

SFG3291

REPUBLIC OF TAJIKISTAN

STRENGTHENING CRITICAL INFRASTRUCTURE
AGAINST NATURAL HAZARDS PROJECT

Draft Resettlement Policy Framework

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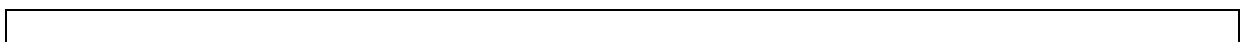


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Abbreviations

DP	Displaced Person
DPR	Detailed Project Report
ECA	Europe and Central Asia
FGD	Focused Group Discussion
GRC	Grievance Redress Committee
SCISPM	State Committee on Investments and State Property Management
LC	Land Code of the Republic of Tajikistan
SCINHP	Strengthening Critical Infrastructure against Natural Hazards Project
NGO	Non-Governmental Organisation
OP	Operational Policy
PAP	Project Affected Person
PAH	Project Affected Household
PIU	Project Implementation Unit
QPR	Quarterly Progress Report
RO	Resettlement Officer
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
RT	The Republic of Tajikistan
SA	Social Assessment
SR	Schedule of Rates
TJS	Tajikistani Somoni (Local Currency)
WB	World Bank
WHH	Women Headed Household

Definitions

In this Resettlement Policy Framework, unless the context otherwise requires, the following terms will have the following meanings:

“Project affected persons” (PAPs) are persons impacted by involuntary resettlement.

“Involuntary resettlement” means the involuntary taking of land resulting in direct economic and social impacts caused by: a) relocation or loss of shelter; b) loss of assets or access to assets; or c) loss of income sources or means of livelihood, whether or not the PAP must move to another location.

“Cut-off date” is the date by which PAPs and their affected assets have been identified and new entrants to the site cannot make claims to compensation or resettlement assistance. Persons whose ownership, use of occupancy prior to the cut-off date can be demonstrated remain eligible for assistance, regardless of their identification in the census.

“Compensation” means the payment in kind, cash or other assets given in exchange for the taking of land, loss of other types of assets (including fixed assets) or loss of livelihoods resulting from project activities.

“Census” is a complete count of the population affected by a project activity including collation of demographic and property information. This will identify and determine the number of Project Affected Persons (PAP) and the nature and levels of impact.

“Resettlement Action Plan (RAP)” is 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 causing adverse impacts.

“Resettlement Assistance” means 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.

“Replacement cost for houses and other structures” means the prevailing market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.

“Land acquisition” means the compulsory taking of or alienation of land, buildings or other assets thereon for purposes of the Project. The landowner may be left with the right to negotiate the amount of compensation proposed. This includes land or assets for which the owner enjoys uncontested customary rights.

“Economic Rehabilitation Assistance” means the provision of assistance in addition to compensation, such as land preparation, credit facilities, training, or job opportunities, which would enable PAPs to improve their livelihoods and standards of living, or at least maintain them at pre-project levels.

“The Resettlement Policy Framework” (RPF) is an instrument to be used throughout project implementation. The RPF sets out the resettlement objectives and principles, organizational arrangements and funding mechanisms for any resettlement, that may be necessary during project

implementation. The RPF guides the preparation of Resettlement Action Plans of individual sub projects in order to meet the needs of the people who may be affected by the project. The **Resettlement Action Plans (“RAPs”)** for the Project will therefore be prepared in conformity with the provisions of this RPF.

“Replacement cost for land”. For agricultural land this means the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.

“Squatter” means any person occupying land that belongs to the State (with no legal rights to occupy that parcel of land) for cultivation and/or residential and/or business purposes.

“Tenant” means any person by whom or on whose account lease/rent is payable for any property.

“Women Headed Household” (WHH) means a household that is headed by a woman and does not have an adult male earning member. This woman may be a widowed, separated or deserted person.

“Vulnerable Group” (VG) includes but is not limited to the following categories: (i) PAPs falling under ‘Below Poverty Line’ (BPL) category (level of income less than 15TJS/day); (ii) landless people; (iii) Women Headed Households; (iv) Children and elderly people², including orphans and destitute; and (v) Physically and mentally challenged / disabled people.

² According to the TAJSTART data on the population of the Republic of Tajikistan children 14 years or older are considered as working age population, while men aged 63 or more and women 58 years old or more are considered retirees. PAPs up to 14 years have been considered as children, while those over 60 years of age have been considered as elderly people in the project.

EXECUTIVE SUMMARY

Tajikistan's unique terrain and geological and hydrological features make it prone to many natural hazards such as floods, earthquakes, landslides, mudflows, avalanches, droughts, and heavy snowfalls. Tajikistan is ranked as #1 among the most climate vulnerable countries in ECA. Between 1997 and 2011, losses related to disasters in Tajikistan exceeded US\$353 million, and have posed challenges to economic progress, social development and poverty reduction.

Tajikistan is one of the youngest and rapidly growing countries of the Europe and Central Asia (ECA) region. The total population of Tajikistan is 8.2 million with only 27% of the population living in urban areas. Its total land area of 143,000 km² is comprised of 93% mountains, and only 7% of it is arable. High mountain ranges across its territory make communication among different parts of the country difficult, especially in the winter. Unlike its neighbours (e.g. Kazakhstan, Uzbekistan, Turkmenistan), Tajikistan has abundant water resources and holds vast hydropower potential, but its reserves of oil, gas, and other similar resources are relatively insignificant.

The territory of Tajikistan is primarily comprised of mountains, which house thousands of glaciers and rivers. Its unique terrain and geological and hydrological features make it prone to many natural hazards such as floods, earthquakes, landslides, mudflows, avalanches, droughts, and heavy snowfalls. Tajikistan is the most climate vulnerable country in ECA. Future disasters can have a devastating effect on the economy (54% of GDP) and affect more than 50% of the population. Climate change is further expected to exacerbate the frequency and severity of natural disasters associated with hydro meteorological conditions.

Floods are the most frequently occurring hazard in the country and pose a significant threat to Tajikistan, affecting not only mountainous and hilly rural areas that are sparsely populated, but also major urban areas. Generally, floods occur either in spring following heavy rains or during snowmelt in the summer time. However, due to more variable precipitation and climate change, unseasonal floods are expected to be among the extreme events faced by the country. For instance, in July 2015 a series of destructive floods and mudflows occurred throughout Tajikistan as a result of unusually high temperatures which caused increased melting of glaciers. The Government of Tajikistan estimates that economic loss due to the July 2015 floods are in the range of US\$ 100 million, which constitutes around 1.1% of Tajikistan's gross domestic product (GDP).

Due to Tajikistan's location in a region of high seismicity, earthquakes have the potential to cause the biggest economic losses. In the past, most of the damage and fatalities have been caused by secondary effects of earthquakes, such as landslides, rockslides, mudflows and avalanches rather than the direct

collapse of buildings and infrastructure. In 2015, three large earthquakes occurred in Tajikistan: the Hindu Kush earthquake (M7.5) on October 26, the Murghob earthquake (M7.2) on December 8, and the earthquake in northern Afghanistan (M6.3) on December 25. Emergency response and rapid damage assessment were made difficult due to the lack of communication and access to remote areas. Several people were left homeless for the winter, and sections of the roads were blocked in various regions of the GBAO. These events prevented access to many villages (in particular in Bartang Valley), fuel reserves for emergency response were depleted, and the livelihood of many villagers was impacted.

Landslides are another hazard that poses a serious threat to Tajikistan. To date more than 50,000 landslide sites have been mapped, of which 1,200 threaten human settlements, roads, irrigation and other facilities. About 36% of the country is exposed to landslides, with 11% of the total population living in these areas. Landslides are usually triggered by heavy rains and floods, and periodically, by earthquakes.

The Republic of Tajikistan with support from the World Bank has decided to set up the Strengthening Critical Infrastructure against Natural Hazards Project (SCINHP) to address long-term disaster risk management program. The SCINHP consists of 4 components:

1. Strengthening of the DRM capacity in Tajikistan;
2. Making critical infrastructure resilient against natural hazards;
3. Contingency component for emergency response;
4. Program management.

World Bank requires a Resettlement Policy Framework for projects involving multiple sub-projects wherein the nature and design of the sub-projects is not known. SCIHNP proposes to finance sub-projects in identified project areas and as the detailed design for the sub-projects are yet to be finalised, the screening of sub-projects and the preparation of resettlement action plan for these sub-projects cannot be undertaken presently, necessitating a Resettlement Policy Framework (RPF) to guide in screening sub-projects, carrying out census and socio-economic surveys and the preparation of Resettlement Action Plan (RAP), wherever required.

All sub-projects proposed under SCIHNP will be screened for social impacts and will comply with this policy framework irrespective of the source of finance or modality of finance. The RPF will be reviewed and updated from time to time, in consultation and agreement with the World Bank, to ensure relevance and consistency with applicable legislations, Land Code of the Republic of Tajikistan and the World Bank Operational Policy for Involuntary Resettlement (OP 4.12).

