

THE REPUBLIC OF TAJIKISTAN

RESETTLEMENT ACTION PLAN

Dushanbe to Uzbek Border Road Improvement Project:
M41 Road from Avicenna Monument to West Gate

Financed by the European Bank for Reconstruction and Development
Project ID 42232-TAJ

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For
Ministry of Transport, the Republic of Tajikistan

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ABBREVIATIONS AND ACRONYMS

AH:	Affected Household
AP:	Affected Person
CEDAW:	Convention on the Elimination of All Forms of Discriminations against Women
CSC:	Construction Supervision Consultants
DMS:	Detailed Measurement Survey
EBRD:	European Bank for Reconstruction and Development
EA:	Implementing Agency
GoT:	Government of Tajikistan
GRM:	Grievance Redress Mechanism
GRC:	Grievance Redress Committee
LAP:	Local Authorized Person
LAR:	Land Acquisition and Resettlement
MoF:	Ministry of Finance
MoT:	Ministry of Transport
PAP:	Project Affected Person
PIU:	Project Implementation Unit
PIU,RR:	Project Implementation Unit, Road Rehabilitation
PR:	Performance Requirements
RAP:	Resettlement Action Plan
R&R:	Resettlement and Rehabilitation
RT:	Republic of Tajikistan
SCLMG:	State Committee for Land Management and Geodesy
SEP:	Stakeholders Engagement Plan
SES:	Socio Economic Survey
SUE:	State Unitary Enterprise for Valuation
TJS:	Tajikistani Somoni (Currency)
USD:	United States Dollar

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Definition of Terms

Compensation	Payment in cash or in-kind for an asset to be acquired or affected by a Project at replacement cost at current market value.
Cut-off-date	The date after which anyone who moves into the project area is no longer entitled to compensation and / or assistance. In practice it is the date of completion of the census and assets inventory of the persons affected by the project.
Dekhan Farm	Farms, usually mid-sized, that are legally and physically distinct from household plots, for which full user rights but not ownership is allocated to either individuals or groups.
Detailed measurement Survey	The detailed survey of project affected land parcels and inventory of affected assets.
Encroachers	People who move into the Project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the Project.
Entitlement	The range of measures comprising cash or kind compensation, relocation cost, income rehabilitation assistance, transfer assistance, income substitution/business restoration, which are due to APs, depending on the type, extent and nature of their losses, and which suffice to restore their social and economic base.
Hukumat	Administration District.
Inventory of losses	Pre-appraisal inventory of assets as a preliminary record of assets to be affected or lost as a result of the Project.
Jamoat	Sub-district administration unit under each District.
Land expropriation	Process whereby a person is compelled by a public agency to alienate all or part of the land she/he possesses, to the ownership and possession of that agency, for public purposes, in return for fair compensation.
Land Acquisition	Land acquisition includes both outright purchases of property and purchases of access rights such as rights of way.
Livelihood	A livelihood is a means of making a living and encompasses people's capabilities, assets and income.
Non-titled	Physical persons who have no recognizable rights or claims to the land that they are occupying and includes people using private or state land without permission, permit or grant, i.e. those people without legal title to land and/or structures occupied or used by them.
Oblast	Region in Tajikistan.
Project Affected Persons (PAPs)	All the people affected by the Project through land acquisition, relocation, or loss of incomes and include any person, household (sometimes referred to as Project affected family), firm, or public or private institution. PAPs therefore include; i) persons affected directly by the road corridor, right-of-way, tower or pole foundations or construction work area; (ii) persons whose agricultural land or other productive assets such as trees or crops are affected; (iii) persons whose businesses are affected and who might experience loss of income due to the Project impact; (iv) persons who lose work/employment as a result of Project impact; and (v) people who lose access to community resources/property as

	a result of the Project.
Presidential Land	Land for which use rights have been allocated by Presidential Decree but ownership remains with the State.
Replacement cost	The method of evaluation of project affected assets to replace the loss at current market value, or its nearest equivalent, and is the amount of cash or equivalent in kind needed to replace an asset in its existing condition, without deduction of transaction costs or for any material salvaged and depreciation for age cannot be deducted from the compensation.
Reserve Fund Land	Land owned by the State and controlled by the district administration that may be rented, mainly for agricultural purposes.
Sharecropper	Equivalent to tenant cultivator or tenant farmer, i.e., a person who cultivates land they do not own for an agreed proportion of the crop or harvest.
Significant impact	When because of project, 200 people or more will experience major impacts, which are defined as; (i) being physically affected from housing, or (ii) losing ten percent or more of their productive assets (income generating).
Severe / Significant Impact	Impact on asset is more than 50% due to land acquisition or restrictions on land use leads to physical or economical or both displacements.
Vulnerable	People, especially from affected households, those below the poverty line, the elderly, women and children, or other displaced persons who may not be protected through national land compensation legislation, who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

EXECUTIVE SUMMARY

A. Project Background

1. The European Bank for Reconstruction and Development (EBRD) has been approached by the Ministry of Transport, Government of Republic of Tajikistan for improvement work i.e. Dushanbe to Uzbek Border Road Improvement Project of 4.9km from Avicenna Monument to West Gate within Dushanbe City. The proposed rehabilitation of this road will follow the existing road alignment, with the possible exception of limited realignments to improve geometric characteristics.

2. The project will support the government's program to progressively improve the road by (i) expanding its width from two to four lanes, to address the impending capacity constraints; (ii) improving its surface condition by structural overlays of the existing pavement and construction of new pavements, to address the condition constraints; and (iii) providing well-designed safety facilities to address the existing road safety deficiencies. The project will also serve to take stock, draw lessons and analyse the institutional gaps on road safety and road asset management with the view to incrementally strengthening MOT's capacities on these aspects. This approach will support a policy dialogue that will run parallel with the progressive improvement of the road and will be closely coordinated with other development partners active in the transport sector.

3. The RAP sets out the procedures and the actions to be undertaken by MOT to properly resettle and compensate PAPs. It includes a project implementation schedule, eligibility criteria for project affected people (PAPs), legal framework and institutional involvement, determines valuation methodology, establishes compensation entitlements and unit rates, participation and consultation procedures, and grievance redress mechanism which will be employed to address complaints and/ or grievances resulting from Project implementation..

B. Scope of Land Acquisition and Resettlement and Impact Summary

4. This RAP has been prepared for the proposed Project and outlines the resettlement principles and procedures ensuring that resettlement needs are identified, so that the Project Implementation Unit (PIU), Ministry of Transport (MoT) of the Republic of Tajikistan, will adopt and implement the procedures for land acquisition, involuntary resettlement, and potential loss of access to physical and economic livelihoods in compliance with the Government's applicable laws and regulations and Environmental and Social Policy, 2008 of European Bank for Reconstruction and Development (EBRD). The EBRD has developed related Performance Requirements (PR) for key areas of environmental and social sustainability, notably including:

- PR 5 - Land Acquisition, Involuntary Resettlement and Economic Displacement
- PR 10 - Information Disclosure and Stakeholder Engagement

The main objective of this RAP is to identify persons affected by the Project and to assist them to restore their livelihoods through rehabilitation assistance and employment opportunities so that they can improve, or at least restore to pre-Project conditions, their income-earning capacity, production levels, and standards of living to national minimum standard. As per the principals of the project, all affected households (formal and informal holders) are entitled to a combination of compensation measures and resettlement assistance, depending on nature of their ownership rights and the scope of the impact, including the social and economic vulnerability of the affected persons. The RAP complies

with Republic of Tajikistan legislations and the requirements of EBRD Environmental and Social Policy 2008.

5. The RAP includes: (i) description of the Project, (ii) profile of the PAPs and affected communities, (iii) description of impacts, (iv) information disclosure and stakeholders engagement plan, (v) grievance redress mechanism, (vi) legal framework, (vii) entitlements, assistance and benefits, (viii) resettlement budget and financing plan, (ix) institutional arrangements (x) RAP implementation schedule, and (xi) monitoring of RAP implementation.

6. The Affected Households (AHs)/Project Affected Persons (PAPs) Socio-economic Survey and Census Survey together was carried out during the month of March 2017 which is the cut-off date for this RAP. Immediately after socio-economic survey and Census Survey, Detailed Measurement Survey (asset inventory) was carried out in the month of April and May 2017 to measure affected land parcels and produce inventory of affected assets.

7. The Census Survey identified Project-affected households, including owners and users of land/buildings, business owners, renters and employees with a total of 102 AHs. Detailed information on different categories of affected households (AHs) and project affected persons (PAPs) by impact type is provided in the impacts section (Chapter 3 of this RAP).

8. There are total 102 Affected Households (comprising 612 PAPs) in 88 affected structures. They are categorized as:

- owners (35) of which 6 are losing 2 residential structures, 12 are losing 34 residential cum commercial structures and 17 are losing 42 commercial structures;
- tenants (53) of which 43 lease property from affected commercial owners and 10 lease property from the government buildings;
- employees (14) of a 5 business structures.
- Informal Road Side Small Business (8 vendors) units.
- There are total 14 structures permanently affected (1 residential, 2 residential cum commercial, 1 commercial and 10 shops of subway). Other 74 structures are partially affected.
- There are 2 vulnerable HHs.

9. In terms of ownership, 78 structures are privately owned (2 only residential, 34 residential cum commercial and 42 commercial) and 10 are owned by the government (commercial structures within the subway). Of the 78 privately owned structures 15 are in residential use and 63 in commercial use whilst all 10 of the government owned subway structures are in commercial use. Out of 15 residential structures, 2 are only residential and 13 are residential cum commercial structures.

10. In Dushanbe city all the commercial structures, except 10 subway shops are built up within the residential area. For the convenience to understand, this RAP categorise lost assets in three categories:

- a) Residential lands and structures;
- b) Residential cum Commercial lands and structures; and
- c) Commercial lands and structures

11. The affected agricultural land belongs to Government. The total affected agricultural land is 2 hectares. This land is owned by *Hukumat* of Dushanbe City. The land is used to

grow crops such as wheat, barley, lentil, peas. There are total 20 people engaged as workers in this land, 14 males and 6 females aged between 24 to 40 (male) and 20 to 39 (female). All 20 workers have been provided another equivalent job in an adjacent agricultural plot by *Hukumat* of Zafar District of Dushanbe City.

12. A total of 41 privately owned fruit trees such as apples, apricot, almond, grapes, cherry, garnet, plums, dates, nuts and peach will be affected due to the project. All the 41 trees are on leased private land and not on government owned land.

13. There will be partial impact (Fencing walls) on 4 government buildings which will be reconstructed by civil work contractor.

14. Vulnerability for this project is defined as a) female headed households with dependents b) disabled heads of households c) poor households, and d) elderly households with no means of support. Based on defined vulnerability, the census found 2 AH with member belonging to vulnerable groups. The mother of AH is Physically Challenged and other is female headed household.

C. Socioeconomic Information and Profile of the Affected Population

15. The Socioeconomic Survey and Census Survey in the Project area was conducted during March, 2017. In total, 102 Aps from the Project Area were surveyed, which is 100% of the sample. The Socio-economic Survey included owners and tenants, PAPs who will permanently lose employment as well as persons who will not be displaced.

16. The surveyed population lives in Dushanbe city, located along the Project road. Each affected AH has basic facilities and utilities such as electricity, mostly combined primary and secondary schools, basic healthcare (hospitals are located in the city) and religious facilities. Piped water is available (both cold and hot).

17. The Project population is well educated. There is no single illiterate head of the household or PAP in the project area. Around 9% Head of the Households are educated till college level where as 84% PAPs are educated up to the University level (Self-reported). Sources of income are large and small businesses and employment. Most households (28%) have an income between 5000 TJS to 10,000 TJS, and the same percentage of HH earn between 1000 TJS to 2000 TJS which is above the national average of 1051 TJS.

18. When decision making processes are considered, the Socio-economic study showed that women are consulted and take part in the decision making processes in all major family activities. The highest participation is noted when it comes to caring for family members, children's education, social functions and obligations and daily family activities. Other reported women's activities are sale of homemade products as a side activity and running small informal businesses. During civil work activity due to closing of road section, these road-side small businesses will be affected and are expected to experience loss of livelihood. A Total 8 such small informal businesses are run by women. During civil work activity, movement of transport and pedestrians within construction corridor will be suspended. This road side informal small business will be set-up at both points where public movement and transport will be available. Experience from on-going civil work activity at 82th Roundabout section shows the positive practice of relocating road side informal small businesses run by mostly women in such points. Women running road side small informal business are earning well.

D. Information Disclosure, Consultations and Participation

19. The Project Implementation Unit for Road Rehabilitation (PIURR) conducted two Public Consultations, first was conducted on July 12, 2017 and second was on Feb 13, 2018. Around 53 PAHH heads in first and 75 PAHH along with Representatives of Local Authorities of Sino District of Dushanbe City, Grievance Redress Committee members, Representatives of PIU, Evaluator agency and CSC (SAI) and interested people from affected community participated in this Public Consultation. Participants received information about the Project, Land Acquisition and Resettlement processes, bidding process and expected time for the beginning of the works, as well as the Project Information Booklet detailing the Project-specific entitlements, government decree on the cut-off date, MoT letter on the establishment of the GRM and details on the GRM procedure. Participants were supportive of the project and shared their concerns and suggestions on issues such as road safety, and adequate compensation, among other issues. Following the socioeconomic survey, social expert and officials of PIU are visiting affected communities and disseminating information and responding to their concerns on an ongoing-basis.

