected person is not satisfied with the decision, they can in the end file a law suit with the court of appropriate jurisdiction.

The procedure for reviewing complaints will be presented at the local level in the course of public hearings of the RAP. In addition, the mechanism of grievance redress will be available to local population at local authorities.

10. Expenditures and budget

RUE “GrodnoAvtoDor” and local authorities will be responsible for funding the resettlement of citizens. The exact amount of expenditures for resettlement was determined based on the results of an assessment, consultations with the owners of residential houses and decisions taken by local authorities.

The process of assessing land plot value is conducted in compliance with the current legislation of the Republic of Belarus.

11. Monitoring and evaluation

The local executive committee will appoint a specialist for monitoring the procedures of acquisition of residential dwellings and paying out compensations and for submitting reports to the executive committee, RUE “GrodnoAvtoDor” and the country office of the World Bank in the Republic of Belarus on progress made in the implementation of resettlement activities and the allocation of compensations in accordance with the RAP, as well as on any violations and shortcomings in the implementation of the Resettlement Action Plan regarding specific houses or on any unexpected adverse consequences for the adversely affected persons.

To monitor the resettlement process, the local executive committee will prepare a RAP Completion Report and submit it to the World Bank team in the Republic of Belarus.

12. Legal framework

1. The Decree No. 667 of the President of the Republic of Belarus dated December 27, 2007 “On Land Withdrawal and Allocation” (The National Register of Legal Acts of the Republic of Belarus, 2008, No. 1/9264);
2. The Decree No. 58 of the President of the Republic of Belarus dated February 2, 2009 “On Certain Measures of Protection of Property Rights in the Withdrawal of Land Plots for State Needs” (The National Register of Legal Acts of the Republic of Belarus, 2009, No. 1/10444);
3. The Edict No. 10 of the President of the Republic of Belarus dated August 6, 2009 “On Creating Additional Conditions for Investment Activity in the Republic of Belarus” (The National Register of Legal Acts of the Republic of Belarus, 2009, No. 1/10912);
4. The Land Code of the Republic of Belarus dated July 23, 2008, No. 425-Z (The National Register of Legal Acts of the Republic of Belarus, 2008, No. 2/1522);
5. The Housing Code of the Republic of Belarus dated August 28, 2012, No. 428-Z (The National Register of Legal Acts of the Republic of Belarus, 2008, No. 1/9264);
6. The Law of the Republic of Belarus “On the Complaints of Citizens and Legal Entities” dated July 18, 2011, No. 300-Z (The National Register of Legal Acts of the Republic of Belarus, 2011, No. 2/1852);
7. The Resolution No. 462 of the Council of Ministers of the Republic of Belarus dated March 26, 2008 “On Certain Measures of Implementing the Decree No. 667 of the President of the Republic of Belarus dated December 27, 2007” (The National Register of Legal Acts of the

Republic of Belarus, 2012, No. 2/1980);

8. The Resolution No. 623 of the Council of Ministers of the Republic of Belarus dated May 17, 2007 “On Standards of Assessing Residential Houses, Garden Sheds, Summer Houses, Accompanying Structures, as well as Free-Standing Maintenance Structures (Auxiliary and Backyard Structures) and Garages” (The National Register of Legal Acts of the Republic of Belarus, 2007, No. 5/25213);

8. The Provision on the Procedure for Estimating the Amount of Losses Incurred on Land Users by the Withdrawal of Their Land Plots and the Demolition of Real Estate Assets Situated on Them, as approved by the Resolution No. 462 of the Council of Ministers of the Republic of Belarus dated March 26, 2008 “On Certain Measures of Implementing the Decree No. 667 of the President of the Republic of Belarus dated December 27, 2007” (The National Register of Legal Acts of the Republic of Belarus, 2008, No. 5/27442).

9. The World Bank’s OP 4.12.

Where there is a difference between national legislation and the World Bank policy, OP 4.12 and the resettlement instruments based upon them such as the present Resettlement Policy Framework and the subsequent Action Plan will take precedence over national legislation. Where national law does not meet the standard of full replacement cost, compensation under domestic law is supplemented by additional measures so as to meet the replacement cost standard.

13. Legal provisions that regulate resettlement

Tentative amounts of losses incurred on land users are estimated in line with the Provision on the Procedure for Estimating the Amount of Losses Incurred on Land Owners by the Acquisition of Their Land Plots and the Demolition of Real Estate on Them, as approved by the Resolution No. 462 of the Council of Ministers of the Republic of Belarus dated March 26, 2008 “On Certain Measures of Implementing the Decree No. 667 of the President of the Republic of Belarus dated December 27, 2007” during the preparation of land-cadastral documentation that is required for the work of the commission on selecting land plot locations for road repairs, and the final amounts – during the development of a design for the acquisition of the land plot.

The assessment of houses and long-standing plants is performed on the basis of Standards for Assessing Residential Houses, Garden Sheds, Summer Houses, Auxiliary Structures, as well as Free-Standing Maintenance Buildings and Garages as approved by the Resolution No. 623 of the Council of Ministers of the Republic of Belarus dated May 17, 2007 and STB 52.2.01-2011 “Assessment of the Value of Civil Law Rights Assets. Assessment of Land Plots” as approved by the Resolution No. 2 of the State Committee for Standardization of the Republic of Belarus dated January 20, 2011 and other supplementary regulatory documentation.

The demolition of houses and long-standing plants attached thereto that fall into the construction area boundaries is performed in line with the Decree No. 58 of the President of the Republic of Belarus dated February 2, 2009 “On Certain Measures of Protection of Property Rights in the Withdrawal of Land Plots for State Needs”.

In accordance with the Law No. 300-Z of the Republic of Belarus dated July 18, 2011 “On the Complaints of Citizens and Legal Entities”, complaints must be reviewed within fifteen days, and complaints requiring additional investigation and review - within one month.

State enterprises that are entitled to compensation for the loss of land or for financial losses receive compensation in full, and individuals who are adversely affected by the project will receive another land plot, an apartment or complete monetary compensation prior to the commencement of construction work.

Annex 1:

Application form

The Lida Rayon Executive Committee
Lida 231300
8 Sovetskaya Str.

RUE "GrodnoAvtoDor"
Grodno 230023, 9 Zamkovaya Str.

Citizen's last name,
first name, patronymic_____

Residence address

Application

«_____» _____ 2014 _____

Date, month

Signature

Last name, first name, patronymic

Annex 2

Resettlement Stages

| It. nr. | Action | Grounds | Timeline |
|---------|--|---|-----------------|
| 1. | Public disclosure of the Resettlement Action Plan and architectural design | | 1 month |
| 2. | Discussion of the RAP and detailed design | p. 1 of the Table | |
| 3. | Decision on the forthcoming withdrawal of a land plot by the executive committee | Approved land plot selection report | 1 month |
| 4. | Receipt of written applications from citizens for a selected compensation type | p. 3 of the Table | |
| 5. | Total | | 2 months |
| 6. | Decision by the executive committee on ensuring the property rights of citizens (in accordance with previously submitted applications) | p. 3 of the Table and written applications from citizens | 1 month |
| 7. | Resettlement of citizens | p. 6 of the Table | |
| 8. | Decision by the executive committee on the withdrawal of land plots for public needs | Land survey files and implementation of p. 3 of the Table | 1 month |
| | | TOTAL: | 4 months |