On completion of the detailed engineering designs, if the screening of the sub-project indicates involuntary resettlement impacts, a resettlement action plan shall be prepared based on a census of the Project Affected Persons (PAPs) and socio economic survey of PAPs requiring relocation. The census and socio-economic surveys of the project affected persons will be undertaken for every sub-project involving involuntary resettlement, so as to determine the magnitude of displacement and prospective losses, identify vulnerable groups for targeting, ascertain costs of resettlement, and prepare a resettlement and rehabilitation program for implementation. The screening of subprojects, preparation of RAP and the implementation of the RAP will be undertaken by the Project Implementation Unit (PIU) of SCIHNP.

This Resettlement Policy Framework is based on the legislation of the Republic of Tajikistan viz. (i) Constitution of the Republic of Tajikistan, 1994 (as amended in 2003); (ii) Land Code of the Republic of Tajikistan, 1996 (as amended in 2016); and (iii) Civil Code of the Republic of Tajikistan, 1998 (as amended in 2007) and the World Bank Operational Policy for Involuntary Resettlement (OP 4.12). In cases of discrepancy the World Bank Policy will prevail.

An Entitlement Matrix has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements; and is in compliance with the Republic of Tajikistan Laws and World Bank OP.

The PIU of the SCIHNP will be responsible for the implementation of the provisions of the sub-project RAPs. Grievance Redress Committee (GRC) will be established at two-levels, the sub-project level and SCIHNP level, to receive, evaluate and facilitate the resolution of project affected persons concerns, complaints and grievances.

In order to engage with the community and enhance public understanding on the Project and address the issues pertaining to resettlement, various sections of PAPs and other stakeholders shall be consulted through focus group discussions (FGD), meetings and individual interviews during the RAP preparation of sub-projects and throughout project implementation.

Information will be disseminated to PAPs at various stages. A summary of this Draft RPF will be made available in local languages during public meetings at the community level, and be disclosed in public places including the PIUs website. Hard copies will be available at SCIHNP PIU office. Each sub-project resettlement action plan will be disclosed to the affected community and agreed with the World Bank. Each RAP will be translated into Tajik and Russian languages and made available to the

PAPs. A report of disclosure, giving detail of date and location, will be shared with World Bank along with the Quarterly Progress Report (QPR).

To monitor the effectiveness of the RAP implementation internal monitoring and evaluation mechanisms have been suggested. Internal monitoring will be taken up by the PIU of the SCIHNP.

A. BACKGROUND

A.1 Introduction

1. The Government of the Republic of Tajikistan and the World Bank are cooperating to make critical infrastructure resilient against natural hazards. To accomplish these tasks, World Bank is providing financing for development strategies, obtaining expert analysis and implementing specific projects like preparation of feasibility study and detailed designs and construction of flood protection infrastructure, primarily for Khatlon sites that were damaged by flood occurrence during July 2015.

A.2 Sector Context

2. Floods are the most frequently occurring hazard in the country and pose a significant threat to Tajikistan, affecting not only mountainous and hilly rural areas that are sparsely populated, but also major urban areas. Generally, floods occur either in spring following heavy rains or during snowmelt in the summer time. However, due to more variable precipitation and climate change, unseasonal floods are expected to be among the extreme events faced by the country. For instance, in July 2015 a series of destructive floods and mudflows occurred throughout Tajikistan as a result of unusually high temperatures which caused increased melting of glaciers. The Government of Tajikistan estimates that economic loss due to the July 2015 floods are in the range of US\$ 100 million, which constitutes around 1.1% of Tajikistan's gross domestic product (GDP).

A.3 Project Brief / About SCINHP

3. The Government of the Republic of Tajikistan (RT) with support from the World Bank has decided to set up the SCINHP to address long-term disaster risk management program. The SCINHP consists of 4 components:

1. Strengthening of the DRM capacity in Tajikistan;
2. Making critical infrastructure resilient against natural hazards;
3. Contingency component for emergency response;
4. Program management.

4. The Ministry of Finance (MoF) plays leading and coordinating role of project implementation as well as financial management. The MoF implements component 1, 3 and 4. Component 2 is implemented by two ministries. The Ministry of Transport (MoT) implements activities related to the transport network under component 2. The MoT and the Agency for Land Reclamation and Irrigation

(ALRI) are in charge of procurement, technical supervision and safeguards aspects for their respective activities.

A.4 Project Objective

5. The Project Development Objective is to enhance the critical infrastructure resilience to natural disasters, as well as to strengthen the Government's capacity for disaster risk management.

6. Direct beneficiaries are the inhabitants of proposed project sites in Khatlon region, including sites in Kulyab, Vose, Kabodiyon and Shaartuz districts, and in GBAO, including sites in Vanj and Rushan districts that will benefit from the reconstruction of river embankments, as well as from rehabilitation of bridges. In addition to the above, the representatives of the Committee for Emergency Situations and Civil Defense and relevant line ministries, such as the Ministry of Transport and the Agency on Land Reclamation and Irrigation will also benefit from technical and organizational capacity-building activities in the areas of planning, implementation and monitoring.

A.5 Project Components and Activities

1. Component 1: Strengthening of the DRM capacity in Tajikistan

7. This component is aimed at increasing the DRM capacity, including, for example, provision of equipment for various institutions, establishment of inter-agency risk information system, development of an efficient risk financing mechanism and support for the implementation of the new National DRM Strategy. In particular, it will include sub activities such as: i) Modernizing the crisis management centers and systems for improved disaster preparedness for Committee of Emergency Situations and Civil Defense; ii) Seismic hazard assessment for improved disaster risk identification for the Institute of Seismology and Earthquake Engineering under the Academy of Sciences; and iii) Preparation of a financial protection strategy for mitigating fiscal shocks caused by natural disasters.

2. Component 2: Making critical infrastructure resilient against natural hazards

8. This component will include capital works, including bridges and flood protection, primarily focusing on the sites damaged during July 2015 in Khatlon and GBAO. These include sites in Kulyab, Vose, Kabodiyon and Shaartuz districts in Khatlon region and sites in Vanj and Rushan districts in GBAO.

3. Component 3: Contingency component for emergency response

9. The objective of this component is to improve Tajikistan's capacity to better respond to disasters. Following an adverse natural or man-made event that causes a major disaster, the Government of Tajikistan may request the Bank to re-allocate project funds to this component to partially cover emergency response and recovery costs. This component could also be used to channel additional funds should they become available as a result of the emergency

4. Component 4: Program management

10. The component will provide funds for the management of the project

A.6 Need for Resettlement Policy Framework (RPF)

11. The World Bank requires a Resettlement Policy Framework for projects involving multiple sub-projects wherein the nature and design of the sub-projects is not known prior to project appraisal. SCIHNP proposes to finance sub-projects in identified project areas and as the detailed design for the sub-projects are yet to be finalized, the screening of sub-projects and the preparation of a Resettlement Action Plan for these sub-projects cannot be undertaken presently, necessitating a Resettlement Policy Framework (RPF) to guide in screening sub-projects, carrying out census and socio-economic surveys and the preparation of Resettlement Action Plan (RAP), wherever required.

12. Recognizing the social issues that can arise in infrastructure projects, the Project Implementation Unit (PIU) of the Strengthening Critical Infrastructure against Natural Hazards Project (SCINHP) has prepared this Resettlement Policy Framework (RPF) conforming to the legislations of the Republic of Tajikistan and the World Bank Operational Policy for Involuntary Resettlement (OP 4.12). The policy framework describes the principles and approach in avoiding, minimizing and mitigating adverse social impacts that may arise in subprojects funded under Strengthening Critical Infrastructure against Natural Hazards Project (SCINHP) that aims at improving the urban/rural environment, economy, and living conditions of the people. The framework also provides process for consultations, impact assessment, census and socio-economic surveys and preparation and implementation of mitigation plans.

13. All sub-projects proposed under SCINHP will be screened for social impacts and will comply with this RPF irrespective of the source of finance or modality of finance. The RPF will be reviewed and updated if necessary, in consultation and agreement with the World Bank, to ensure relevance and consistency with applicable legislations, Land Code of the Republic of Tajikistan and the World Bank Operational Policy for Involuntary Resettlement (OP 4.12).

A.7 Justification for the Resettlement Policy Framework (RPF)

14. The Resettlement Policy Framework (RPF) provides guidelines for development of appropriate mitigation and compensation measures, for land acquisition impacts caused by project activities whose exact locations are not known.

15. OP 4.12 on Involuntary Resettlement has been triggered for the project, as there are some activities that may require temporary or permanent land acquisition.

16. Most of the sub-project activities will involve: i) strengthening and rehabilitation of existing facilities/infrastructures; ii) construction of select buildings; and iii) any other strengthening and/or rehabilitation works and activities which could occur as a result of unforeseen natural disasters, thus causing the triggering of the contingency component for emergency response. However, as the detailed design for sub-projects are yet to be completed, there is a possibility that additional land may be required either permanently or temporarily for creating certain facilities like, construction sites, landfill, temporary transport routes, borrow pits, etc. Further, the sub-projects may also involve temporary restriction to use of land. Since the river training works (structural measures which are taken to improve a river and its banks. River training is an important component in the prevention and mitigation of flash floods and general flood control, as well as in other activities such as ensuring safe passage of a flood under a bridge) are not yet fully defined and the exact location of embankments, dykes, groynes and dredging activities are not clearly known, these detailed impacts will only be known once the project is approved by the Bank's Board, and the possibility of land acquisition and restrictions in access cannot be ruled out at this stage, the Government developed this Resettlement Policy Framework (RPF) which will inform all activities involving land acquisition, restriction of access to land or services and loss of assets.