20. The second Public Consultation is arranged early 2018 to discuss the draft RAP after receiving comments by EBRD.

E. Grievance Redress Mechanism

21. The scope of the Grievance Redress Mechanism (GRM) addresses issues related to involuntary resettlement, social and environmental performance, and information disclosure. The PAPs will have the right to file complaints and/or queries on any aspect of the Project, including land acquisition and resettlement, and appeal any decision, practice or activity related to the Project. The PIU,RR will ensure that grievances and complaints on any aspect of the project are addressed in a timely and effective manner.

22. The Grievance Redress Committee has been established at the project level (PIU) of the project area, by requirement of MoT letter No. 697, issued on 12th June 2017, and will function for the duration of the project's implementation. A Local Authorised Person (LAP) has been appointed at project level and at the MoT PIU, RR. The PIU, RR LAP participated in all consultations with communities and shared his/her contact details with participants for questions related to the Project and in the event of grievances for the entire duration of the Project, including the preparation and implementation of the RAP. All efforts will be made to settle issues at the Project level. A sample grievance form and sample grievance databases based on EBRD guidelines has been prepared for reporting.

F. Legal Framework of the Republic of Tajikistan

23. The Constitution, Land Code and Civil Code of the Republic of Tajikistan are the fundamental laws on which the legislation is based. EBRD applies its Environmental and Social Policy (2008) to this Project. Land acquisition is covered by Performance Requirement (PR) 5 of the Policy. The main points of PR 5 are as follows:

- All feasible alternative project designs should be explored to avoid or at least minimise physical and/or economic displacement;
- Negotiated settlements are encouraged to help avoid expropriation and eliminate the need to use governmental authority to remove people forcibly;
- Adverse social and economic impacts from land acquisition or restrictions on affected persons' use of and access to land should be mitigated by: (i) providing compensation for loss of assets at replacement cost; and (ii) ensuring that land

acquisition activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected;

- The livelihoods and standards of living of displaced persons should be improved or, at a minimum, restored to pre-project levels;
- Informal occupants of land are not entitled to compensation for land; however, they should be compensated for any other improvements to land and provided resettlement assistance;
- A grievance mechanism must be established as early as possible in the process in order to receive and address in a timely fashion specific concerns about compensation and relocation that are raised by displaced persons and/or members of host communities, including a recourse mechanism designed to resolve disputes in an impartial manner.

G. Entitlements, Assistance and Benefits

24. All PAPs in the Project are entitled to compensation and resettlement assistance, irrespective of their land ownership status, to help the restoration of their livelihoods to pre-Project levels. The combination of compensation measures and resettlement assistance offered to them depends on the nature of the lost assets and the magnitude of the Project's impact as well as the social and economic vulnerability of the project affected persons. The compensation packages must reflect replacement costs for all losses (such as land, crops, trees, structures, businesses, incomes, etc.).

25. According to the adopted Project Specific Entitlement Matrix, which is based on the Republic of Tajikistan's Laws and the requirements of EBRD, PAPs eligible for compensation and/or at least rehabilitation are: (i) all APs losing land covered by legal title; (ii) owners of buildings, crops, plants, or other structures attached to the land, regardless of their legal title, and (iii) PAPs losing their businesses, income, and salaries, regardless of their legal status.

H. Institutional Arrangements

26. The core agencies and organizations involved in the RAP process are: Ministry of Transport, Project Implementation Unit for Road Rehabilitation (PIURR), Ministry of Finance, Ministry of Agriculture, State Committee for Land Management and Geodesy (SCLMG), State Unitary Enterprise for Valuation (SUE) 'Narkhguzori', Local State Executive Authorities, LAR Committee, and other state agencies. The institutional arrangement for the implementation of the RAP is presented in Chapter 7, figure 7-1 in this document.

I. Resettlement Budget

27. The total implementation cost of the RAP, including compensation, rehabilitation allowances as well as administrative costs for RAP implementation and contingency, amounts to **22,086,604.55 TJS**, which is equivalent to **\$ 2,508,872.00** 2, (as per the exchange rate on Nov 8, 2017, National Bank of the Republic of Tajikistan).

J. Resettlement Action Plan (RAP) Implementation Process

28. The Project Implementing Unit (PIU) will begin the implementation of the RAP immediately after its approval by EBRD and the Government of the Republic of Tajikistan. The official cut-off date was established as March 17, 2017 (Annex 4-4). RAP preparatory activities included:

- (i) Extensive consultations with key stakeholders and PAPs;

- (ii) Setting entitlements and compensation amount based on the agreed entitlement provisions;
- (iii) Identification of impacts and number of PAPs, conducting the detailed socio-economic survey;
- (iv) Valuation of affected assets and determination of compensation amount and the RAP budget;
- (v) Preparation of the RAP document;
- (vi) Submission of the RAP to the PIU,RR and EBRD for comments and approval following a second round of public consultations.

29. As soon as the RAP is approved by EBRD and the Government of Tajikistan, the PIU, with assistance of the local authorities, will distribute draft contracts to PAPs. PIU, RR will sign contracts with PAPs for disbursement of compensation for affected properties as per the provisions set for the project. The compensation amount will be disbursed within 15 days of the contract signing. PIU will give advance notice to the PAPs and pay their due compensation based on the eligibility criteria defined in this RAP and prior to the start of construction work. Grievances or objections (if any) will be redressed as per the grievance redress procedure presented in this RAP. All activities related to RAP (including EBRD's notice of 'no objection' to the RAP implementation) will be completed prior to the commencement of civil works.

K. Monitoring and Reporting

30. The PIU, RR will monitor performance (physical progress of the RAP implementation against milestones set in the RAP), impact (whether the objectives to restore the living standards of the affected population have been properly considered and executed) and LARP compliance indicating whether the compensation program has been carried out in accordance with the provisions of Tajikistan's laws and EBRD policies, and to the satisfaction of the PAPs. The Construction Supervision Consultant shall have a resettlement specialist on board who will assist the PIU, RR in the internal monitoring of the RAP implementation processes.

CHAPTER 1:

INTRODUCTION

1.1 Project Background

31. The Project has been developed considering Transport Sector Master Plan of Tajikistan 2011 for construction, reconstruction, rehabilitation, maintenance and protection of the State Roads. The proposed Project aims enhancing intra-regional and international freight and passenger movements on Tajikistan's key export route to Uzbekistan. This is an international road of strategic importance and is part of two international corridors, European corridor 60 and Asian Highway 65. It is the missing link in the rehabilitation of the Tajik section of the CAREC Corridor III.

32. The Project has been developed by Ministry of Transport in response to the country's spatial planning and legislative requirements and those of the European Bank for Reconstruction and Development (EBRD). EBRD considered the provision of a loan to finance the Project.

1.2 Description of the Project

33. The Project represents a rehabilitation and improvement of existing road M41 between Avicenna Monument and West Gate at the outskirts of the city of Dushanbe. The Project will support regional trade and economic development by reducing travel time and operating costs for international freight and passenger movements on Tajikistan's key export route. Upgrading this part of the route will provide improved transport links, additional capacity, a safer travel environment, and will bring economic benefits for the local and wider community.

34. The designed road lies in the north-western part of the city of Dushanbe, between the Avicenna Monument and the West Gate, within the city limits (Ismail Somoni avenue and Nasratullo Makhsum avenue) and is presented in Figure-1.

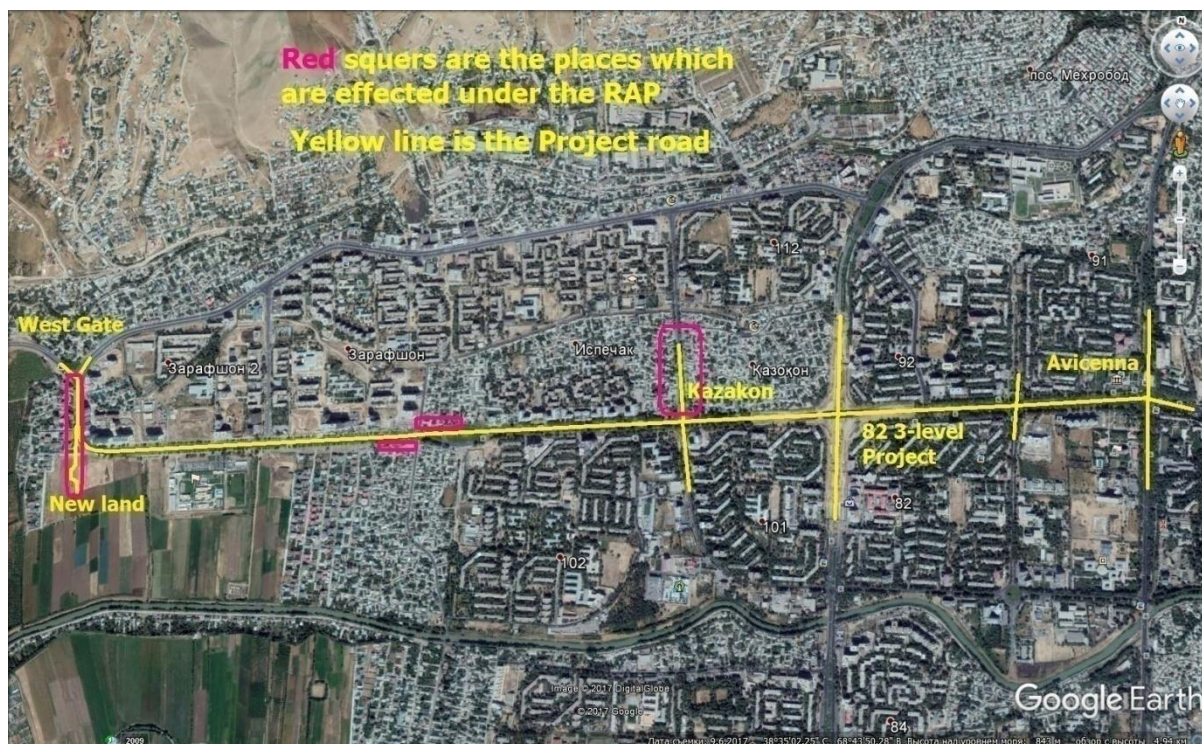


Figure 1: Location of the Project

1.3 Main Technical Characteristics of the Designed Route

35. The M41 highway is designed in 4-lane cross-sectional profile in each traffic direction. In km 0.100 – 4.450 with the median strip, in km 4.450 up to the roundabout at the West gate without median strip. The highway route runs through the urban area of Dushanbe at the level of the existing built-up area, only within the areas of roundabouts at the Avicenna Monument and the 82nd residential area it will be situated on grade-separated structures – flyovers. Total 7734m² of privately owned as well government lands will be affected.

1.4 Impact on Utilities and Services

36. The construction activity of 4.9km road rehabilitation with 4.45 meters widening from two lanes to four lanes will affect total 27,434.8m² of privately owned as well government lands. The following types of overhead and underground utilities and services will have to be moved to new locations to accommodate the road:

- CCTV Stations adjacent to road intersection
- water-main pipelines
- sewage disposal systems
- very high voltage lines
- heavy current lines
- telecommunication lines
- medium-pressure and high-pressure gas line pipes
- warm-water pipelines

37. In addition to the above specified lines there will be new road lighting constructed along the planned roads and a radical reconstruction will be performed on the trolleybus

overhead contact line, the line of which will be extended up to the roundabout at the West Gate.

1.5 Project Benefits

38. The main benefits are provided below:

- It is expected that, the reduced idling times at intersections, resulting from the installation of the intelligent traffic system, the replacement of old model cars and trolleybuses with new ones as well as the anticipated transport modal shift resulting from the overall implementation of the Project, will lead to reduced air pollution and Green House Gas (GHG) emissions from the vehicle traffic in Dushanbe;
- The modernization of the grade separated intersections is expected to result in reduced noise and vibration emissions, as well as to improved traffic safety;
- It is expected that the installation of the new intelligent traffic system will result in reduced traffic congestions, hence to time savings for both public and private transport passengers;
- All project components are all expected to improve the passenger comfort and convenience, and to draw more passengers to the public transport system.

1.6 Objective and Scope of the Land Acquisition and Resettlement Plan

39. The main objective of the RAP is to identify persons economically and/or physically displaced (PAPs) due to the Project, to assist them with resettlement and to restore their livelihoods. As per the principals of the project, all affected households (formal and informal holders) are entitled to a combination of compensation measures and resettlement assistance, depending on nature of their ownership rights and the scope of the impact, including the social and economic vulnerability of the affected persons. The RAP complies with the **relevant laws of the Republic of Tajikistan** and the requirements of EBRD's **Environment and Social Policy, 2008** in particular **Performance Requirements 5: Land Acquisition, Involuntary Resettlement and Economic Displacement**.

40. This RAP specifies the procedures to be followed by PIU, MOT of Republic of Tajikistan and the actions it will take to properly resettle and compensate affected people and communities. The document provides a description of the households and land plots that will be affected by property acquisition for needs of the Project.

1.7 The objectives of this RAP are to:

- Minimize the negative effects of population displacement and resettlement;
- Mitigate adverse social and economic impacts from land acquisition or restrictions on affected persons' use of and access to land by providing compensation for loss of assets at full replacement cost to replace the loss at current market value, or its nearest equivalent, and is the amount of cash or equivalent in kind needed to replace an asset in its existing condition, without deduction of transaction costs or for any material salvaged and depreciation for age cannot be deducted from the compensation and ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected;
- Improve or, at a minimum, restore the livelihoods and standards of living of displaced persons to pre-Project levels;

- Improve living conditions among displaced persons through provision of adequate housing;
- Establish organizational arrangements and procedures to monitor the implementation of resettlement plan and take corrective actions as necessary;
- Establish a grievance mechanism to receive and address in a timely fashion specific concerns about compensation and relocation that are raised by displaced persons, including a recourse mechanism designed to resolve disputes in an impartial manner.
- To identify the gaps between national law and EBRD requirements and to propose measures to overcome such gaps.

1.8 Scope of this Document

41. Resettlement of affected households and PAPs in the vicinity of the proposed Dushanbe to Uzbek Border Road Improvement Project is taking place. As per an agreement with the EBRD, this resettlement is to take place in accordance with Tajik national law, EBRD Environmental and Social Policy and Performance Requirements and international good practice. The application of this RAP aims to ensure that the resettlement is carried out in accordance with the EBRD Environmental and Social policy, 2008 on Involuntary Resettlement. This RAP has been developed in accordance with the EBRD safeguard policies. This RAP describes the land acquisition, resettlement and compensation entitlements for the users of all the project affected land parcels as well as specific terms and conditions to be addressed if any temporary impact occurs during the construction works undertaken along any of road sections listed in the RPF approved by the government of the RT and the EBRD.

CHAPTER 2:

LEGAL AND POLICY FRAMEWORK

42. The policy framework for the Project is based on the Law of the Republic of Tajikistan and the EBRD Environment and Social Policy 2008, particularly Performance Requirement (PR) 5: Land Acquisition, Involuntary Resettlement and Economic Displacement. In the legislation of Tajikistan, there is no special law or policy, which regulates the issues of resettlement and/or land acquisition or expropriation of rights to land and immovable property for state or public needs. Moreover, there is no separate law that completely provides norms and mechanisms for the determination of the full and fair, market value of land. The key legislative acts regulating land management relations and the ownership rights to immovable properties in the Republic of Tajikistan are the following:

- Constitution of the Republic of Tajikistan (1994, as amended in 2003)¹
- Land Code (amended in 2012)²
- Land Code (amended in 2008)³
- Civil Code (amended in 2007)⁴
- Regulation “about compensation of losses to the land users and losses of agricultural products” (approved by the Decree of Government of Republic of Tajikistan, 2000. № 515)⁵

43. The Constitution of the Republic of Tajikistan, Land Code and the Civil Code of the Republic of Tajikistan are the fundamental laws on which the legislation is based. The framework for the Project is based on the EBRD Environmental and Social Policy, 2008 requirements and applicable laws, regulations and policies. Where differences exist between local law and EBRD policies and practices, the resettlement for this Project will be resolved in favour of whichever gives higher protection to the PAPs.

2.1 Types of land ownership and land use rights allocation

44. All land is owned by the Republic of Tajikistan, which is responsible for its effective use. Several tenure options for agricultural land are defined by the Land Code. There are primary use rights and secondary use rights. Primary use rights include the following:

- Perpetual use which has no fixed term. It is granted to legal entities such as state and cooperative agricultural enterprises, public and religious organizations and charities, industrial and transportation needs, public enterprises, defence and joint ventures that include foreign entities.
- Limited or fixed-term use may be granted to legal or physical persons for either a short-term (up to 3 years) or long-term (3 to 20 years).
- Life-long inheritable tenure which may be assigned to physical persons or collectives. Physical persons must re-register the right in the case of inheritance. This right applies to land-shares used to organize a *Dekhan* farm, as well as household (garden) plots.

¹Constitution, November 6, 1994, as amended on 22 June 2003.

²Land Code of the Republic of Tajikistan as amended on 01 August 2012.

³Land Code, as amended by N 498 from December 12, 1997, N 746 from May 14, 1999, N 15 from May 12 2001, N 23 from February 28, 2004. From 28.07.2006 №199, from 5.01.2008 №357, from 18.06.2008 № 405.

⁴Civil Code, as amended by August 6, 2001, N 41: May 3 2002 №5, March 1 2005, N 85; April 29, 2006 №180, May 12, 2007 №247).

⁵Approved by the Decree of Government of Republic of Tajikistan, December 30, 2000 №515

45. The only secondary use-right recognized under the Land Code is the right to lease. According to the Code, primary rights holders may lease out their plots for a term not exceeding 20 years. The land is used in accordance with the state-established land-use standards. The right to use land may be terminated for various reasons such as termination of activities by the land user, non-use for two years and use of the land differing from the use established in the use-rights document. (Land Code Article 37)

46. *Dekhan* land is the result of the splitting up of large state owned farm enterprises, known as kolkhoz and Sovkhoz farms, which were established throughout much of the former Soviet Union. Sovkhoz farms were run by the state, while kolkhoz farms were a form of co-operative farm, run by a committee of members approved by the state. The Agrarian Reform Program in Tajikistan was adopted for the period of 2012-2020. Creation of *Dehkan* farms is one of the priority areas of land reform. The basis for creating *Dehkan* farm in the Republic of Tajikistan is defined by the Law “On *Dehkan* farms”⁶, №48 of 10 May 2002. It resulted in the creation of 31 *Dehkan* farms in 1992 comprising 300 hectares of land. In 2003, there were 16,433 registered *Dehkan*’s farms comprising 240,100 hectares⁷.

47. In *Dekhan* farms, the land remains state property (which cannot be bought or sold), but farmers are granted inheritable land use rights which give complete legal freedom to landholders to manage the land as they desire. The state collects taxes and can repossess the land if it believes the land is not being managed properly. There are three types of *Dekhan* land: individual (the land use certificate is held by an individual), family (the certificate is jointly held) and collective (the certificate details common property shareholders).

48. A collective *Dehkan* consists of two or more unrelated families, producing and marketing jointly. *Dekhan* farm —associations, or —associative *Dekhan* farms, operate in a similar manner to collective *Dekhans*, although the families involved technically have their own *Dekhans* and work together cooperatively. Both family and collective *Dehkans* operate by appointing a head who officially holds the farm’s land registration certificate and legally represents the interests of the farm (Duncan 2000; GOT 2008; ARD 2003; Robinson et al. 2009; GOT 2009a).

49. Presidential land is similar to *Dekhan* land. It was allocated in small plots to private households in the late 1990s by Presidential Decree. The essential difference between *Dekhan* and Presidential land is that no land-use rights certificate is required for the latter land plots (they are registered at the *jamoat* level per household).

50. Reserve Fund land usually consists of unused land. It also includes land plots for which land use rights have been abandoned. State reserve land is at the disposal of the district administrations and is rented out or distributed for individual agricultural cultivation purposes. Article 100 of the Land Code states that “State land stock” is reserved for the agricultural, industrial, transport and other needs of the national economy.

51. Supported Farms land includes land provided to different government institutions as assistance to their members and employees. The land is given to employees who did not get any land under other government schemes.

⁶Law of the RT “On *Dehkan* farms”.2002. www.mmk.tj

⁷Source: Statistical Yearbook of the Republic of Tajikistan. 2001. Statistical Agency. Dushanbe, 2001, c.175. Statistical Yearbook of the Republic of Tajikistan. 2004. Statistical Agency. Dushanbe, 2004, c.173.

2.2 Tajikistan Constitution, Law/regulation on Land Acquisition, Resettlement and Compensation.

52. The Constitution of the Republic of Tajikistan is the main legal document which guarantees citizen's rights. Article 13 states that land, mineral resources, water, airspace, animal and vegetable kingdoms, [i.e. flora and fauna], and other natural resources are owned by the state, and the state guarantees their effective use in the interests of the people. Furthermore, Article 12 states that the economy of Tajikistan is based on various forms of ownership and the state will guarantee freedom of economic activity, entrepreneurship, equality of rights, and the protection of all forms of ownership, including private ownership.

53. 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."

2.3 Provisions regulated by the Land Code

54. In August 2012 amendments to the Land Code that enable legal sales and lease transactions for land use rights were approved.⁸ The Land Code also includes changes to the provisions related to land acquisition.⁹

55. The revocation/allotment of lands and resettlement envisages compensation for losses incurred by land users or those with other registered rights to the land when the land plot is revoked for state and public needs.

56. The state may revoke land plots for state and public needs from land users after:

- Allocating a land plot of equal value;
- Constructing housing and other buildings with the same purpose and value, in a new location for the natural persons and legal entities to whom the land plot had been allocated, in accordance with established procedures;
- Fully compensating for all other losses, including lost profits, in accordance with the legislation of the Republic of Tajikistan.

57. Upon the revocation of land plots for state and public needs, all losses shall be calculated according to the market price, which shall be defined by taking into consideration the location of the land plot, and compensation shall be paid to the persons/legal entity whose land has been taken away. Termination of the right to use a land plot, for state and public needs, can be carried out after allocation of an equal land plot and compensation of other expenses is provided by part one of the present article (L.C. Article 41; In the Republic of Tajikistan Law edition dated 1 August 2012, No. 891).

58. The procedure for the compensation of losses to land users and losses arising from the removal of land from circulation is regulated by Article 43 of the Land Code edition dated 1 August 2012, No. 891:

- In the event of revocation of a land plot for state and public needs, compensation for losses to land users and others with registered rights to the land, and losses

⁸Law 891, dated August 2012, article 19.

⁹Articles 37-45

connected to the removal of land from circulation, shall be made by the natural/legal persons whose activity led to the revocation;

- In the event of withdrawal of a land plot for state and public needs, the procedure for compensation of losses to land users and others with registered rights to the land, and losses connected to the removal of land from circulation, shall be defined by the Government of the Republic of Tajikistan (In RT Law edition dated 5 January 2008, No. 357).
- Upon termination of the rights to a property, the property will be assessed based on its market value (Article 265 Civil Code).
- Land users should be notified in writing about land revocation by the local executive government body no later than one year before the pending withdrawal of the land (Article 40. Land Code of the Republic of Tajikistan Law edition dated 1 August 2012 no. 891).
- In the event that international agreements recognized by the Republic of Tajikistan establish other rules than those contained in the Land Code of the Republic of Tajikistan, the rules of the international agreement shall be applied (Article 105, LC of the RT edition dated 28 February 2004 No. 23).

59. The Land Code of 1997 is the core legal document related to land acquisition. It has been updated a few times and most recently in August 2012. Article 2 of the Land Code states that “land is an exclusive ownership of the State but the State guarantees its effective use in the interests of its citizens”. However, Articles 10-14, the Land Code outlines land title as being of long-term, short-term, and inherited land use entitlement. Article 14 of the LC of the RT also states that land users may lease land plots by agreement (In the Republic of Tajikistan Law addition dated 1 August 2012 No. 891).

60. Article 24 of the Land Code 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 agriculture should be favoured. The same principle is stressed by Article 29, which discourages the use of high yielding agricultural land for non-agricultural use. However, Article 29 also allows for allocation, and appropriating of agricultural land for “other very important State objects”.

61. In accordance to Article 19 of the Land Code, the land right users may:

- Execute civil-legal transactions (buying-selling, gift, exchange, mortgage and other) with allocated (acquired) use right to a land plot with a right to alienate it independently without interference of executive government bodies, except for provisions of present Code; (In the Republic of Tajikistan Law edition dated 1 August 2012 No. 891);
- Lease the land plot;
- Establish private (based on consent) servitude to a land plot; (In edition dated 1 August 2012 No. 891);
- Mortgage the right to a land plot;
- Receive compensation in the event of withdrawal of the right to use the land plot for state and public need in accordance with Article 41 – 43 of the present Code.

62. Compensation for land which belongs to the State but is allocated and essentially leased to users by each *Hukumat*, is divided between the *Hukumat* and the user according to the following proportion:

- 40 % to the *Hukumat*, which will no longer derive income from taxes and leases for the portion of the land being acquired
- 60% to the land user, who suffers a reduction in his/her income-generating asset.

63. The compensation received by the *Hukumat* is used for the management, construction, and maintenance of local infrastructure. The land user also receives compensation for lost crops based on the provisions outlined in the Entitlement Matrix.

2.4 Applicable EBRD Policy

64. EBRD requirements in relation to land acquisition are presented in Performance Requirement (PR) 5: (Land Acquisition, Involuntary Resettlement and Economic Displacement) of the Environmental and Social Policy (2008).

The relevant requirements can be summarised as follows:

- To avoid or, at least minimise permanent or temporary project induced physical or economic displacement whenever feasible by exploring alternative project design; where displacement is unavoidable, appropriate compensation, resettlement and livelihood restoration action plan should be developed and implemented;
- To mitigate adverse social and economic impacts from land acquisition or restriction on affected persons' use of and access to land, physical assets or natural resources by
 - a) Providing compensation for loss of assets at replacement cost, prior to taking possession of acquired assets; and
 - b) Ensuring that compensation, resettlement and livelihood restoration activities are planned and implemented with appropriate disclosure of information, consultation, and the informed participation of those affected.
- To improve or, at least a minimum, restore the livelihoods, income earning capacity and standards of living of displaced persons, including those who have no legally recognisable rights or claims to the land (present in the project affected area at the time of the cut-Off-Date) to pre-project levels and support them during the transition period;
- To make special provisions for assisting disadvantaged or vulnerable individuals or groups that may be more adversely affected by displacement than others and who may be limited in their ability to claim or take advantage of livelihood assistance and related development benefits;
- To establish a Grievance Mechanism to receive and address in a timely fashion specific concerns about compensation and relocation that are raised by displaced persons, including a recourse mechanism designed to resolve disputes in an impartial manner;
- To monitor the land acquisition, resettlement and livelihood restoration process and to involve key stakeholders such as the affected community.

65. The above list is only a summary of the main requirements and is qualified by reference to the full text of the applicable policy (Environmental and Social Policy, Public Information Policy, and Project Complaint Mechanism Rules of Procedure, 2008).