17. The RPF identifies the possible impacts from project activities, describes the range of potential impacts (temporary and permanent) to land use/access and structures, and specifies the compensation and resettlement assistance/procedures for the same. The RPF is intended as a practical tool to guide the preparation of Resettlement Action Plans (RAPs) for activities during implementation of the comprehensive program. If any impacts are identified, the Government will develop individual RAPs for each sub project based on the guidelines and procedures highlighted in this RPF.

18. The RPF identifies gaps between national and the World Bank policies. Where there is a gap, the World Bank policies will prevail for all activities financed under this project.

19. Once this RPF has been approved by the World Bank (WB), it will be disclosed in-country to potential PAPs and the public and through the World Bank's website, in compliance with the WB policy. Translated versions of the RPF (Tajik and Russian) will be disclosed. Implementation of the planned project investments will start only after the RAP has been implemented.

A.8 Objectives of the Resettlement Policy Framework (RPF)

20. This Resettlement Policy Framework (RPF) outlines the principles and procedures to ensure that if resettlement needs are identified, then the SCINHP PIU in coordination with national (Government) or local hukumats follows the procedures for involuntary resettlement in compliance with the legislation of the Republic of Tajikistan along with the WB's policy OP 4.12 on Involuntary Resettlement. The RPF sets out the legal framework, eligibility criteria of displaced population, valuation methodology, compensation provision, entitlement matrix, implementation process, consultation procedures, grievance redress mechanisms, entitlement payment procedures, and monitoring-evaluation procedures for land acquisition and resettlement under this project.

21. The basic objectives of the RPF are to: (i) guide SCINHP PIU, national and local self-government in properly identifying, compensating, and restoring the livelihoods of Project Affected Persons (PAPs), (ii) serve as a binding document to ensure payment of compensation and assistance to PAPs, and (iii) provide direction in preparing, updating, implementing and monitoring subproject RAPs. The RPF includes measures to ensure that PAPs are (i) informed about their options and rights pertaining to resettlement; (ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and (iii) provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.

A.9 Principles of Resettlement Policy Framework for SCINHP

22. The following resettlement principles will be adopted for this project:

- a) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a census and socio-economic survey of project affected persons, including a gender analysis, specifically related to resettlement impacts and risks. Explore measures to avoid and minimize involuntary resettlement impacts by: (i) carrying out all improvements within the existing footprint; and (ii) ensuring that appropriate technology is used to reduce land requirements, and thereby avoid or minimize involuntary resettlement.
- b) Where displacement is unavoidable, improve, or at least restore, the livelihoods of all project affected persons through: (i) land-based resettlement strategies, where possible, when affected livelihoods are land based, and when loss of land is significant, (land and socio-economic

surveys will be used to determine the proportion of land acquired from each household and the probable severity of the impact of the project on landholding and on total family income.) (ii) prompt replacement of assets with access to assets of equal or higher value, and (iii) prompt compensation at full replacement cost for assets that cannot be restored. Furthermore, livelihood support services will be developed in close collaboration with PAPs and due attention will be accorded to livelihood impacts on women, the elderly, the disabled, and other vulnerable people including those below poverty line.

- c) Ensure that project affected persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets at replacement value.
- d) Improve the standards of living of the displaced poor and other vulnerable groups, including women.
- e) Carry out meaningful consultations (PIU representatives and officials from the hukumats, jamoats (sub-district) and mahallas (village)) with project affected persons, host communities, and concerned nongovernment organizations. Inform all project affected persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and those without legal title to land, and ensure their participation in consultations.
- f) All sub-projects proposed under SCIHNP will be screened for social impacts and Resettlement Action Plans (RAP) will elaborate on the entitlements of project affected persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- g) The RAPs will be prepared in consultation with affected parties including PAPs, local village leaders and community members. Draft RAPs will be translated into Tajik and Russian languages and will be shared with the PAPs prior to their disclosure. Disclosure of the final Resettlement Action Plan and its updates to project affected persons and other stakeholders will involve information awareness campaign to ensure that PAPs fully understand the details of the RAP process, and are also informed about the compensation and rehabilitation packages applicable to the Project. A Public Information Booklet (PIB) in Tajik and Russian will be prepared by PIU and will be distributed to all PAPs residing in communities in the subproject area. In general, the PIB will include the following:
 - Brief description of the project, implementation schedule;
 - Project resettlement impacts, entitlements and rights of PAPs;
 - Resettlement and rehabilitation policies for potential types of impacts;
 - Institutions responsible for resettlement and time-frame (schedule);

- Information dissemination to and consultations with PAPs and stakeholders;
 - What to do if PAPs have a question or a problem;
 - Outline of the grievance redress procedure; and
 - Requirements for monitoring and evaluation, including independent monitoring.
- h) Pay compensation and provide all resettlement entitlements before physical or economic displacement and before commencement of civil works. Implement the resettlement action plan under close supervision throughout project implementation.
- i) Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of project affected persons.
- j) Monitor and assess resettlement outcomes, their impacts on the standard of living of project affected persons, and whether the objectives of the resettlement action plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports with consideration given to ensure the PAPs privacy. Participation of local communities in monitoring will be organized by the PIU in a culturally appropriate manner in consultation with them, their local leaders and authorities.

23. It should be noted that according to World Bank's Policy OP 4.12, the term resettlement encompasses more than the physical relocation or resettlement of affected people. It is defined as the social and economic impacts of a project that are permanent or temporary and are caused by the involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or (iv) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

24. It should be further noted that 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. Any RAPs prepared on the basis of the RPF will also be subject to prior approval of the World Bank.

A.10 Screening and Preparation of RAP

25. On completion of the detailed engineering designs, if the screening of the sub-project indicates involuntary resettlement impacts, a Resettlement Action Plan shall be prepared based on a census of the Project Affected Persons (PAPs) and socio-economic survey of PAPs. The census and socio-economic surveys of the project affected persons will be undertaken for every sub-project involving involuntary resettlement, so as to determine the magnitude of displacement and prospective losses, identify vulnerable groups for targeting, ascertain costs of resettlement, and prepare a

Resettlement Action Plan for implementation. The screening of subprojects, preparation of RAP and the implementation of the RAP will be undertaken by the Project Implementation Unit (PIU) of the SCINHP with support of representatives of the local administration (hukumats, jamoats and mahallas). The local administration has a direct link with the people and deal with most of small grievances related to allocation and distribution of land rights and other issues concerning their day to day life. In relation to land and immovable property the hukumats are entitled to assist in resolving the issues such as allocation of land use rights, and make decisions on acquisition of land use rights and allocation of alternate sites for resettlement. The census and socio economic surveys will comprise of the following tasks.

1. Screening of Sub-Projects

26. The sub-projects shall be screened by the PIU for social impacts based on the detailed design and sub-project components envisaged. Extent of land being acquired and impact to private and public structures will be identified during screening and accordingly suitable modifications/changes in design should be explored to minimize social impacts. Based on the screening and any modifications to minimize impacts, if it is evident that the sub-project will involve involuntary resettlement, a census and socio-economic survey will have to be carried out.

2. Census and Socio Economic Survey

27. The census and socio economic survey shall be carried out using a structured questionnaire to record the details of the present occupants of land being acquired, their tenure status (primary land user or secondary land user), the extent of land required for the proposed improvements, in order to: (i) assess the magnitude of impact to private assets; and (ii) to assess the extent of physical and/or economic displacement, as well as standard of living, inventory of assets, sources of income, level of indebtedness, profile of household members, health and sanitation, perceived benefits and impacts of the sub-project and resettlement preferences of those who require to relocate. This information would facilitate the preparation of a resettlement action plan to mitigate adverse impact.

28. The purpose of the baseline socio-economic survey of affected persons is to capture the socio-economic characteristics of the affected persons and to establish monitoring and evaluation parameters. The key socio-economic indicators will be used as a benchmark for monitoring the socio-economic status of project affected persons. The survey shall cover all PAPs and the survey shall also collect gender-disaggregated data to address gender issues in resettlement.

29. As part of socio-economic survey, a wide range of consultations with different impacted groups as well as other stakeholders will be conducted to ascertain their views and preferences. Based on the outcome of these consultations the design changes, if required, and mitigation measures will be incorporated. Consultations will include women and their concerns and reactions, in particular to land tenure, livelihood impacts, delivery of compensation, and resettlement planning, will be addressed through appropriate mitigation plan.