2.5 Scope of Application of PR 5

66. This PR applies to physical or economic displacement, which can be full, partial, permanent, or temporary, resulting from the following types of transactions:

- Land rights for a project acquired through expropriation or other compulsory procedures;
- Land rights for a project acquired through negotiated resettlements with property owners or those with legal rights to land, including customary or traditional rights recognised or recognisable under the laws of the country.
- Imposition of restrictions that result in people experiencing loss of access to physical assets or natural resources irrespective of whether such rights of restriction are acquired through negotiation, expropriation, compulsory purchase, or by means of government regulation.

67. EBRD Environmental and Social Policy, 2008 distinguishes three categories of displaced persons, with regard to tenure status:

- (i) People with formal legal rights to the land (including customary and traditional rights recognised under national laws);
- (ii) People who do not have formal legal rights to land at the time of the census, but who have a claim to land that is recognised or recognisable under the national laws; or
- (iii) People who have no recognisable legal right or claim to the land they occupy.

The census will establish the status of the displaced persons. Persons moving into the project location after the cut-off date such as opportunistic squatters and recently arrived economic migrants are not entitled to compensation or other assistance.

68. If people living in the project area are required to move to another location, the client will offer:

- Displaced persons choices among feasible resettlement options, including adequate replacement housing or cash compensation where appropriate; and
- Provide relocation assistance suited to the needs of each group of displaced persons, with particular attention paid to the needs of the poor and the vulnerable. Alternative housing and/or cash compensation will be made available prior to relocation. New resettlement sites built for displaced persons will offer improved living conditions.

69. In the case of physically displaced persons under paragraph 69 (i) or (ii), the client will offer the choice of replacement property of equal or higher value, with equivalent or better characteristics and advantages of location, or cash compensation at full replacement value where appropriate.

70. Persons covered under paragraph 69 (iii) are not entitled to compensation for land, but they should be compensated for the structures that they own and occupy and for any other improvements to land at full replacement cost. In addition, they should be offered

resettlement assistance sufficient to restore their standards of living at a suitable alternative site. Options for resettlement assistance should be generated through consultation with the displaced persons and reflect their priorities and preferences. These provisions apply to persons who are occupying all or part of the project area prior to the cut-off date.

71. In the case of physically displaced persons under paragraph 69 (iii), the client will offer them a choice of options for adequate housing with security of tenure so that they can resettle legally without having to face the risk of forced eviction.

2.6 Loss of Public Amenities

72. Where a project involves the loss of public amenities, the client shall undertake meaningful consultation, in accordance with PR 10 (Information Disclosure and Stakeholder Engagement), with the locally affected community to identify and agree upon a suitable alternative where possible.

2.7 Gap Analysis - Legal Framework for Expropriation and the EBRD's PR5

Issue	EBRD Policy Requirements	Provisions of Tajikistan Law	Gap / comments	Proposed response
Resettlement planning and implementation	A census and a socio-economic baseline assessment must be carried out, and Resettlement Action Plan must be prepared and implemented.	No requirements to prepare baseline assessment and RAP.	Different in principle and application.	Required to reconcile for EBRD projects through technical instructions. The Project will meet EBRD requirements through development and implementation of RAP according to PR5.
Compensation for informal owners and occupants of property	Compensation to be provided for improvements to land and loss of assets other than land and resettlement assistance provided to informal land users at full replacement cost.	Informal PAPs (owners and occupants) without right to use are not entitled to any compensation for land and non-land assets.	Different in principle and application.	The Project will meet EBRD requirements and informal land users affected by loss of assets and/or improvements to land will receive compensation at full replacement cost.
Provision of compensation at full replacement value	Compensation to be provided at full replacement cost, usually calculated as the market value of the assets plus the transaction costs related to restoring such assets (registration and transfer taxes).	<p>A. Permanent loss of land. Replacement land but also cash compensation.</p> <p>B. Loss of structures. Cash compensation for lost structures at market value with depreciation or value of salvaged materials sometimes included in the calculation.</p> <p>C. Business Losses. Compensation in cash at market value for legal businesses but the methodology is not specified. Non-registered</p>	<p>A. Same in principal.</p> <p>B. Same in principal but not in application. Provisions included in national legislation are not enforced sufficiently.</p> <p>C. Differences in principal for non-legal businesses.</p>	<p>A. Persons affected by permanent loss of land plots will receive compensation at full replacement cost.</p> <p>B. Persons affected by loss of any assets on land will receive compensation at full replacement cost.</p> <p>C. Persons affected by loss of business will receive compensation at full replacement cost regardless of</p>

		businesses are not entitled to compensation. D. Loss of trees. Wood and decorative trees are not compensated. Fruit bearing trees are compensated based on market value.	D. Same in principal and application for fruit bearing trees but different in principal and application for wood and decorative trees.	formality status. D. Persons affected by loss of fruit bearing trees and firewood trees will receive compensation at full replacement cost regardless of formality.
Vulnerable individuals and groups	Particular attention to be paid to vulnerable groups.	No special consideration is required for vulnerable PAPs; no distinction is made between PAPs when deciding on the compensation or rehabilitation package	Different in principle and application.	An assessment was made of project affected people to identify vulnerable groups and to develop specific measures that will address their needs and ensure that Project impacts will be mitigated and provisions are included in the entitlements matrix.
Additional assistance to relocated PAPs.	Relocation assistance to be provided, with particular attention paid to the needs of the poor and the vulnerable.	Resettlement assistance: No special consideration is required for resettled DPs. However the package depends on Government's decision regarding transitional period allowance.	Different in principle and application.	The Project will meet EBRD requirements and provisions are included in the entitlements matrix. .
Information Disclosure and Stakeholders Engagement.	A. Information Disclosure: all the documents related with resettlement should be disclosed in a timely manner and in a language accessible to local	A. All the decisions related with land acquisition and resettlement is published in national media in Russian and	A. Same in principal, different in application.	A. In addition to the information disclosure stipulated by national legislation the MoT will ensure that the RAP is publicly disclosed and

	<p>population.</p> <p>B. Stakeholder engagement: is free of manipulation, interference, coercion, and intimidation, and conducted on the basis of timely, relevant, understandable and accessible information, in a culturally appropriate format.</p>	<p>Tajik within 5 days from approval.</p> <p>B. There are no requirements to inform directly the DPs about their entitlements and resettlement options as such.</p>	<p>B. Different in principle and application.</p>	<p>that information provision and consultations are carried out in line with the RAP with all PAPs regardless of formality status..</p>
Grievance Mechanism	A project-specific grievance mechanism must be established	<p>No project specific GRMs exists. Disagreements are resolved by through <i>Hukumats'</i> grievance mechanism or appeal to court.</p>	Different in principle and application.	A grievance procedure has been included in the RAP, and will be implemented by the MoT.
Avoiding or minimizing displacement	To avoid or, at least minimize, • involuntary resettlement wherever feasible by exploring alternative project designs.	Involuntary resettlement is avoided or at least minimized through consent of owner and to meet the requirements of the state. Alternative project is also considered to avoid or at least minimize involuntary resettlement	No difference in principle.	The Project will meet EBRD requirements and explore alternative project design wherever feasible to avoid or at least minimize involuntary resettlement.
Negotiated settlements	To provide fair and appropriate compensation and other incentives or benefits to affected persons or communities.	Fair and appropriate compensation and other incentives or benefits to affected persons and communities.	No difference in principle.	The Project will meet EBRD requirements and explore alternative project design wherever feasible to avoid or at least minimize involuntary resettlement.
Cut-off date	Determine eligibility for	Practice of determination	No difference in	The Project will meet

	compensation and assistance and, by setting a cut-off date, discourage inflow of people benefits.	of eligibility for compensation and assistance is in place.	principle.	EBRD requirements and follow the same.
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2.8 Project Specific Entitlements

73. All PAPs in the Project are entitled to compensation and resettlement assistance to help the restoration of their livelihoods to pre-Project levels. The combination of compensation measures and resettlement assistance offered to them depends on the nature of the lost assets and the magnitude of the Project's impact as well as the social and economic vulnerability of the affected persons. All PAPs are eligible for compensation and rehabilitation assistance, irrespective of their land ownership status. The compensation packages must reflect replacement costs for all losses (such as land, crops, trees, structures, businesses, incomes, etc.). The approved Entitlement Matrix was discussed in the first Public Consultation held on July 12, 2017 and agreed by all the participants. The provisions in Entitlement Matrix are also shared with APs and PAPs while responding to their compensation related questions during individual meetings.

74. The following types of land impacts are recognized under the Republic of Tajikistan's laws;

- **Agricultural land:** Households with agricultural land use right will be rehabilitated through the provision of compensation and equal to following:
 - a) **Permanent land holders (individual and cooperative):** Cash allowance for loss of land use rights equal to the average net income from crops in the past 5 years for the project district, obtained from the Statistical Department, or provision of an alternative land plot of equal value / productivity to the revoked plot. If the residual portion of the affected plot is too small to use, the whole plot is compensated or exchanged;
 - b) **Leaseholders:** Cash allowance for the lost income equivalent to 1 year of average crop productivity. The owner of the land use right will be compensated for the loss of the right and the loss of income equivalent to the loss of the lease amount for the remaining lease period. The PIU in coordination with respective department dealing with lands will provide support to PAPs those need lands in finding alternative lands. All the PAPs will be supported in how to manage compensation effectively before disbursement of compensation.
 - c) **Agricultural tenants:** These tenants will receive their share of harvest at market rates (if the impact is temporary) plus 1-year additional average crop productivity compensation (if the land is lost permanently). In this project the tenants will receive their share of harvest at market value if the standing crop is affected in case of permanent loss of land.
- **Residential / Commercial Land:** Households with affected residential / commercial land use rights, will be rehabilitated through the provision of the following compensations:
 - a) **Permanent land holders:** Cash allowance for the loss of land use rights equal to the current land lease rate/land tax at the time of expropriation, multiplied by 25, the provision of an alternative land plot of equal value/productivity (similar conditions and facilities) to the affected plot. If the residual portion of the plot to be revoked is too small to use, the whole plot is compensated for or exchanged;
 - b) **Leaseholders:** Cash payment for loss of income for a minimum of three months and up to 6 months, or continuation of rental agreement on an alternative land

plot. The owner of the land use right will be compensated for loss of income equivalent to the loss of the lease amount for the remaining lease period.

Buildings and Structures

75. All PAPs, whether titled owners or illegal-non-titled owners of buildings and structures, will be compensated in cash at replacement cost (including the cost of materials, labour and transport of materials) free of deductions for depreciation, salvageable materials and transaction costs, irrespective of the registration status of the affected assets. The cost of lost water, wastewater, electricity and gas utilities will be included in the compensation. In addition, the compensation will include the cost of registration/legalization of the new building/structure. Renters of buildings/structures will receive an allowance for the loss of income (based on a tax declaration) caused by the loss of the rented building/structure for no less than 6 months, or continuation of their rental agreement at an alternative building/structure. If the tax declaration is not available, the compensation will be calculated as per the sum stated in the valid rental agreement. Support in finding alternative buildings on rent will be provided to informal renters.

Crops and Trees

76. **Crops:** Compensation to all PAPs irrespective of their legal status in cash equal to 1 year of average crop production in the project district. This shall apply whether the land is fallow, or cropped

77. **Fruit-bearing trees:** Compensation based on an age category and the market value of 1 year of income times the number of years needed to grow a tree of similar productivity, plus purchase price of seedlings and starting materials. Wood and decorative trees are not compensated for. The PAP will keep wood from the cut tree. The decorative trees will be re-planted during the project implementation.

Businesses

78. **Permanently lost business:** Compensation equal to 1-year's net income (lost profit) plus the cost of lost certificates / licenses / patents. The income calculation shall be based on the official tax declaration, or (if a tax declaration is unavailable) it is accepted as the official monthly minimum wage multiplied by 12. All the participants participated in the first Public Consultation held on July 12, 2017 accepted the standard. Total compensation amount in case tax declaration is unavailable is 12,618.12 TJS which will replace their income.

79. **Temporary disruption:** Compensation equal to the net income for the period of business interruption (less than one year) based on a tax declaration or, if tax declaration is unavailable, it is calculated by multiplying the official monthly minimum wage by the number of months since the operation was disrupted (less than 12).

80. **Business workers and employees:** Compensation for lost job (termination of employment agreement) due to permanent or temporary termination of business activities amounting to three-months of their official wage, or, if unavailable, the official monthly minimum wage multiplies by three. All the affected employees will be supported in finding alternative employment.

Relocation, Transition and Severity/Livelihood Rehabilitation Allowances

81. Transportation allowance for the cost of labour and vehicle rent to transport the materials of the houses/and business structures to a new location;

82. Communal and site preparation cost for the alternative land plot (including connection to power grid, water supply system, installation of a latrine);

83. PAPs who lose more than 10% of their income or PAPs who are to be relocated, will receive either payment equal to 1 year's average crop production in the project district, in addition to standard crop compensation, or cash allowance equal to three months of the official monthly minimum wage, whichever is higher.

84. There is no monetary compensation for loss of common, public or any government department assets. Affected common and public assets will be fully replaced or rehabilitated to maintain their pre-project functions.