3. Resettlement Action Plan

30. The Resettlement Action Plan will be prepared based on the findings of the census and socio economic survey and consultations. It will include the findings of the census of project affected persons, and their entitlements to restore losses, socio economic characteristics of the project affected persons, institutional mechanisms and implementation schedules, budgets, assessment of feasible income restoration mechanisms, allotment of land from land reserve and issue of land users' certificate, development of resettlement sites and relocation, grievance redress mechanism, coordination of implementation in conjunction with civil works procurement and construction schedules and monitoring mechanism. The resettlement action plan should be structured as per the outline in Appendix-I and will be detailed as needed depending upon the magnitude and nature of impacts.

31. The Resettlement Action Plans will comply with the principles outlined in this RPF adopted for the project. The RAP for sub-projects will be reviewed and endorsed by the World Bank and approved by the PIU Director prior to invitation of bids for civil works. Allotment of land, disbursement of compensation payments and entitlements will be made prior to displacement and prior to handing over of the land parcels to contractors.

B. LEGAL FRAMEWORK

B.1 Applicable Laws and Policies

32. This resettlement policy framework is based on the legislation of the Republic of Tajikistan viz. (i) Constitution of the Republic of Tajikistan, 1994 (as amended in 2003); (ii) Land Code of the Republic of Tajikistan, 1996 (as amended in 2016); and (iii) Civil Code of the Republic of Tajikistan, 1998 (as amended in 2007) and the World Bank Operational Policy for Involuntary Resettlement (OP 4.12).

4. Constitution of the Republic of Tajikistan, 1994

33. The Constitution of Tajikistan is the main legal document guaranteeing citizen's rights. Article 13 states "land, bowels of the earth, water, airspace, animal and vegetable kingdoms, and other natural resources are owned by the state, and the state guarantees their effective use in the interests of the people." Further, Article 12 states "the economy of Tajikistan is based on various forms of ownership. The state will guarantee freedom of economic activity, entrepreneurship, equality of rights, and the protection of all forms of ownership, including private ownership." The legal basis for state acquisition of private property for public works is outlined in Article 32 which states "...the property of an individual is taken away only on the basis of the law, with the consent of the owner and to meet the requirements of the state and society, and with the state paying full compensation."

5. Land Code of the Republic of Tajikistan, 1996

34. The Land Code is the core legal document with regards to land acquisition. It has been updated a few times, most recently in 2016. Article 2 of LC states that there is no "private ownership of land, "land is an exclusive ownership of the State... [but]... guarantees its effective use in the interests of its citizens. However, in Articles 10-14, the LC outlines land title as being of long-term, short-term, and inherited land use entitlement.

35. Article 24 of LC describes the allocation of land for non-agricultural purposes, and provides that when choosing a suitable location for such land uses, land not suitable for agricultural should be favored. The same principle is stressed by Article 29 LC, which discourages the use of high-yielding agricultural land for non-agricultural use. However, Article 29 also allows for allocation, and sequestering of agricultural land for "other very important State objects".

36. Compensation for land withdrawal and other impacts due to public interest projects are regulated also by other legislative acts governing land withdrawal, land allotment and impacts compensation to the citizens are the Land Code RT (LC), the Civil Code RT (CC), and various normative-legal acts. Based on these laws, the withdrawal/allotment of lands and resettlement is based on the following applicable principles: (i) land users have a right to be reimbursed for losses due to withdrawal of right of land use for state and public needs (Article 41,43 LC); (ii) at termination of the rights of property then property will be assessed on the basis of its market value (Article 265 CC); (iii) land user or user of other registered rights associated with land should be noticed in written about land withdrawal by local land management authority not later than one year before coming land withdrawal procedure (Article 40.LC); (iv) If according to International agreements which are recognized by Tajikistan other rules are established than those which are specified in the Land Code of Tajikistan, so the rules of international agreements will be accepted (Article 105, LC).

37. Article 31 of LC provides that land acquisition for non-agricultural public purposes is subject to the award of compensation: “terms of allocating land plots to new land users for non-agricultural needs must envisage compensation of all losses related to confiscation of land plots from former land users, as well as compensation of losses in agricultural production.” Article 19 of LC states the rights of land users, including clauses allowing a land use rights holder the “waiving voluntarily land plot” or “indemnifying for [compensating] for losses” as mentioned in Article 41 of LC. This article sets out the basis for compensation: “Fully reimbursed shall be losses, including loss of profit, caused by: (i) sequestration of land for non-agricultural purposes; (ii) restriction of land users' rights; and (iii) deterioration of land quality as the result of activities of other land users.

38. In the case of this project, this could be interpreted as compensation for permanent loss of land use and crops, and complying with (ii) and (iii) above, the need to compensate for temporary use of land and disturbance of cropping patterns for construction purposes.

39. The guarantee of land users’ rights is further emphasized in Article 48 which states “confiscation of land plots from natural persons for state and public needs can be made after: (i) having been assigned of another equivalent land plot; (ii) having been constructed on a new place of housing, industrial and other structures equivalent in their purpose instead of plots sequestered, in the established order by enterprises, institutions and organizations for which the land plot was assigned; and (iii) having paid full compensation for all other losses, including profit loss (Article 41 & 42 of LC).

40. Calculation of the compensation due for land acquisition is contained in Articles 43 and 44, which state “actual prices of equipment and materials as well as prices of assets and other works existing either at the moment of confiscation of a land plot or drafting of the confiscation report shall be applied. When calculating losses of agricultural production and forestry, the standard costs for bringing into cultivation virgin lands and improve them so that they reach the maximum level of production obtained on the sequestered lands shall be applied. Disputes about the amount of compensation for damages caused and losses of agricultural production and forestry shall be settled in court.”

41. The Land Code requires that the entity which is interested in the land acquisition should apply to the appropriate local authorities. The authority will consider social, economic, ecological, city planning and other conditions and forecast of use of the said land and its bowels before taking a decision on the request.

42. The order on compensation of the land users' losses and losses of agricultural production, approved by the decree of the Republic of Tajikistan # 515, dated December 30, 2000, establishes a concrete and detailed order of reimbursement of the land users' losses. The main provisions regarding involuntary resettlement indicated in the Land Code are:

- Acquisition of the land plots for the purposes of the state and public needs have to be done after provision of the equivalent land plots;
- New dwellings, commercial and other buildings, equivalent to confiscated objects have to be constructed on the new plot as per prescribed order;
- Losses occurred during the land plot acquisition have to be compensated to the full amount, including missed profit, and losses should be calculated at market cost;
- Construction of buildings and compensation for losses will be made by the institutions and organizations in who's favor the land is being confiscated (project beneficiaries);
- Under normal circumstances, the process of land acquisition should take no longer than one calendar year.
- Provision of a new land plot, construction of buildings, compensation for all types of losses, including lost incomes, have to be done before the official land acquisition from the land users is carried out.

43. The amount of compensation is determined by an efficiently selected panel (commission), members of which will be appointed by the Mayor, and which will consist of the representatives of the relevant departments which have a claim/s for land and land users. Determination of losses of land users during the acquisition of agricultural lands should be established on the basis of corresponding documents, provided by the land user. In case of non-achievement of a consensus on the size of compensation of losses and amount of damage, the land user can apply to court with a request to fully compensate damage occurred during the land acquisition.

6. World Bank Operational Policy OP 4.12 on Involuntary Resettlement (July 2013)

44. The objectives of the World Bank's policy with regard to involuntary resettlement are: (i) involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs; (ii) where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits and project affected persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs; and (iii) project affected persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to

restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

B.2 Comparison of Laws of the Republic of Tajikistan and World Bank Policy

45. The Land Code does not define the status of persons who possesses the right of servitude on confiscated land plots (they do not pay official rent). The Land Code establishes that in the absence of servitude rights, the land user does not possess any right in relation to this plot of land. Hence, the use of the land plot without the state registration of the servitude right itself does not establish any legal rights. This clause provides for the absence of obligations for the owner (the state) to compensate damage to persons who do not possess the servitude right for the land plot.

However, in the WB OP 4.12, this status is clearly defined. In accordance with this policy, those people who do not possess official legal title or judicial rights for the land use, but still use the state land are entitled to receive compensation, taking into account the investments they made into the state land, their labor and lost assets, but not for land ownership as in the case of a titled owner.

46. Since the World Bank OP 4.12 takes precedence over National law for the purposes of WB financed activities, as in this project, the following will apply: Any person who has built a structure on illegal land, prior to the stated cut-off date, will not be compensated for the land, but will be compensated for the structure (i.e. investment into and on the land) at replacement cost.