Vulnerable Groups

85. Tajikistan's legislation does not make a distinction between vulnerable and other categories of PAPs when deciding on compensation for affected assets. Also, there is no special consideration given under Tajikistan's laws and regulations to vulnerable PAPs (the poor, women-headed households or families with many children) during the LAR process. There are no national standards to assess poverty. The Law "On Minimal Consumption Basket", which would allow for food-based poverty assessment, is still pending endorsement. The Government's provision to the poor amounts to 33 TJS per quarter given to households living below the poverty line; single women headed households with dependent children; single women-headed households with dependent children, large households with five or more children below 18 years, and households with a disabled member. The vulnerable households affected by the Project, will be provided with assistance equivalent to the official monthly average wage multiplied by three. In addition, they will be enrolled in a government social assistance program (if still not enrolled by the time of the surveys). Able-bodied members of vulnerable households will be given priority in project-related jobs. The project has defined vulnerability as a person who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement and includes; (i) female-headed households with dependents; (ii) disabled household heads; (iii) poor households (below poverty line); (iv) landless; (v) elderly households with no means of support; (vi) households without security of tenure; (vii) ethnic minorities.

Temporary Impacts

86. In case of temporary land acquisition, compensation shall be based on local commercial rental rates for the duration of use of lands. The lands shall be restored by the construction contractor(s) to its original status at the end of the rental period. In current ongoing civil work activity of 82th Roundabout section, the civil work contractor has acquired land on temporary basis for camp and quarries. The camp land is private and an agreement is in place with the owner?. Quarry land is local government and also has agreement. The duration is till end of the construction.

87. Any unanticipated impact that occurred during the construction of the road (such as additional land and other assets acquisition, unavoidable stoppage of business during the construction) will be compensated as per the entitlement matrix. Assets affected due to the road works will be compensated by the contractor as per the Contractor's third party insurance provisions.

Project-Specific Entitlement Matrix

No	Type of Loss / Impact	Category of the Affected Person	Right to receive Compensation
Permanent Losses / Impacts to the Structures			
1	Agricultural land (all losses regardless of severity)	Owner of Land	Cash compensation at full replacement cost or replacement agricultural land of similar quality, size and location including title and transfer cost, support, free of charge for land registration and titling and any tax / duties payable.
		Formal user (tenant) of the land	Information on land plot acquisition at least three months before the land acquisition so that the tenant can find another land for lease Assistance in identifying substitute land/resources for use prior to land entry.
		informal user of land	Assistance by District <i>Hukumats</i> in identifying local government administrative lands / resources for use prior to land entry. Support by SCLMG* in formalising land lease use rights.
2	Residential and Commercial Land	Owner of Land	<p>The cash compensation at full replacement cost for the loss of rights to use the land in cash equal to the current annual rental rate of the land plot or commercial rental rate at the time of land acquisition (Whatever is highest) and multiplied by 25 years.</p> <p>Or the provision of an alternative land plot of equal value/productivity (similar conditions and facilities) to the affected plot including cost associated with obtaining legal title and removal / transfer cost and any tax / duties payable. If the residual portion of the plot to be revoked is too small to use, the whole plot is compensated for or exchanged.</p>
		Formal user (tenant) of the land	<p>Rental allowance in accordance with the condition of the rental agreement, but no less than the cost of rent for 3 months, or</p> <p>Continuation of the rental agreement on an alternative land plot.</p> <p>3 months advanced notification of the</p>

			leaseholder to move. Support in search for affordable properties including assistance for legal costs and transportation for moving to new place
		Informal user of Land	Assistance in identifying substitute lands / resources for use prior to land entry. Provision of opportunity to lease a plot on state land. Relocation allowance if applicable.
3	Loss of annual / perennial harvests and fruit trees	Owners of annual crops	Cash compensation based on full replacement value. Current market value of crops grown on the affected land, multiplied by 5 years. Crop compensation for land users / tenants based on their specific sharecropping agreements being made between parties. Crop compensation in case of standing crop at the time of land acquisition will be considered
		Owner of perennial fruit / forest / trees.	Cash compensation based on full replacement value. Fruit-bearing trees. The cost of fruit bearing trees is based on the net annual harvest from the tree(s) for the number of years needed for replacement tree(s) to reach comparable production(while the cut trees will remain with the displaced person).The cost of saplings of fruit trees is based on the price of saplings in the nurseries. The compensation should also include associated costs of cultivation.
4	Loss of non-residential premises (fences, barriers, barns, sheds, etc.) and infrastructure (irrigation)	The owner of a non-residential structure and infrastructure (which may be a landowner or formal or informal land user)	Cash compensation based on full replacement value - calculating construction cost of similar new non-residential premises and structures for the same use and material, based on market prices. Or assistance to move them including labour cost for disassembling demolition works, transportation cost and reconstruction.
5	Loss of business structures (shops, office rooms, public eating places, restaurants and similar structures)	Owner of business structure.	Cash compensation at full replacement value for affected structure and other fixed assets free of salvageable materials, depreciation, and transaction costs(without deduction of depreciation, taxes, costs for materials suitable for disposal and other transaction costs) or replacement of the business

			structure. Entire business structures will be compensated even if the impact is partial and Payment for movable property or relocation assistance.
		Renters / informal land users	Payment for the lease in accordance with the terms of the lease agreement, but not less than the cost of rent for 3 months at the prevailing market rate in the area and assistance in identifying alternative accommodation / business premises or continuation of the lease agreement on an alternative plot of land / business premises.
		Informal vendors	Assistance in identifying substitute lands/resources for use with security of tenure where possible.
6	Loss of dwelling houses (Physical movement)	Owner of a house	Cash compensation at full replacement cost (without deduction of depreciation, taxes, costs for materials suitable for disposal and other transaction costs) or replacement of residential buildings of equal or higher level (with the equivalent or better characteristics and advantage of location). All buildings and structures will be compensated full in full prior to access to buildings. and Assistance in resettlement, including transport allowance, relocation assistance, support with tax and registration.
		Formal user (tenant) of the dwellings / houses.	Information about need to move house at least six months before demolition so that the tenant could find another house. As well as allowances for displacement and transportation assistance.
		Non formal dwellings / house holder	Cash compensation at full replacement cost (without deduction of depreciation, taxes, costs for material losses and other transaction costs) or resettlement assistance through social housing/other means with guaranteed security of tenure. All buildings and structures will be compensated in full. Assistance in resettlement, including transportation allowance or relocation assistance as well as support in finding housing and tenure guarantee.

7	Loss of business income and/or source of livelihood associated with any of the aforementioned losses or other project impacts (economic displacement)	The formal businesses	Cash compensation in the amount of one year of net income (loss of profit) plus the cost of lost certificates. Compensation for legal entity (Registered businesses) will be calculated as per the tax declared income in case of permanent loss. Assistance in restoring livelihoods such as <ul style="list-style-type: none"> • Provision of professional training; • Assist to move buildings. • Access to micro finance
		Informal businesses	The informal business operators without demonstrable accounting records, compensation will be based on the average national monthly wage for 6months to restore livelihoods. Informal road side small business will be relocated during civil work activity.
		Wage employees of the businesses	Cash compensation for lost job (termination of employment agreement) due to permanent termination of business activities amounting to three-months of their official wage, or, if unavailable, the official monthly minimum wage multiplied by three. Support in finding alternative employment.
8	Communal and Public Assets	Community	Restoration / substitution in natural or in cash at the replacement cost of the affected areas and restoration of their functions.
9	Vulnerable household	PAPs receiving government assistance for poor, single women-headed HH, those living below poverty line, households with elderly members no means for living / less able to care for themselves, households with disabled head or other HH members.	Develop a package of support for individual households on a case by case basis which may include a one-time allowance set to one year payment of the subsistence level in the amount of consumer basket for family of five members for 12 months. Enrolment in Government social assistance, if not yet enrolled; Priority in project-related employment for members of vulnerable households (if at legal working age).
Temporary Losses / Impact during construction			
10	Temporary Impact (Loss of access to land)	Owners / Users	Temporary access will be set up by Construction Company.

11	Income loss due to lack of temporary access road / route to the business activity	Business Units	Temporary access will be set up by Construction Company. In case temporary access cannot be set up to land and business activities, all losses and amount of due compensation shall be determined according to the principles of compensation entitlements provided under this RAP.
12	Temporary loss of income caused by occupying land parcels for the camps and quarries	Owners / Users	During camps' site selection process, Construction Company should coordinate with relevant state agencies and give priority to vacant lands not used for agricultural /residential purposes. But in case the land parcels selected for camps and quarries will have land-users, all losses, and amount of due compensation shall be determined according to the principles of compensation entitlements provided under this RAP.
13	Business Employment	All PAPs (including informal Business owners and Workers / Employees)	Business owner: Cash compensation for the period of business interruption (See 11 above). Worker/employees: Indemnity for lost wages for the period of business interruption up to a maximum of 6months.
14	Temporary relocation	All affected PAPs	Provision of sufficient allowance to cover transport expenses and livelihood expenses throughout the transition period.
15	Any other unforeseen Impacts	Any	As required, in the spirit of the Resettlement Policy Framework.

2.9 Income Restoration and Relocation Strategy

88. The entitlement proposed for the project has adequate provisions for restoration of livelihood of the affected communities. The focus of restoration of livelihoods is to ensure that the PAPs are able to at least restore livelihoods to pre- displacement levels. To begin with providing opportunities for employment to the local project affected people during the construction phase will potentially enable them to benefit from the project, reduce the size of intrusive work forces and keep more of the resources spent on the project in the local economy. It will also give the local communities a greater stake and sense of ownership in the project.

89. Among specific rehabilitation measures, capacity buildings of all the economically displaced persons will be carried out by the PIU in coordination with respective departments / agencies. The PIU, engaged for implementation of RP will identify the eligible and most suitable candidate from the family by carry out training need assessment and prepare micro plan for rehabilitation of PAPs. Training will be linked to demand within the local economy and that PAPs will provided comprehensive assistance to either find employment or set their business or work as a sole operator. The PIU will arrange training to the selected/eligible PAPs for income restoration and skill up-gradation as per the micro plan. The PIU will also

provide opportunities to displaced persons to derive appropriate development benefits from the project. The vulnerable PAPs will be given preference in availing employment opportunities in project construction work. The women headed households also will be taken care of in a case to case basis and the PIU will help them in forming Self-help Groups (SHGs), establish linkages to available credit facilities, special trainings, and linking them with on-going govt. schemes.

90. Women in Project Area. The Constitution of the Republic of Tajikistan recognizes international law as a component part of the national legal system, and Tajikistan is a State Party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and to other fundamental human rights treaties. In 2014, the parliament ratified the Optional Protocol to CEDAW, which allows individual women in Tajikistan to submit complaints to the CEDAW Committee and gives them an additional remedy for violations of the convention. Important steps have also been taken to implement UN Security Council resolutions on women, peace, and security (1325 and 2122) with the drafting of a national action plan. The Committee on Women and the Family has adequate resources and the ability and opportunity to advise on the development of all government policies on gender equality. The Government of Tajikistan has taken efforts to protect women against acts of discrimination by clearly establishing explicit linkages between the Law on State Guarantees and other relevant legislation in areas covered by the Law and the Convention. The Government of Tajikistan giving priority to eliminating all forms of violence against women, in particular domestic violence, and to adopt comprehensive measures to address it in accordance with its general recommendation.

91. The Constitution guarantees equal rights on the basis of sex (Article 17), and principles of non-discrimination are enshrined in basic legislation, for example, the Family Code, the Labour Code, the Land Code, the Criminal Code, the Law on Education, and the Law on Public Health. While there are no laws that directly restrict women's rights, additional guarantees that aim to "protect" women, such as the Labour Code's night work prohibition, have nonetheless kept women from being employed in male-dominated industries.

92. The EBRD's Strategy for the Promotion of Gender Equality 2016-2020, mandates the Bank to promote behaviours, through its operations, which contribute to building equitable and sustainable economies. It aims to increase women's economic empowerment and equality of opportunities in the countries where the EBRD invests, as an important contributor to well-functioning market economies and inclusive societies – a core component of sustainable and equitable transition. The Strategy articulates the Bank's view that gender equality is a principal element in the promotion of sound business management and critical to the advancement of transition.

93. Transport infrastructure and services are a means to improve the well-being of people by facilitating access to economic and social benefits, and thus should be designed to best meet the needs of men and women in ways that are equitable, affordable, and responsive to all groups. To achieve these objectives, the planning, design, construction, operation, and maintenance of the project will involve the participation of all key stakeholders, including transport user groups and affected communities.

CHAPTER 3

SCOPE OF LAND ACQUISITION AND RESETTLEMENT

3.1 Introduction

94. The Performance Requirement 5 of Environment and Social Policy, 2008 of EBRD state that involuntary resettlement refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or means of livelihood) as a result of project-related land acquisition or restriction of access to natural resources.

95. Based on the Performance Requirement 5 of Environment and Social Policy, 2008 of EBRD, one of the key principals adopted for the preparation of this RAP is that all compensation payments and livelihood restoration assistance must be based on a detailed understanding of the Project impacts on displaced people. For this RAP, data was collected during March 20, 2017 to May 31, 2017. In order to accurately assess the extent of the Project's Land Acquisition and Resettlement impacts, the following surveys and valuations were undertaken:

- **Socioeconomic Survey (SES):** to identify the current socioeconomic condition of affected individuals, families and business owners as well as perceptions of Project impact on their livelihood;
- **Census Survey:** to identify the number of AHs and number of PAPs;
- **Detailed Measurement Survey (DMS)** - to measure the affected area of the lands, buildings, and the number and types of affected assets.
- **Valuation of Replacement Cost of the Affected Assets** - to identify the cost of compensation of lost assets, income and other livelihood sources and allowances for development of the RAP budget.