1. Acclimatization Period of the Involuntary Resettled to the New Conditions and Environment

The policy of the WB considers that displaced persons and their communities, and any host communities receiving them, are provided timely and relevant information, appropriately consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement activities. In new resettlement sites or host communities, infrastructure and public services are provided as necessary to improve, restore, or maintain accessibility and levels of service for the displaced persons and host communities. Alternative or similar resources are provided to compensate for the loss of access to community resources (such as fishing areas, grazing areas, fuel, and/or fodder);

In principle, the laws of the Republic of Tajikistan and World Bank Policy both adhere to the objective of compensation at replacement cost however the Tajik legislation does not provide for restoration of livelihoods and in practice this has been left to *ad hoc* arrangements taken by project proponents in order to meet international donor requirements. To clarify these issues and reconcile

eventual gaps between the laws of Tajikistan and the World Bank Policy, this RPF has been prepared for the given Project. The RPF ensures compensation at replacement cost for all items, rehabilitation assistance to people without land use rights and informal settlers, and the provision of rehabilitation and subsistence allowances for PAPs who may be required to relocate, suffer business losses, or qualify as vulnerable. Any RAP prepared for the project will include all costs related to rehabilitation and /or livelihood restoration

47. The main provisions affording reconciliation of the differences between Tajikistan legislation and World Bank Policy includes:

- Any PAPs, regardless of title (registered land user or not), will be entitled to compensation for structures, crops and trees and rehabilitation measures under the project. This includes landless people using land and squatters;
- PAPs and affected communities will be consulted on options and any impacts of land acquisition and involuntary resettlement before, during, and after involuntary resettlement takes place.
- If land for land compensation is not technically or sociably feasible, compensation will be in cash at full replacement cost¹ at current market value;
- Compensation for any other assets affected (structures, crops and trees, as well as business/income loss) will be based on the entitlement matrix. Vulnerable PAPs will be entitled to additional measures as relevant (one-time allowance, priority in employment in project-related jobs, etc.), and gender issues will be addressed;
- Rehabilitation assistance will be provided for temporary loss of / restriction to land / assets or temporary disruption to income sources;
- Rehabilitation of existing or reconstruction of damaged facilities will avoid or minimize, as far as possible, the need for land acquisition and resettlement; and
- The RPF provides guidelines for the development of appropriate mitigation and compensation measures for land acquisition impacts caused by project activities whose exact locations are not known and requires that any RAP prepared for the subprojects all costs related to implementation including compensation.

48. In case of disparity between the laws of the Republic of Tajikistan and the requirements of the World Bank's Policy on Involuntary Resettlement (OP 4.12), the principles and policy of World Bank will prevail. This provision will be considered as binding for concerned parties once the RPF is approved by both the Government and the Bank.

¹ Value based on the prevailing market value in the locality to purchase an equally productive plot of land in the same locality. In addition, any associated costs of purchasing the land i.e., taxes, registration fees will need to be included in the compensation.

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

49. This section sets out eligibility criteria, which are necessary to determine who will be eligible for resettlement and benefits, and to discourage claims of ineligible people.

50. Statistics shows that the surveyed districts of GBAO (Rushan and Vanj) are the largest districts in terms of their area. These districts are characterized by the lowest population density: Vanj - 3.4 pers./km² and Rushan - 4.2 pers./km². The highest level of population density was observed in the surveyed districts of Khatlon oblast. E.g., in Kulyab city and the adjacent rural jamoats the population density is 167 pers./km², in Vose district - 262 pers./km², in Kabodiyon - 94.3 pers./km² and Shahrituz - 78.3 pers./km². In GBAO districts (Vanj, Rushan) almost the entire population lives in rural areas. Relatively high level of urban population was observed in Kulob district of Khatlon oblast - 51%. In Kabodiyon and Shahrituz districts, on the average more than 90% of the population live in the rural areas. In terms of ethnic composition, these two districts of GBAO are inhabited primarily by Tajiks. In Kulyab city (96%) and Vose district (88%) the majority of residents are also ethnic Tajiks. In Kabodiyon and Shahrituz districts, in addition to Tajiks, the second largest ethnic group is Uzbeks (Kabodiyon - 42.2% and Shahrituz - 37%).

C.1 Principles

51. The involuntary taking 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. Meaningful consultations with the affected persons, local authorities and community leaders will therefore allow for establishment of criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. OP 4.12 suggests the following three criteria for eligibility:

- a) Those who have formal rights to land including customary/communal land, traditional and religious rights recognized under Republic of Tajikistan Law.
- b) Those who do not have formal legal rights to land at the time the census commences but have a claim to such land or assets provided that such claims are recognized under the laws of the Republic of Tajikistan or become recognized through a process identified in the RPF / RAP.
- c) Those having no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from before the cut-off date.

52. 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.

53. 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.

54. 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.

55. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

C.2. Eligibility Criteria and Entitlements

56. The RPF stipulates eligibility and provisions for compensating all types of losses (land, crops/trees, structures, business/employment, and workdays/wages). All PAPs including non-titled or informal dwellers, will be compensated for lost assets (crops, structures, trees and/or business losses) will receive (i) compensation (as required, to match replacement value), and / or (ii) replacement land, structures, seedlings, other resettlement assistance such as shifting allowance, assistance with rebuilding structures, compensation for loss of workdays/income.

57. The criteria for eligibility is based on PAPs belonging to one of three groups: (a) those who have title or formal legal rights to land; (b) those who do not have formal legal rights to land at the time of the census begins but have a claim to such land or assets—provided that such claims are recognized under the laws of the country or become recognized through a process identified in the RAP²; and, (c) those who have no recognizable legal right or claim to the land they are occupying (i.e. non-titled users or informal settlers).

58. The PAPs who are entitled to compensation under the Project include:

- Persons whose structures are in part, or in total, affected temporarily or permanently by the Project;
- Persons whose residential or commercial premises and/or agricultural land (or other productive land) is in part, or in total, affected (permanently or temporarily) by the Project;

² This includes people who have not yet completed registration and who are considered as "legalizable" users (this will be identified as a form of land tenure in the IOL), they will be entitled to compensation as if they are legal/titled owners of land. The RAPs prepared will establish that continued facilitation of the registration process will be undertaken as part of livelihoods/wellbeing restoration under the Project's resettlement process

- Persons whose businesses are affected in part, or in total, (temporarily or permanently) by the Project;
- Persons whose employment or hired labor or share-cropping agreement is affected, temporarily or permanently, by the Project;
- Persons whose crops (annual and perennial) and/or trees are affected in part, or in total, by the Project;
- Persons whose access to community resources or property is affected in part, or in total, by the Project.

59. Findings of the Social Assessment conducted in the potential project areas point to land shortages suitable for cultivation in these areas. This implies that finding the replacement land might turn out to be difficult, hence the project design will aim to minimize land acquisition. Where land is to be acquired titled or legalizable PAPs, will receive compensation for land acquired by the Project at replacement cost, this will be in cash at replacement cost or land-for-land (of equal size and/or productive value and be satisfactory to the PAP). Non-titled PAPs are not eligible for compensation for land but will receive compensation for assets attached to land and other assistance as required, in lieu of land compensation.

60. Households headed by single women with dependents and other vulnerable households will be eligible for further assistance to fully mitigate project impacts. Table 5.1 below presents the Projects' entitlement matrix, based on potential losses.

61. Compensation eligibility will be limited by a cut-off date to be set for each subproject. PAPs who settle in the affected areas after the cut-off date will not be eligible for compensation. They, however, will be given sufficient advance notice requested to vacate premises and dismantle affected structures prior to project implementation. Their dismantled structures will not be confiscated and they will not pay any fine or sanction.

Table C- 1: Table Showing Entitlement Matrix: Eligible PAPs, Assets and Compensation Estimates/Guidelines

Project Impact	PAP Category	Asset Affected	Compensation Guide
Permanent acquisition of land for works, or construction	Primary land user	Land	Replacement land of equivalent market value as priority option within 3 km radius. Failing availability of land, cash compensation at replacement cost. If over 10% of land is acquired, an additional 5% of replacement value will be paid (increasing to 10% if over 20%) as a severe impact subsidy. If the remainder of the plot is not economically viable the entire plot will be purchased.
Temporary acquisition of land for works, or construction.	Primary land user	Land	Rental value of land based on market rates and restoration of land and all assets thereon to former status.
Temporary acquisition of land for works, or construction.	User/occupier without certificate	Land	Restoration, replacement or compensation of all assets damaged or removed. In the case of loss of income, disturbance allowance set on the basis of minimum wage for each week (7 days) of disturbance calculated on a pro rata basis.
Permanent acquisition of land for works, or construction.	Land renter or share-cropper	Land	In addition to land user compensation reimbursement of rent for remainder of contract period, plus 3 months of rent or 3 months of market price of share-cropping produce as disturbance allowance.
Permanent acquisition of land for works, or construction.	User/occupier without certificate	Land	Compensation equal to 2 months of rent/share-cropping benefit as disturbance allowance.
Permanent acquisition of land for works, or construction.	Primary land user	Crops	In addition to land compensation, will be allowed to take standing crop and cash compensation for 2