96. The Detailed Measurement Survey (DMS) of affected assets was conducted by the committee representative, road maintenance department, PIU, RR resettlement engineer, and international and national resettlement specialists, with the participation of the PAPs. The PIU, RR and CSC engaged a licensed valuation company (State Unitary Enterprise) as a subcontractor, to independently evaluate affected buildings, constructions, and other immovable assets except agricultural land and trees. The DMS was conducted during April and May 31, 2017. recording the current ground situation measured is based on the actual size of the assets used by the AHs at the time of the measurement.

97. The asset inventory should identify all affected assets such as the following:

- Land, by type (residential, agricultural, commercial);
- Residential structures (houses, apartments, informal dwellings);
- Non-residential structures (barns, outside toilets, storage facilities, fences);
- Other physical assets (non-moveable assets such as trees, standing crops);
- Private enterprises (shops, workshops, stalls, factories and other business establishments);
- Communal assets such as common resources, public structures (schools, clinics, communal water points) and cultural property (burial grounds, monuments, sites of religious or historical significance);
- Infrastructure (roads and bridges, irrigation and drainage channels, water and sewage lines, transmission lines);

- Informal and temporary structures (often illegal and therefore may not be covered by regulations);
- Loss of employment.

3.2 Summary of Impacts

98. In total, there are 102 Affected Households (35 owners, 53 tenants including 10 subway shops and 14 employees) and 612 Project Affected People (PAPs). The affected agricultural land is government land, 15 residential structures, 73 commercial structures including 10 subway shops are affected due to the project. Along with 88 affected assets, there will be impact on government (*Hukumat*) owned 2 hectares of agricultural land and partial impact (Fence) on 4 government buildings. Out of 88 affected structures, 14 are permanently affected (1 residential structure, 2 residential cum commercial, 1 commercial and 10 shops of subway).

Table 3-1: Summary of Impact

Sr. No.	Type of Affected Asset	No of Affected Assets	No of AHs	Magnitude of Impact
1	Residential	2 only residential*	6	1 is permanently affected
2	Residential cum Commercial	13 (residential) 21 (commercial)	12	2 are permanently affected.
3	Commercial	42	17	1 is permanently affected.
4	Tenants	-	43	-
5	Tenants of subway shops	10	10	10 permanently affected
6	Employment	-	14	14 permanently affected
Total		88	102	14 structures and 14 employees will be permanently affected

*out of 6 APs losing residential structure, 2 are losing only residential and other 4 only ancillary structures.

99. Apart from above, the affected APs will lose 25 fence, 22 sheds, 13 storages, 8 latrines and 32 other type of ancillary structures. There will be impact on 8 road side small informal businesses (Vendors) run by women selling homemade products. There are 75 family members of affected commercial structures running their own businesses.

100. There will be no physical displacement as a consequence of project implementation. Almost all APs of affected residential structures are not in favor of land for land option because their land plots are large enough to reconstruct their residential structure within available land plots (Ref. Para 5.8, Summary of Consultation). In case of economically displaced APs, all the tenants will be economically displaced and require support in identification of new location. In case of owners of affected commercial structures will re-start their economical activity within remaining land plots.

3.3 Impact on Land

101. In this RAP, based on the type of land use, the affected land plots are grouped into the following categories:

- Residential;
- Residential cum Commercial;
- Non-residential (Commercial); and
- Public/government land

102 Affected land plots are grouped by legal status as follows:

- Land with right to use certificate – privately owned land with all legal documents necessary to prove the right to use the land
- Illegally used land – Local authorities' land used illegally by the PAPs;
- Leased land – Land plots with a formal lease from the local authorities
- Local authorities' land – Land belonging to the local authorities and other government departments.

103. The Project will affect 102 households with 612 PAPs. There is no impact on privately owned agricultural land, i.e. impact to private land is limited to impact on residential, residential cum commercial and commercial lands. The agriculture land which is affected by the project belongs to local authority (*Hukumat*). This affected agricultural land has not been leased by any private users. The affected agricultural land is given to the State Unitary Enterprise "Bozori Sakhovat" for temporary use. The State Unitary Enterprise "Bozori Sakhovat" is a public market and is subordinated to *Hukumat* of Dushanbe City.

Table 3-2: Impact on Land by Category and Ownership/ Occupation Status

Land category/cultivation	Land use right			
	Total area (m ²)	Affected area (m ²)	No of AHs	No of PAPs
A. Residential and commercial land				
Residential land	6387	1121	6	36
Residential cum Commercial	12609	4169.8	12	72
Commercial land	13904	2064	17+ 43 + 14 = 71	444
Sub-total A	31,899	7,354.8	74	552
B. Other land				
Agricultural land of Hukumat	20000	20000	-	-
Government buildings	-	-	-	-
Subway shops of Local Authority	80	80	10	60
Sub-total B	20080	20080	10	60
Grand total (A+B)	51,979	27,434.8	102	612

3.4 Impact on Fruit Trees

104. Under this Project, 6 AHs (36 PAPs) (without double counting) will lose 41 mature fruit bearing trees. In total, 706 kg of fruit will be lost. Plums are the most affected (180 kg). The owners will receive full compensation for the loss of fruits. Calculation of compensation was based on the market value for the lost produce multiplied by the number of years needed to reach the same level of fruit production. As per valuation method of fruit trees in

Tajikistan, cash compensation shall reflect income replacement. Cash compensation will be calculated at current market value and according to type, age, and productive value of project affected fruit tree. Annual yield capacity of a mature fruit-bearing tree multiplied to market price of a fruit (kg/TJS) and multiplied to the number of years required to grow a new tree to same productivity age. Each fruit-bearing tree in addition shall be compensated for purchase of seedlings. PAPs will be eligible to dispose logged trees themselves. Construction Company ensures free delivery of timber to the residence of PAPs.

Table 3-3: Affected Fruit Trees on AH's plots

Sr. No	Type of fruit	No of AHs	No of Fruit Trees	Annual Yield (Kg/tree)	Total Fruit Loss (Kg/Year)
1	Apple	2	4	20	80
2	Plums	4	9	20	180
3	Almond	1	1	5	5
4	Dates	2	5	20	100
5	Cherry	2	7	10	70
6	Garnet	1	2	8	16
7	Nuts	2	3	15	45
8	Apricot	4	5	20	100
9	Peach	1	1	30	30
10	Grapes	1	4	20	80
Total		20	41	168	706

3.5 Impact on Residential Buildings and Structures

105. The Project will affect 4 residential building and 23 of its ancillary structures. The affected area of the AHs residential buildings and structures amounts to 1033m². The affected house is made of concrete, cement blocks, tiles and steel sheets. The ancillary buildings are made of clay blocks and cement concrete.

Table 3-4: Impact on Residential Structures

Structure Type	No of structures	Affected Unit (m ²)	No of AHs	No of PAPs
A. Residential Structures (main)				
Residential House	2	66	2	12
Total A	2	66	2	12
B. Other Structures				
Fence Wall	5	150.18	5	30
Latrine	2	10.5	2	12
Shed	4	92.36	4	24
Storages	1	47	1	06
Any other (include, garage, concrete coach, corridor, basement etc.)	8	430.6	4	24
Total B	20	730.6	16	96
Total A+B	22		18	108

3.6 Impact on Residential cum Commercial (Non-residential) Structures

106. There are total 12 AHs, losing residential cum commercial buildings and structures. All the 12 AHs will lose Residential cum Commercial buildings and ancillary structures. Out of 78, 32 are residential and commercial main buildings and 46 are ancillary structures with an area of 4,175m². All of these affected buildings and structures are used as residential and businesses purpose. The main business buildings are running businesses such as shops, restaurants and car service stations etc. All the commercial structures come under this category are directly affected. All of them come under corridor of impact.

Table 3-5: Impact on Residential cum Commercial Structures

Structure Type	No	Affected Unit (m ²)	No of AHs	No of PAPs
A. Residential cum Commercial Structures (main)				
Residential cum Commercial Structures	34 (13 Residential and 21 commercial)	1765.55 Residential 1301.31 Commercial	12	72
Total A	34	3066.86	12	72
B. Other Structures				
Fence Wall	4	13.14	3	18
Latrine	4	193.80	4	24
Shed	12	223.74	9	54
Storages	6	131.80	5	30
Any other (include, garage, concrete coach, corridor, basement etc.)	22	182	8	48
Total B	48	520.74	29	174
Total A+B	82	3587.6	41	246

3.7 Impact on Commercial Structures

107. Total 42 main commercial buildings of 24 AHs (144 PAPs) will be affected due to the project. There will be impact on 38 (228 PAPs) other ancillary structures like fencing wall, toilets, sheds and foundations. Majority of commercial structures are various types of shops, restaurants and car service stations which include car washing centres, workshops and Vulcanization. All the commercial buildings come under corridor of impact and therefore all of them are directly affected. Even though all the commercial structures will be directly affected, the APs will reconstruct and re-establish their business within available land parcel, therefore there is no need to relocate their business. In case of tenants, either they will continue with the same owners in new premises or re-establish their business in other place with the support by PIU and respective national authorities.

Table 3-6: Impact on Commercial (Non-residential) Buildings and Structures

Type of Structure	No of Structures	No of AHs	No of PAPs	Total (m ² /m ³)	Remarks
A. Main Commercial (Non-residential) Buildings and Structures					
Shop	19	10	60	981.08	
Restaurant	6	6	36	369.43	
Car service / Vulcanization / Workshop	16	7	42	1100.79	
Petrol station	1	1	6	42.92	
Any other	-	-	-	-	
Sub-total A	42	24	144	2494.22	
B. Other Structures associated with main structure					
Fence Wall	16	8	48	65.63	
Latrine	2	2	12	7.68	
Shed	6	4	24	290.20	
Foundation and Concrete couch	13	7	42	177.40	
Any other (Storage)	1	1	6	15.00	
Sub-total B	38	22	132	555.91	
Grand Total (A+B)	80	46	276	3050.13	

3.8 Impact on Government Land, Buildings and Structures

108. There will be partial impact (only fencing will be lost which will be reconstructed) on 4 government buildings with an area of 825.7 m² and there will be impact on 10 subway shops with an area of 80m². There will be impact on 20,000m² government agricultural land which is farmed by market committee appointed by *Hukumat*.. The affected government assets will be reinstated by the government. No monetary compensation will be paid for the loss of these assets. In case standing crop in agricultural land will be affected, compensation will be paid to the respective agency. PIU has discussed Entitlement Matrix in detail with State Unitary Enterprise and *Hukumat* of Dushanbe City and respective government authorities.

Table 3-7: Impact on Government Buildings and Structures

Structure Type	No	Affected Unit (m ²)
Government Maternity Hospital no 3	1	273.8
Tajik Electricity	1	166.4
Energy Project	1	300.1
Karabolo Hospital	1	85.4
10 Shops under subway	10	80
Government agricultural Land	1	20,000
Total	15	20,905.7

3.9 Impact on Businesses and Income

109. The Project will permanently affect 116 businesses (63 privately owned, 43 run by tenants and 10 subway shops) of 29 owners, 43 tenants and 10 subways shop renters. All the business will be demolished and expected to be rebuilt and set up again in remaining space within the existing land parcel. All the AHs of affected buildings have passport number and other documents. With reference to Tax Committee of Republic of Tajikistan (No 2188/404-2-2 dated Sept 22, 2017) there are 13 owners out of 29 owners (commercial structures) and 12 out of 53 tenants have declared their income and paying tax. All businesses are family-run businesses. Out of 82 business holders, 57 AHs are running business without tax declaration and not paying tax to the Government. All of them are running different types of business. The tenants will set up their business in new location within 6 months of period; therefore income loss period is decided to 6 months. Out of 82 business holders only 25 (13 owners and 12 tenants) are paying tax and therefore these 25 AHs will be compensated as per the agreed Project Entitlement Matrix.

Table 3-8: Impact on Businesses

Sr. No.	Affected Businesses							
	Business owners	Renter	No of PAPs	Business Owners	Renters	No of PAPs	Total AHs	Total PAPs
	Formal			Informal			No	No
1	13*	12	150	16	41	342	82	492
Total	13	12	150	16	41	342	82	492

110. Due to closure/relocation of businesses resulting from demolition or relocation of the main business buildings, 14 employees will permanently lose their employment. All are registered formal employees. All affected employees will be compensated in accordance with their employment status and in line with the entitlements matrix.

3.10 Significantly Affected Households (Income Loss)

111. There are 27 APs (owners) with 162 PAPs that will have a significant impact¹⁰ on their means of income and livelihood (Structures). There will be a significant impact (more than 50%) on 6 residential, 12 residential cum commercial and 9 commercial structures.

112. In total 27 business buildings owners (162 PAPs) will be losing their main business buildings. All of them will receive a compensation based on the full replacement cost and significant impact allowances (3,154.53). Following table presents magnitude of impact on residential, residential cum commercial and commercial lands. All the commercial buildings are directly affected as all of them are comes within corridor of impact.

¹⁰ Significant Impact is impact to more than 50% where demolition of entire structure is required.