			seasons or annual crop yield depending on the crop.
Permanent acquisition of land for works, or construction.	Tenant farmer, share-cropper or informal user/occupier	Crops	Standing crop and cash compensation for 2 seasons or annual crop yield depending on the crop.
Permanent acquisition of land for works, or construction.	Owner	Business	In addition to land compensation, owner will be paid cash compensation equal to one years' income calculated on the basis of average daily / monthly income. Further, an additional payment equivalent to three month's income will be paid to restart the business in the new location.
Permanent acquisition of land for works, or construction.	Renter	Business	The renter will be reimbursed the rent for the remainder of the contract. Further, an additional payment equivalent to three month's income will be paid to restart the business in the new location.
Temporary acquisition of land for works, or construction.	Owner	Business	Rental value of land based on market rates and restoration of land and all assets thereon to former status. In addition, owner will be paid for the lost income for the period of business interruption calculated on the basis of average daily / monthly income.
Temporary acquisition of land for works, or construction.	Renter	Business	In addition to the reimbursement of rent during the transition period, the renter will be paid for the lost income for the period of business interruption, calculated on the basis of average daily / monthly income.
Common Property uses such as Grazing	User	Grazing land	Grazing can continue. No expected impacts on grazing land.
Destruction of fruit tree (mature)	Owner	Fruit tree	Allowed to take standing crop. Price of a sapling and associated cost (fertilizer,

			water, labor) and cash compensation for the value of a mature tree harvest multiplied by number of years it will take for the sapling to reach maturity.
Commercial tree owner	Owner	Commercial trees	Price of a sapling and cash compensation for the market value of the commercial tree. Any costs associated with planting of saplings in the new plot.
Permanent acquisition of legal structure.	Owner of structure	Any structure including house, fence, or sanitation structure etc.	Replacement structure or cash compensation at replacement value of a new structure plus full compensation for all fees needed to make replacement structure legal. Affected buildings/structures should be compensated in their entirety
Permanent acquisition of illegal structure	Owner of structure	Any structure including house, fence, or sanitation structure etc.	Replacement structure or cash compensation at replacement cost. Affected buildings/structures should be compensated in their entirety.
Temporary acquisition of legal structure	Owner of structure	Any structure including house, fence, or sanitation structure etc.	Structure restored to original condition. If inconvenienced, then build a temporary replacement structure to service the affected person.
Temporary acquisition of illegal structure	Owner of structure	Any structure including house, fence, or sanitation structure etc.	Structure restored to original condition with alternatives for legalization. If inconvenienced, then build a temporary replacement structure to service the affected person.
Vulnerable people	Identified on the basis of the socio-economic survey and criteria developed such as income level, disability, household size, etc. Vulnerable people may include the disabled, pensioners, widows,		In addition to compensation for assets lost, a lump-sum equivalent to one year of average salary payments could be paid depending on the impacts. Any additional impacts to be identified and compensated, for example logistical support may be required for moving, and

	female-headed households, and impoverished households) and only if project renders them vulnerable.		assistance in the restoration of livelihoods may be required.
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C.3 Vulnerable Sub-Groups

62. Particular attention will be given to identify PAPs falling into vulnerable groups such as the landless, women-headed households, households with orphans, elderly living alone, sick head of household to ensure that their needs are identified and that they are provided adequate support. Vulnerability will be defined at the household level and could be based on economic vulnerability (e.g. a farmer losing the land parcel for agricultural production as a source of income or social vulnerability (e.g. the elderly, disabled and/or jobless) or a combination of these. The socio-economic survey for each RAP will clearly identify the households that are deemed vulnerable in terms of project impact, provide a detailed justification describing the project impact and rationale for vulnerability.

The RAP will clearly describe the nature of the impact, the vulnerability and the detailed provisions offered to the household by the project that are specific to its particular needs and cater to its limitations. All vulnerable households will be included in the monitoring samples and follow up visits will be done for at least 1 year after completion of resettlement. Similarly, any grievance complaints made by vulnerable households will be given preference and they will be provided assistance by the PIU representative to submit resettlement related complaints.

The findings of the Social Assessment that was conducted for the project indicate that women in the proposed project areas are engaged in a range of income generating activities mostly in the agricultural and marketing sector. The project will pay particular attention to ensuring women are the recipients of the compensation pertaining to their livelihood and activities. Women who are household heads would be especially listed as beneficiaries of compensation and rehabilitation proceedings if/when affected by the resettlement impacts. To ensure the above outcome, the following actions will be considered:

- Inclusion of women as impact enumerators;
- Conduct of gender-disaggregated census data to pinpoint and quantify the women who are likely to be affected by the subprojects and to establish their pre-project conditions (including livelihood-related impacts);
- Inclusion of women as major participants in the consultation processes and, as part of this process holding of separate discussions with women. Use of participation/consultation strategies that encourage the involvement of women, and vulnerable households in resettlement planning and implementation; Emphasis will be given to questions and queries and complaints/grievances lodged by women or vulnerable households and feedback duly provided;
- Underscore the effect of land acquisition and resettlement impacts on women in monitoring
- and valuation of RAP;

- Provision of training to women and vulnerable households for new employment opportunities;
- Joint registration of land use rights in the names of husband and wife in instances where households are allocated alternative agricultural and/or residential land;
- Provide access to women and vulnerable households to project-related employment opportunities (the PIU, local authorities and contractors will coordinate and set applicable quotas for such job placement); and
- Include female government officials in the coordinating committees established to facilitate RAP preparation and implementation

C.4 Methods to Determine Cut-Off Dates

63. Once the design of an activity has been finalized and legal procedures completed, a RAP will be prepared for the activity. As part of the RAP, a census will be undertaken to identify all the PAPs and the related levels of impact. The date that the census begins is the cut-off date for eligibility for resettlement and compensation. It is key, therefore, that this date is fully communicated to all potential PAPs in the project affected area with sufficient time for these people to ensure their availability for the census.

64. This communication will be done through representatives of jamoats and mahallas and the SCINHP PIU and in line with the consultation procedures outlined in this document. The potential PAPs will be informed through both formal notifications in writing and by verbal notification delivered in the presence of the community leaders or their representatives.

D. RPF AND RAP IMPLEMENTATION ARRANGEMENTS AND PROCEDURES

D.1 Overview

65. The overall coordination of the project will be provided by the SCINHP PIU which will oversee all resettlement planning and coordinate all issues relating to the compensation with local hukumats. Given that the project locations are in rural areas, the SCINHP PIU will collaborate with the representatives of the local hukumats, jamoats and affected settlements.

66. The implementation arrangements of the RPF build on:

- The implementation arrangements for the SCINH Project; and
- The implementation arrangements for resettlement and compensation activities in line with the Republic of Tajikistan legislation outlined in this document.

67. Actors involved in both these sets of institutional arrangements need to be taken into account in the implementation of resettlement and compensation activities for sub-projects. 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. These are based on the institutional structure at the time of writing the RPF. Should these institutional structures change, this will need to be reflected in the arrangements outlined.

68. Following the socio-economic census and identification of affected persons, a RAP will be developed. This will be coordinated by PIU, specifically the PIU Social Expert, with inputs from Head of District *hukumat* and representatives from *jamoats* and *mahallas*. The RAP will be prepared in consultation with affected parties, particularly in relation to the cut-off date for eligibility, disturbances to livelihoods and income-earning activities, methods of valuation, compensation payments, potential assistance and timeframes. Consultations with local village leaders and community members will be critical in determining all the landowners or asset owners especially in cases where the landowners or asset owners may be absent. The PIU will make every effort to identify missing or absent landowners using local consultations, inquiry, and mass media as necessary. Absent PAP assets will be valued and included in the RAP. Compensation will be set aside in an escrow account for future payment. Compensation will be paid, as indicated in the RAP, if the owner makes him/herself known and his/her identity is validated.

D.2 Screening of Project Activities

69. 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 is used 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 project activities.

70. Screening will be undertaken in accordance with established screening criteria and procedures, by consultants contracted to design the bridges, flood protection, construction, and any other relevant schemes under the coordination and supervision of the SCINHP PIU. No design will be finalized unless it is clearly determined that every effort has been made to minimize resettlement impacts.

D.3 Socio-Economic Profiling and Inventory of Losses

71. Should the screening process show that land acquisition will be required, the next step will be the socio-economic identification and profiling of Project Affected Persons (e.g. their age, asset dependence, income, family status etc.). 100% of PAPs will be profiled. This step should take place at the same time as the inventory and valuation of all assets affected for each individual PAP. All information will be aggregated at the household level.

72. Once these steps are completed and there is evidence of involuntary resettlement issues, a Resettlement Action Plan (RAP) will be developed on the basis of the data collected. This RPF provides a framework for the preparation of RAPs (See Annex 1) to address resettlement associated with the activities of this project.

73. The screening process will involve direct consultation with the PAP(s) who will work with a SCINHP PIU representative and representatives of jamoats and mahallas on-site to verify the affected assets and discuss their socio-economic situation. Before the process begins the PAP(s) will be advised in writing and verbally of their rights throughout the resettlement process. This will include sharing a copy of the grievance redress procedure and the entitlement matrix with information on how to make complaints, who to contact with questions or complaints, and relevant contact information (local, regional, and national level).

D.4 Development of the RAP

74. Following the socio-economic census and identification of affected parties, a RAP will be developed the Resettlement and Compensation Committee comprising of the PIU, represented by its PIU Social Safeguards Expert, in the Head of District hukumat, reputable representatives of both genders from jamoats and mahallas. The RAP will be prepared in consultation with affected parties, and local authorities, and other relevant agencies, particularly in relation to the cut-off date for eligibility, disturbances to livelihoods and income-earning activities, methods of valuation, compensation payments, potential assistance and timeframes.