Table 3-9: Magnitude of Impact on Lands

Sr. No.	Type of Building / Structure	Total Area (m²)	Affected Area (m²)	Percentage
Residential				
1	Residential	200	95	48%
2	Residential	600	72	11%
3	Residential	800	105	13%
4	Residential	270	104	39%
5	Residential	1600	330	21%
6	Residential	1200	234	20%
		4670	940	20.12%
Residential cum Commercial				
1	R + C	1325	624	47%
2	R + C	3096	1200	39%
3	R + C	2170	476	22%
4	R + C	700	144	21%
5	R + C	380	192	51%
6	R + C	167	127.8	76%
7	R + C	1123	250	22%
8	R + C	1598	152	13%
9	R + C	1200	450	10%
10	R + C	850	258	30%
11	R + C	1400	160	11.42%
12	R + C	317	317	100%
		14,326	4,350.8	30.36%
1	Commercial	800	263.5	33%
2	Commercial	370	240	65%
3	Commercial	1200	110	9%
4	Commercial	600	48	8%
5	Commercial	800	37.2	5%
6	Commercial	1251	237.7	19%
7	Commercial	1423	128	9%
8	Commercial	1414	90	6%
9	Commercial	750	66	9%
10	Commercial	800	60	8%
11	Commercial	330	48	15%
12	Commercial	1552	224	14%
13	Commercial	450	170.6	38%
14	Commercial	812	100	12%
15	Commercial	500	125	25%
16	Commercial	400	20	4%
17	Commercial	452	96	21%
		13,904	2,064	15%
Total		32,900	7,354.8	23%

Table 3-9: Significant Impact on Commercial Structures (50 % or more)

113. As per valuation method of Tajikistan (see chapter 9, Para 221), the RAP considers additional rehabilitation measures to be provided to the APs that qualify as vulnerable and severely affected APs.

Loss of Residential		Loss of Residential cum Commercial		Loss of Commercial				Loss of 50 % or more of Residential buildings		Loss of 50 % or more of commercial structures		Loss of 50 % or more of R+C Structure		Total No of AHs	Total of PAPs
No of AHs	No of PAPs	No of AHs	No of PAPs	No of AHs	No of PAPs	No of AHs	No of PAPs	No of AHs	No of PAPs	No of AHs	No of PAPs	No of AHs	No of PAPs		
6	36	12	72	9	54	-	-	6	36	9	54 + 54	12	72	27	162

3.11 Impact on Poor and Vulnerable Households

114. There are 2 AHs considered as vulnerable. One household of 10 PAPs will lose a residential home and 1 business structure. Only car servicing business which is severely affected is the sole source of income of this family. A mother of the owner is physically handicapped and dependent on her son's income. The family will rebuild their home on the remainder of the land plot. The other AH is women headed family and losing residential cum commercial structure which is family only income source. The identified vulnerable households will receive an allowance for poor and vulnerable groups amounting to three national average monthly wages (TJS 3,154.53). the AP will also receive compensation for loss of residential cum commercial structures.

CHAPTER 4

INCOME RESTORATION AND REHABILITATION

4.1 Loss of Livelihoods in the Project

115. The project impacts reveal that due to loss of commercial structures 81 APs (474 PAPs) will be getting economically displaced. As per the findings of census survey, 17 owners of commercial structures, 10 owners of residential-cum-commercial structures, 2 employees and 52 tenants in commercial establishment will be losing their livelihood due to the project. The details of impact on livelihoods in the project are summarized in the Table 4-1.

Table 4-1: Loss of Livelihoods in the Project

Sl. No.	Loss	Households	%Age
1	Owners of Agricultural Land	-	-
2	Agricultural labourer	-	-
3	Agricultural Tenant/Leaseholder	-	-
4	Sharecropper	-	-
5	Loss of Commercial Structure	17	16
6	Loss of Residential cum Commercial Structure	12	12
7	Tenants in commercial buildings	53	51
8	Employees in commercial structure	14	13
9	Road side informal small businesses (Vendors)	8	8
Total		104	100

116. The above table shows that 100% households losing livelihood under the project are commercial owners and tenants and road side small informal businesses. This shows that they will be continuing with their livelihood with the remaining land and new location.

4.2 Provisions for Loss of Livelihood

117. The APs losing their livelihoods includes formal APs losing land and structures, informal having commercial structures, commercial tenants, employees and road side small businesses (vendors) in affected project area. In the case of economically displaced persons, regardless of whether or not they are physically displaced, the PIU will promptly compensate for the loss of income or livelihood sources at full replacement cost. The PIU will also provide assistance such as credit facilities, training, and employment opportunities so that they can improve, or at least restore, their income-earning capacity, production levels, and standards of living to national minimum standard. The PIU will also provide support to vendors in locating their road side business in new location. The PIU will prepare the micro plan with specific income restoration activities for each AP.

118. In cases where land acquisition affects commercial structures, affected business owners are entitled to:

- (i) the costs of re-establishing commercial activities elsewhere;
- (ii) the net income lost during the transition period; and
- (iii) the costs of transferring and reinstalling plant, machinery, or other equipment.

4.3 Income Restoration Measures

119. The entitlement proposed for the project has adequate provisions for restoration of livelihood of the affected communities. The focus of restoration of livelihoods is to ensure that the APs are able to at least regain national minimum standards. To restore and enhance the economic conditions of the APs, certain income generation and income restoration programs are incorporated in the RAP. To begin with providing employment to the local people during the construction phase will enable them to benefit from the project, reduce the size of non-local workers and retainer sources spent on the project in the local economy. It will also give the local communities a greater stake and sense of ownership in the project.

120. Among specific rehabilitation measures, capacity building of all the economically displaced persons will be carried out by the PIU. The PIU will identify the eligible and most suitable candidate from the family by carry out training need assessment and prepare micro plan for rehabilitation of APs. The PIU will develop training for the selected/eligible APs for income restoration and skill up-gradation as per the micro plan. The PIU will also provide opportunities to displaced persons to derive appropriate development benefits from the project. The vulnerable APs will be given preference in availing employment opportunities in project construction work. Budget for training (20% Contingency) in terms of assistance is provided to APs losing livelihoods and the PIU will either organize training programs or link the APs to various on-going training schemes.

4.4 Additional Support from On-going Poverty Reduction Programs

121. In addition to project-sponsored programs, the PIU will play a proactive role to mobilize APs to get benefits from various government schemes and ensure their accessibility particularly of vulnerable groups.

CHAPTER 5

SOCIOECONOMIC PROFILE OF THE AFFECTED POPULATION

5.1. Background

122. This Chapter presents the findings on the major socio-economic characteristics of the affected Project communities. The chapter is based on information from the data collected through the socio-economic surveys and census undertaken in the Project area. The main objectives of the SES and census surveys are to understand the existing socio-economic environment and vulnerability of affected people in the Project area, to use the data for preparation of the RAP budget and to identify groups and persons who may need additional support due to the Project's impact.

5.2. About Republic of Tajikistan

123. Tajikistan is a Central Asian country bordering Afghanistan, China, Kyrgyzstan and Uzbekistan. According to the 2008 census, the country's population was 7,373,800. However, the population in 2015 is estimated to be 8,610,000 people. Tajikistan is divided into four regions: Sughd, Khatlon, Gorno-Badakhshan and Region of Republican Subordination, while the capital Dushanbe is administratively separate. Each region is divided into several districts (*Rayons*) which are subdivided into village level self-governing administrative units.

124. Since Tajikistan declared independence in 1991, the population has increased by approximately 40%, which represents over 2 million people. As of 1 January 2013, the population of Tajikistan was 7.9 million people.

125. Tajikistan's many ongoing challenges include rebuilding infrastructure, improving the entrepreneurial environment, and attracting dynamic investment. Progress on reform to foster sounder macroeconomic management and improvement of the business climate has been only marginal.

126. Despite some progress in privatizing small and medium – size public enterprises, private – sector development has been slow. Remittances continue to be an important source of external financing. Foreign investment deterred by burdensome bureaucratic regulations and inconsistency administration.

5.3 About Dushanbe¹¹

127. Dushanbe is the capital and largest city of Tajikistan, situated at the confluence of two rivers, Varzob and Kofarnihon. Dushanbe means *Monday* in the Tajik language. It was so named because it grew from a village that originally had a popular market on Mondays (as Dushanbe means Monday in Persian language). Until 1929, the city was known in Russian as Dushanbe and from 1929 to 1961 as Stalinabad. As of 2014, Dushanbe had a population of 778,500.

128. Dushanbe trolleybus system operates public buses in the city. Automobiles are the main form of transportation in the country and as of 2014 many highway and tunnel construction projects are underway or have recently been completed. Major projects include rehabilitation of the Dushanbe – Chanak (Uzbek border), Dushanbe – Kulma (Chinese border), Kurgan-Tube – Nizhny Pyanj (Afghan border). Dushanbe is divided into four districts

1) Avicenna District, 2) Ferdowsi District, 3) Ismail Samani District, and 4) Shah Mansur District.

5.4 Socioeconomic Survey Methodology

129. The Socio-economic survey in the Project area was conducted during March 2017. The Socio-economic Survey interviews were conducted with individual AHs and PAPs. Two experienced interviewers conducted the study. The number of interviews in each section was based on the number of potentially displaced households (as indicated by the local authorities). These are households which have assets within construction corridor of 36m of both sides of the road centreline. In total, there are 102 households (35 owners + 53 tenants and 14 employees) with assets along the road which will be affected. All the (100%) households were covered by the Socio-economic Survey. Considering the size of project and number of affected households, the Socio-economic Survey aimed to cover 100% of the potentially affected households. During the Socio-economic Survey, the number of people that wanted to participate in the survey surpassed the sample size needed for the analysis and the surveyed team interviewed all who wanted to participate. The Socio-economic Survey included owners, renters and users of affected lands and buildings, owners of affected business and other community members.

130. The Socio-economic Survey Questionnaire includes questions aiming to measure the main characteristics of affected households such as type of right-to-use land, land holdings, buildings, businesses, family type and size, main demographic data of the household members, self-reported monthly income and expenditure, sources of income, house facilities, religion, ethnicity, vulnerability, women's status, opinion about the Project, etc. Each questionnaire took around 40 minutes to complete. The collected data was processed using Microsoft Excel. (Annex 6-6: SES questionnaire).

5.5 Socioeconomic Profile of Surveyed Households and Businesses

131. In total, 102 households (35 owners + 53 tenants including 10 subways and 14 employees) with 612 persons were covered by the Socio-economic Survey. On average, there were 6 people per surveyed household. The survey was carried out with the head of households.

5.6 Key Facilities in the Surveyed Households and Businesses

132. The Project road section connects facilities that include primary and secondary schools, higher schools, colleges, mosques, health clinics, shops and large business as well as administrative services and large markets. All these services are available to the Project population. Quality of available services was not assessed as it was out of the scope of this RAP. The population covered by the Socio-economic Survey stated that the rehabilitation and reconstruction of new road system will result in reduced traffic congestions, hence to time savings for both public and private transport passengers. It will also help to improve economy of the country.

133. Being a capital city, electricity is available in entire city throughout the year. There is no supply cut even during dry season. Piped water is available in almost every part of the Dushanbe city.

134. Every surveyed household has a TV set and cable network instead of satellite dish. Computers and Internet (through mobile) are widely used in the project area; mobile phones are used by almost all the surveyed households. Refrigerator is used by all the surveyed

families. Only 43 (48%) households have a washing machine and 50 (56%) have Air Conditions. Total 40(45%) surveyed households have a car (Table 5-1).

Table 5-1: Households Assets and Amenities

Items	No of Households	%
In house flush toilet	102	100%
In house drinking water	102	100%
Hot water system	102	100%
Electricity	102	100%
Television set	102	100%
Satellite dish	102	100%
Computer	102	100%
Internet	102	100%
Mobile phone	102	100%
Refrigerator	102	100%
Washing machine	43	42%
Air conditioner	50	49 %
Motorbike	No	0%
Car	40	39 %
Other (Specify)	No	0%

5.7 Gender, Ethnicity and Religion

135. There are 258 females and 354 males in the surveyed sample. The portion of male-headed households is 58% while 42% of surveyed households are headed by a woman.

Women from project area are running small business (selling home made products) along existing project road. These women are requesting appropriate location for running same business and comfortable access to their business point. It is expected that a total of 8 such businesses, run by women will be affected by the Project.

136. All the surveyed households are of Tajik ethnicity.

Table 5-2: Gender

Gender	Head of the Household		All Household members	
	No of Households	% of the total	No of persons	% of the total
Male	59	58%	354	58%
Female	43	42%	258	42%
Total	102	100%	612	100%

5.8 Age and Marital Status

137. The age distribution of the surveyed population for this RAP shows that the 36 - 65 age group is the most represented with 55%. The profile of the youth community is even more pronounced if the 0-7, 8-17 and 18-35 age groups are combined. Such a comparison shows that 12 % of the surveyed population is younger than 35. The 36-45 age group accounts for 27 %. The 56-65 age groups account for 18%. There is 13 % family member above 66. The heads of households are mostly represented in the 36-45, 46-55 and 56-65

age groups (17%, 36%, and 22 %) while other age groups do not differ significantly (Table 5-3).

Table 5-3: Age

Age	Household Head		Other HH Members	
	Number	%	Number	%
0-7	-	-	8	1 %
8-17	-	-	25	4 %
18-35	-	-	40	7 %
36-45	23	22%	168	27 %
46-55	49	48%	183	30%
56-65	17	17%	110	18%
66 and above	13	13%	78	- 13
Total	102	100%	612	100%

138. Almost 65% of the surveyed people live in extended families. Nuclear families comprise 37%. The size of households ranges from 2-10 persons in a household. Nine of the surveyed households have up to five persons living in the household, while 42 (47%) have 6-7 persons and 19 (21%) households have 8 persons living in one household. Married heads of households are represented with 45% and 18% are unmarried and 37% family members are minor. The average family size is 6 persons per family (Tables 5-4 and 5-5).