D.5 Disclosure and Approval of RAP

75. Following the draft RAP preparation, a number of steps must be followed (please see Annex 2 for more details):

- a) SCINHP PIU Social Safeguards Expert working on resettlement and compensation must submit the draft RAP to the SCINHP PIU Director for approval. SCINHP PIU is to ensure compliance with the RPF, and consistency in approach between different activities. Capacity for draft RAP review and approval will be built at the SCINHP PIU. This will be done

through training and technical assistance to ensure that all stakeholders involved discharge their different responsibilities effectively. It is anticipated that funds for such trainings would part of the overall project budget for training.

- b) The SCINHP PIU discloses the draft RAP on its website, disseminates and shares with local authorities and interested NGOs, and the affected persons (especially the site specific sections) and presents it in Tajik and Russian in a place accessible to them, and allows two weeks for comments. Comments will be collected by representatives of jamoats and mahallas.
- c) Following incorporation of comments after disclosure, and the SCINHP PIU management approval, the draft RAP must also be formally sent to the World Bank for review and clearance to ensure compliance with OP4.12 and any other relevant policies/ procedures.
- d) After the draft RAP is finalized, based on input from World Bank, the final RAP will be disclosed at a local and national level. The PIU will also disclose it on its website and in the project areas so that PAPs and all interested persons have full access to the document. PAP-specific information will not be disclosed.

E. METHODS OF VALUING AFFECTED ASSETS

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

E.1 Type of Compensation Payments

77. Compensation for all land use and assets in kind or cash as guided by the entitlement matrix will be required for the following:

- Land.
- Residential buildings, structures and fixtures.
- Cultivated crops (both cash and food crops) and trees.

78. In addition, disturbance allowance, storage of goods, replacement of lost services and other assistance will be given, as outlined in the Entitlement Matrix (Table C-1). However, this is for guidance only and it is essential that at the time of detailed RAP preparation current market values and replacement cost values are used to establish actual compensation. In addition, any additional allowances as deemed appropriate may be given such as extra assistance for vulnerable families, disturbance allowances etc. All cash amounts will be adjusted to reflect any economic changes and buying power of currency since the preparation of this RPF. SCINHP PIU will review the compensation amounts and ensure that they reflect market reality and incorporate them in the RAP.

E.2 Preparation of Asset Inventory

79. Although the subproject locations have not been defined in all details, investments will be in rural areas.

80. During the survey carried out in coordination with local authorities, 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. 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. The register will be signed and a copy given on the spot to the affected person in the presence of representatives of local authorities. The document will indicate when the affected person will be notified, and that the inventory will not be official until a second signed copy, verified by project supervisory staff, is returned to the affected person. At this time, a copy of the grievance procedure will also be given to the affected person as stated in the grievance redress mechanism.

E.3 Valuation Methods

1. Replacement Cost Approach

81. The replacement cost approach is based on the premise that the costs of replacing productive assets is based on damages caused by sub project operations. These costs are taken as a minimum estimate of the value of measures that will reduce the damage or improve onsite management practices and thereby prevent damage. In applying this method of valuation, depreciation of structures and assets should not be taken into account. For losses that cannot easily be valued or compensated for in monetary terms such as access to water sources, public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts will be made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard. The approach will involve direct replacement of expropriated assets and covers an amount that is sufficient for asset replacement, moving expenses and other transaction costs.

2. Gross Current Replacement Cost

82. Gross Current Replacement Cost (GCRC) is defined as the estimated cost of erecting a new building having the same gross external area as that of the existing one, with the same site works and services and on a similar piece of land.

3. Other Methods

83. Rates from Contractors: When rate schedules do not exist or are out of date, recent quotations by contractors for similar types of construction in the vicinity of the project can be used for calculating replacement costs. In projects offering the options of cash compensation or alternative accommodation, the construction cost estimates for alternative accommodation could be used for calculating cash compensation payable.

4. Compensation for Land

84. 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 (3km) such as to minimize disruption to other aspects of socio-economic life, cash compensation at full replacement value should be provided. This should be valued based on the prevailing market value in the locality to purchase an equally productive plot of land in the same locality. In addition, any associated costs of purchasing the land i.e., taxes, registration fees will need to be included in the compensation.

85. In addition, the PAP will be compensated for any permanent improvements made to the land (for instance irrigation structures). This will be calculated based on the price of making the permanent improvement at current prevailing market rates for labor, equipment and materials.

86. Where land lost is only a small proportion of total land owned by the PAP (according to discussion with representatives of local jamoats and social and environmental experts of PIU, likely the case with most of the land users), 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).

87. Where land is temporarily acquired, standing crop will be compensated at fully matured market rate or government rate, 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). There will hence be no adjustment in the terms of the rent of share cropping agreement. 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. Calculation of Crops and Fruit Trees Compensation Rate

88. The current prices for the crops will be determined taking into account the Government recommended rate and the highest market price, whichever is higher. Where land is rented, 2 seasons or annual crop estimate, depending on the crop will be compensated. Where land is owned, aside from the replacement land or cash compensation for land, the owner will also get compensation for 2 seasons or annual crop estimates depending on the crop. The crops used will be the ones that are currently or have most recently been cultivated on that land. 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.

89. 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.

90. Fruit trees will be compensated to the owner based on the price of a replacement sapling along with the annual value of the fruit produced by that tree for the number of years it will take the sapling to reach full maturity, using Government or highest market price, whichever is higher.

6. Compensation for Structures

91. The preferred option is to provide alternate structures (latrines, storage facilities, fences etc.) of at least equal quality and of improved quality where possible. The second option is provision of cash compensation at full replacement value.

92. Replacement values will be based on:

- Measurements of structures and detail of materials used.
- Average replacement costs of different types of household buildings.
- Structures based on collection of information on the numbers and types of materials used to construct different types of structures (e.g. poles, bricks, rafters, bundles of straw, corrugated iron sheets, doors etc.).
- Prices of these items collected in different local markets.
- Costs for transportation and delivery of these items to the acquired/ replacement land or building site.
- Estimates of construction of new buildings including labor required.
- Compensation will be made for structures that are (i) abandoned because of relocation or resettlement of an individual or household, or (ii) directly damaged by subproject activities.

7. Compensation for Community Assets

93. 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 provided even if there are existing facilities at the new location.

8. Compensation for Sacred Sites

94. This policy does not permit the use of land that is defined to be cultural property by the Banks Safeguards OP 4.11. Sacred and genocide war memorial sites include but not restricted only to museums, altars, initiation centers ritual sites, tombs and cemeteries. It includes other such sites or places/features that are accepted by the legislation of the Republic of Tajikistan (including customary), practice, tradition and culture as sacred. To avoid any possible conflicts between individuals and/or communities, the use of sacred sites for any project activity, is not permitted under this project. Relevant clauses will also be inserted in the civil works contracts.

9. Compensation for Loss of Businesses

95. Any structures will be replaced in an appropriate location as outlined above. In addition, compensation will be paid for the lost income and production during the transition 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.

F. GRIEVANCES REDRESS MECHANISMS

96. Grievance procedures will be required to ensure that PAPs are able to lodge complaints or concerns, without cost, and with the assurance of a timely and satisfactory resolution of the issue. The procedures also ensure that the entitlements are effectively transferred to the intended beneficiaries. Stakeholders will be informed of the intention to implement the grievance mechanism, and the procedure will be communicated at the time that the RAPs are finalized.

97. Grievances may arise from members of communities who are dissatisfied with eligibility criteria use, community planning and resettlement measures, actual implementation or compensation.

F.1 Overall Process:

a) 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.

- b) The process of grievance redress will start with registration of the grievances to be addressed for reference, and to enable progress updates of the cases.
- c) The project will use a local mechanism, which includes resettlement committees, peers and local leaders of the affected people. These will ensure equity across cases, eliminate nuisance claims and satisfy legitimate claimants at low cost.
- d) The response time will depend on the issue to be addressed but it should be addressed with efficiency.
- e) Compensation will be paid to individual PAPs only after a written consent of the PAPs, including both husband and wife.

F.2 Procedure:

- a) The first step in the grievance procedure is to contact the local representative of jamoats and mahallas. and address the grievance. Then the local representative will contact SCINHP PIU Social Safeguards Expert either by phone, SMS (a cell phone number will be provided or letter at sites with limited phone service.). The complaint must be logged by SCINHP PIU in the complaints register. If the problem cannot be resolved to the PAPs satisfaction within 5 days, then the problem is moved to the next level. A record of the resolution or decision to take it to the next level must be recorded in the complaints register.
- b) For grievance cases that cannot be resolved by the PIU Social Safeguards Expert within 5 days:
 - The affected person should file his/ her grievance, relating to any issue associated with the resettlement process or compensation, in writing to the SCINHP PIU. The grievance note should be signed and dated by the aggrieved person. The SCINHP PIU Social Expert will be the direct liaison with PAPs. The PIU Social Expert should be working in collaboration with the SCINHP PIU Director who would report all grievances to the SCINHP PIU Supervisory Board during their regular meetings. Where the affected person is unable to write, the local representative of jamoats/villages or PIU Social Expert will write the note on the aggrieved person's behalf. Any informal grievances will also be documented by the local representatives of jamoats/villages or PIU Social Expert. The note should be embossed with aggrieved person's signature or thumbprint.
 - The SCINHP PIU Social Expert will investigate to determine the validity of claims. If valid, the Committee will notify the complainant and s/he will be assisted. A response will be given within 14 days during which time any meetings and discussions to be held with the aggrieved and others person will be conducted. If the grievance relates to valuation of assets, a second or even a third valuation will be undertaken, until it is accepted by both parties. These can be undertaken by separate independent valuers than the person who carried out the initial valuation. The cost of additional valuation

will be covered through funds allocated for the RAP implementation. The PIU Social Safeguards Expert will provide assistance at all stages to the aggrieved person to facilitate resolution of their complaint and ensure that the matter is addressed in the optimal way possible.

- c) If, after receiving a response from the SCINHP PIU the complaint is not resolved, the project will use a Grievance Redress Committee. The Grievance Redress Committee will be comprised of at least 5 members of whom 2 will be from the SCINHP PIU. The other 3 should be independent of the project implementing authorities and Government of Republic of Tajikistan. They should be from (i) a recognized NGOs/CBOs operating in Tajikistan, (ii) an eminent person of appropriate standing (e.g. respected lawyer or professor) if accessible, (iii) a representative from the participating city and (iv) a person from the city council. These professionals will be paid sitting fees for these sessions and will not be regular employees of any of the project agencies. Establishment of the Grievance Redress Committee shall be approved by order of the participating local hukumats. The committee shall be initiated by the SCINHP PIU or local hukumat at the request of the PAP. Decisions made by the committee and agreed by all parties shall be legalized in terms of a resolution of the participating local hukumats
- d) Should there be objection regarding the decision of the Grievance Redress Committee, the case can be taken to court by the PAP.

F.3 Grievance Log

98. The PIU Social Safeguards Expert will ensure that each complaint has an individual reference number, and is appropriately tracked and recorded actions are completed. The log also should contain 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).
- The date the complaint was closed out.
- The date response was sent to complainant.

F.4 Monitoring Complaints

99. The PIU Social Safeguards Expert will be responsible for:

- Providing the sub-project Resettlement and Compensation Committee with a weekly report detailing the number and status of complaints.

- Any outstanding issues to be addressed.
- Monthly reports, including analysis of the type of complaints, levels of complaints, and actions to reduce complaints.

G. RPF IMPLEMENTATION BUDGET

100. 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 therefore not possible to provide an estimated budget for the total cost of resettlement that may be associated with implementation of this project. However, when these locations are known, and after the conclusion of the site specific socio-economic survey, information on specific impacts, individual and household incomes and numbers of affected people and other demographic data will be available, a detailed and accurate budgets for each RAP will be prepared. Each RAP will include a detailed budget, which will provide costs of the following:

- Compensation may include, for example: costs for land, structures, crops; restoring structures; community structures and services.
- Relocation costs may include, for example: costs of resettling PAPs, administrative costs of resettling PAPs.
- Income restoration costs may include, for example: temporary income support for PAPs.
- Administrative costs may include, for example: staff costs, training and capacity building costs, monitoring and evaluation.

101. The project will prepare the resettlement budget and will finance this budget through the administrative and financial management rules and manuals like any other activity eligible for payment under the project. All responsibilities for implementing the Resettlement Policy Framework including payment of compensation, provision of other types of assistance, implementation of the grievance redress mechanism, training of staff, and monitoring and evaluation activities are to be covered by Government contributions to MoF through a resettlement budget under the allocated Project funds.

H. MECHANISM FOR CONSULTATIONS AND PARTICIPATION OF DISPLACED PERSONS IN PLANNING, IMPLEMENTATION AND MONITORING

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

- a) Following the identification of their plot, a SCINHP PIU Social Safeguards Expert will visit the PAP and advise them of their rights under the project. This will include sharing

information on their entitlements to compensation and grievance redress. They will also confirm with the PAP and local authorities what assets will be required.

- b) Once the inventory and valuation of assets is complete, the PIU Social Safeguards Expert will present and discuss the details with the PAP(s) and whether or not the inventory is accurate and the valuation is acceptable to them.
- c) Once the RAP is complete the PAPs will be provided with the RAP as per the disclosure procedures described above.
- d) 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 affected. PAPs are entitled to have a third party present (NGOs for example) at this crucial time or at the other steps leading up to this final transfer. At any point PAPs can instigate a complaint using the grievance redress process described above.
- e) Consultations within the period of 12months after reconstruction and rehabilitation are done would be performed in order to identify any residual issues.

The preparation of this RPF benefited from consultation in March 2017 in Vanj, Rushan, Kulyab, Vose, Kabadiyan, Shaartuz with a total of 162 participants approximately a third of whom were women.

I. ARRANGEMENTS FOR MONITORING AND EVALUATION

I.1 Overall Arrangements and Scope

103. The arrangements for monitoring will fit the overall monitoring plan of the entire project which will be implemented through the SCINHP PIU. All RAPs will set major socio-economic 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 and (iii) the absence or prevalence of conflicts. 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. the SCINHP PIU will institute an administrative reporting system that will:

- Provide timely information about all resettlement to the SCINHP PIU as a result of project activities.
- Identify any grievances that have not been resolved and require resolution through the involvement of the grievance committee or higher authority.

- Document the timely completion of project resettlement obligations for all permanent and temporary losses.
- Evaluate whether all PAPs have been compensated in accordance with the requirements of this RPF and that PAPs have higher living standards in comparison to their living standards before physical or economic displacement.
- Alert project authorities about the necessity for land acquisition in the project's planned activities.

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

- If affected people have been paid in full and before implementation of any project activity that is causing resettlement.
- If the people who were affected by the project activities have been affected in such a way that they are now living a higher standard than before, living at the same standard as before, or are they actually poorer than before.
- Specific impacts on vulnerable households.

I.2 Indicators

105. Indicators will be set within each RAP. Data will be gathered by the PIU from communities or information collated through surveys, as required. The information for these indicators should be collated at regular intervals (e.g., quarterly or half yearly depending on circumstances) and compared over time. The pre-project Census information should provide most, if not all of the required information to set a baseline against which performance can be tracked. Funding for all these measures will be included in the RPF implementation budget.

I.3 Monitoring RAP Implementation

106. SCINHP PIU Social Safeguards Expert, in coordination with local authorities responsible for the RPF and resettlement and compensation issues, will manage the compilation of basic information on all physical or economic displacement from the project, on a quarterly basis.

107. They will compile the following statistics:

- a) Number of activities requiring preparation of a RAP.
- 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 unresolved grievances.

108. SCINHP PIU will review these statistics in order to determine whether the resettlement planning arrangements as set out in this RPF are being adhered to. For reasons of objectivity, it must be ensured that the staff who are doing this check are not the same staff who have prepared the report. They will alert the World Bank team, of any discrepancies. Financial records will be maintained by SCHINP PIU to permit calculation of the final cost of resettlement and compensation per individual or household. The statistics will also be provided for auditing purposes.

109. SCHINP PIU will maintain a complete database on every individual impacted by the project land use requirements including relocation, resettlement and compensation, land impacts or damages, and it will provide a copy to the jamoat/village authorities. Each time land is used by the project; the database will be updated to determine if the individual or household is being affected to the point of economic non-viability and eligibility for compensation or its alternatives. Periodic reports on the database will be sent to the jamoat/ district authorities and the World Bank. This will become part of the official documents of the project.

110. The impact of resettlement implementation will be measured by collecting of subsequent data six months after the implementation of all sub-projects. This exercise will determine whether or not PAPs are well off than they were before the project, and if not whether their circumstance have declined as result of the project, and what remedial measures may be necessary.

I.4 Reporting

111. During the RAP preparation and implementation regular reporting on a monthly basis will be made to the World Bank by SCHINP PIU, detailing preparatory activities, emerging issues, progress, etc. This would be in addition to the regular progress reports prepared by the PIU.

ANNEX 1: BASIC ELEMENTS OF A RAP

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) and fewer than 200 people would be affected in any activity, 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 RAP 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. A typical table of contents for a RAP will contain the following elements:

- Description of the project
- Resettlement Objectives
- Legal and Institutional Framework.
- Eligibility and Entitlement Matrix
- Valuation of and compensation for losses
- Consultation and Participation
- Grievance procedures
- Monitoring and evaluation
- Organizational responsibilities
- Site Specific Resettlement Impacts and Compensation:
 - PAP(s) Socio-Economic Profile
 - Inventory of Losses
 - Cost and budget
 - Implementation schedule

ANNEX 2: ORGANIZATION CHART OF RFP AND RAP IMPLEMENTATION