Table 5-4: Marital Status

Marital Status	Household Head		Household Members	
	Number	%	Number	%
Married	102	100%	273	45%
Unmarried	-	-	110	18%
Widowed	-	-	-	-
Divorced	-	-	-	-
Minor	-	-	229	37%
Total	102	100%	612	100%

Table 5-5: Type of Families

Family Type	Number of Households	%
Nuclear	37	36%
Extended	65	64%
Total	102	100%

5.9 Education

139. The following table shows a high level of literacy of heads of household with 74% having University level education, 15% heads having college level and 11% having secondary level education. There is no household head illiterate.

Table 5-6: Education Level of Surveyed Population

Education Status	Head of the Household		Other Household members	
	Number	%	Number	%
Illiterate	-	-	-	-
Primary School	-	-	87	14%
Secondary Education	11	11 %	265	43%
Technical / Other Collage	15	15%	173	29%
University Degree	75	74%	87	14%
Total	102	100%	612	100%

5.10 Employment, Income Sources and Expenses

140. Employment and income data was collected from 102 households and information is self-reported. Business owners are the largest type of profession among the heads of households (86%). There is no household head engaged in civil services or any other profession. There are only 78% household members are engaged in Private Sector Services.

Table 5-7: Type of Employment

Type of Employment	Head of the Household		Household Members	
	Number	%	Number	%
Pensioner	-	-	-	-
Civil Servant	-	-	-	-
Private Sector Employee	14	14%	78	13%
Business Owner	88	86%	534	87%
Large Land Owner	-	-	-	-
Other Labour	-	-	-	-
Housewife	-	-	-	-
Pupil / Student	-	-	-	-
Unemployed	-	-	-	-
Other	-	-	-	-
Total	102	100%	612	100%

141. The business owners from project area are involved in various types of businesses such as restaurants, beauty salons, food shops etc. The main business affected by the project is auto part shops and car service centres. There are different types of shops like meat, barber, chemist and tailoring shops which also affected by the project. Kazakon is the most affected area of the project.

142. The data on income and expenses is self-reported. Although the purpose of collection of income data was explained to each of the SES participants, around 19 AHs stated that they would not be able to provide data on income as their income varies greatly from season to season. The data on average monthly income varies greatly from 1,100 TJS to over 10,000 TJS. Most of the households' income is concentrated in the category: 3,100 - 10, 000 TJS per month. In Tajikistan, national average per capita income is 537.76 USD (4734 TJS)¹²

¹²Agency on Statistics under the President of the Republic of Tajikistan, 2016

Table 5-8: Self-reported Monthly Income

Monthly Income (TJS)	Number of Households	Percentage
400 – 1,000		
1,100 – 2,000	10	10%
10.11	09	9%
3,100 – 4,000	16	16 %
4,100 – 5,000	15	7%15 %
5,100 – 10,000	33	31%
Over 10,000	-	-
No data	19	19%
Total	102	100%

143. The average monthly expenditure for households is around 6131 TJS (696 USD) with the largest portion (30%) spent on food. The next major expenses are rent with 21%. The other expenses like health, clothing, water and electricity bills, transportation are average 8%. As per data of “Agency on Statistics under the President of Republic of Tajikistan, 2016, the national average per capita expenditure is 286.24 USD (2520 TJS).

144. Reported average monthly expenses exceed the average monthly income. The gap between income and expenses was discussed with the respondents during the interviews. The respondents explained that for any major expense such as clothing for the whole family, serious illness, social obligations such as weddings and funerals etc., they borrow money from credit or from relatives or friends. The average monthly expenditure data is summarized in the following table 5-9:

Table 5-9: Households’ Average Monthly Expenses

Self-reported Monthly Expenses	Total Expenses (TJS)	Percentage of the total (%)
Food	1,831	30%
Rent	500-1,500	21%
Health / Medical expenses	500	8%
Clothing	500	8%
Education	150	2%
Communication (Phone Bills)	100	3%
Water and electricity bill	500	8%
Transportation	500	8%
Taxes	50	4%
Credit repayment	No data	-
Smoking / Drinking	500	8%
Others (Specify)	-	-
Total	6131	100%

5.11 Women in Project Area

145. In all surveyed households, women do housework and care for family members. Other activities performed by women are financing matters (56%), education of children

(100%), health care of children (100%), purchase / sale of homemade products (50.13%), day-to-day activities (100%) and social functions and marriages (100%). The questions on the decision making processes in the surveyed households showed that women are consulted and take part in the decision making process in all major family activities. The highest participation is in healthcare for children (100%), children's education, social functions and obligations and daily family activities. Somewhat lower levels of inclusion in decision making processes are reported in household financial matters and the purchasing or selling of household products.

146. During socioeconomic survey, it is found that there is only women PAP who is physically challenged and considered as vulnerable for compensation.

147. All women from affected households are participating in day-to-day decision making like financial matters, education and health care of children, purchase / sale of homemade products and social functions and marriages.

Impacts of the Project as Perceived by Surveyed Households

148. There were 86 answers on the perceived benefits of the Project. A total of 71% think that they will have a good road which will add to the appearance of the various parts along the road, around 63% expect a reduction in vehicle operating costs and accidents, 100% expect a reduction in travel time and cost of travel, 81% expect better access to other cities, regions and Uzbekistan and 81% expect faster local businesses and overall development.

Table 5-0: Perceived Project Benefits

Benefits of the Project	Number	Percentage
Will have a good road	63	71
Reduction in vehicle operating cost and accidents	56	63
Reduction in travel time and cost	89	100
Better access to other cities, regions and Uzbekistan	72	81
Faster local business and economy	72	81
Overall development	72	81

149. There was no response on perceptions of the Project's disadvantages. The most frequently expressed concerns are potentially inadequate compensation which would not enable satisfactory restoration of lost assets. Two respondents stated that the biggest adverse effects of the road will be relocation, loss of land and loss of numerous trees.

150. Suggestions and requirements recorded during the Socio-economic Survey were:

- Safe pedestrian crossings;
- Mandatory speed-breakers;
- Pedestrian underpasses;
- Passages for children;
- Bus stops; and
- Culverts / drainages for excessive silt during the rainy season.

151. During the design phase, existing pedestrian crossing and additional required crossing to ensure pedestrian safety, especially in areas of roundabouts at the Avicenna Monument and the 82nd residential area, and existing bus stops were considered.

CHAPTER 6

INFORMATION DISCLOSURE AND STAKEHOLDER ENGAGEMENT

6.1 Overview

152. The Project is committed to using the Performance Requirements of the European Bank for Reconstruction and Development (EBRD) as a benchmark for managing the social and environmental impacts of the Project. In addition to PR5, Performance Requirement 10 (Information Disclosure and Stakeholder Engagement) is of particular relevance to this section.

153. The main aspects of EBRD PR 10 include identifying key stakeholders and ensuring engagement planning, consultation and disclosure of Project information is undertaken in a timely, relevant and understandable fashion. The PR emphasizes the importance of making sure information is accessible to everyone, including any segments of the population who might be considered vulnerable or marginalized. It encourages Project proponents to use engagement methods which are culturally appropriate, and 'free of manipulation, interference, coercion and intimidation.

154. The laws and policies of Tajikistan which apply to resettlement related to EBRD financed projects in Tajikistan are:

- Constitution of Tajikistan;
- Civil Code; and
- Land Code.

155. Apart from the formal notification requirements set in the Land Code, there is no requirement for the government to discuss project designs or possible Land Acquisition and Resettlement options with the PAPs. Nevertheless, the local government authorities (*Hukumats* and *Jamoats*) disseminate to the local population all information issued in the form of a decree and other decisions related to the project. During first public consultation held on July 12, 2017, project design, possible land acquisition and resettlement options were discussed. Additionally, a second Public Consultation was held on Feb 13, 2018 where the PAPs could get additional information regarding land acquisition process for the Project.

156. In addition the PIU has taken the lead in the coordination of information disclosure at the local levels and conducted consultations with the local population.

6.2 Stakeholder Engagement Strategy

157. The Project defines stakeholders as individuals, community groups and government entities, who are directly or indirectly affected or likely to be affected by the Project. The Project committed to ensuring transparent and inclusive stakeholder engagement activities are in full compliance with the Stakeholder Engagement Strategy (Ref. Stakeholder Engagement Plan, 2018 which is available at <http://mintrns.tj/tg/road-facilities/projects/tachdidi-rokhi-avtomobilgardi-dushanbe-tursunzoda-sarkhadi-uzbekiston-kit-0>). The PIU is expected to put in place regular monitoring and evaluation of this Strategy's implementation by means of Stakeholder Engagement Plans (SEPs). The Project stakeholder engagement is expected to be participative and consultative, whereby stakeholders and their interests will be systematically identified.

6.3 Consultations with Stakeholders and Project Communities

158. During the preparation of this RAP, local Social Expert of CSC and the PIU conducted consultation with stakeholders and local communities. In the first Public Consultation, total 53 persons (project communities' residents and stakeholders) participated at this consultation. The first Public Consultation was arranged on July 12, 2017 in Dushanbe City, Sion District, School no 88. In second Public Consultation, total 70 APs and 5 representatives of various authorities participated. The second Public Consultation was arranged on Feb 13, 2018.

159. The main goal of consultations with Affected Households was to share information about the Project, ensure local authorities' cooperation during the RAP preparation and implementation, EBRD Environmental and Social Policy, 2008 and Republic of Tajikistan Policy, Grievance Redress Mechanism and the requirement of the Land Acquisition for the project.

160. A summary of the consultations with Affected Households conducted in the Project area is presented in Table 6-1 below:

Table 6-1: Consultations with Key Stakeholders

Sr. No	Date	Location	No of Participants		No of Participants
			M	F	
1	12/07/2017	Sion District, School no 88, Dushanbe City	37	16	53
2	13/02/2018	Sion District, School no 88, Dushanbe City	57	13	70
Total					128

161. The PIU with assistance of the Local Social Expert of CSC, conducted first community consultation in project area. In total, 53 persons (37 males and 16 females) participated at the first consultations. The number of women participants is low compared to male although women were invited personally but due to family and business responsibilities the number of women participation was less. In second community consultation, total 70 APs and PAPs (57 male and 13 female) and 5 representatives of various departments participated.

162. The participants received the Project Information Brochure with the Project-specific entitlements, government decree on the cut-off-date, MoT letter on the establishment of the GRM and details on the GRM procedure. Other information shared with the participant's was Environmental and Social Policy 2008 of EBRD, compensation principles and additional allowances. The participants shared their opinions about the Project, concerns and suggestions related to compensation amount, timely disbursement of compensation, and road safety during civil work activity. The records from consultations, translated decrees on the cut-off date, March 17, 2017, the establishment of the GRM, and scanned participant signatures are presented in Annexes 3.3, 4-4, 6.4

163. During the consultations, participants were supportive of the Project. The Project benefits, as perceived by the participants, are summarized as follows:

- Good road, better traffic flow and comfortable travel
- Improved access to schools, colleges and markets;
- Development of trade, businesses and income generating activities;
- Opportunity to sell dairy products and other perishables faster;
- More employment for local population;

164. The participants also expressed their opinions about the adverse effects of the proposed project. The main concerns were related to road safety, underpasses, land for land compensation and timely and adequate monetary compensation for losses. The main concerns of the communities are summarized as follows:

- Displacement;
- Compensation which enables re-establishment of the affected assets;
- Unavailability of residential and non-residential land of similar conditions nearby for home reconstruction or business re-establishment after the displacement;
- More accidents resulting from the widening of the road due to higher driving speeds;
- Number of safe pedestrian crossings;
- Proper accesses to all homes and businesses during the construction of the road;
- Proper underpasses or other safe passages for the children, women and old citizens;

165. The questions and suggestions given by the participants during the consultations focused mostly on compensation, preferences of land for land compensation, lack of land for relocation near the current location, income loss and safety for people. The following paragraphs summarize people's questions, concerns and suggestions.

168. The participants at the consultations gave a range of suggestions which they would like to see integrated into the project planning and road design. The suggestions are as follows:

- Provisions for safe road crossings for people, ground level pedestrian bridges or underpasses;
- Land for land compensation with same land quality or, if not feasible, adequate monetary compensation;
- Adequate compensation for all assets lost;
- Employment opportunities for affected persons during the road construction;

Table 6-2: Questions and Answers at Consultations with Communities

Community Consultation during.....	
Questions	Answers
Could you plan ground-level crossings so children and older people can cross the road?	We will pass your suggestions to the design engineers and see what they will plan.
Our children cross the road as they are pleased. When new road is constructed, it will be very dangerous to cross the road. How will you ensure safety of our children? Will you install the lights? Or underground crossings?	The pedestrian crossings in villages will be clearly marked. The speed limits signs will be installed. Before the crossings, speed barriers will be installed, so the drivers will not be able to drive at a great speed through villages. Children and other villagers should cross the road on the pedestrian crossings

	only.
During the construction, a lot of land will be affected, including about 400-500 trees. How will you compensate for it?	We have defined which land will be permanently affected and which temporarily. The compensation will be paid as per approved Entitlement Matrix and valuation done by independent valuator including affected trees.
I have a petrol station. How will you compensate it?	You will be compensated for land, replacement cost for buildings and loss of business. An independent valuator is assessing the replacement cost for assets acquired.
We, women, sell some home made products along the road. We would like if possible, to have nice stalls and paved road access, so we can have decent working conditions.	We will record your requests and pass them on to engineers and we will try to include facilities such as those on the road.
How do you determine the cost of demolished buildings and structures?	The demolished buildings and structures will be compensated for at a restorative and market value. That is, the cost of buildings will be determined according to the actual area(m2), will also take into account the material used. The cost of the buildings will be determined at a full replacement cost and depending on the building materials used.
Compensation will be how: monetary or kind?	Compensation will be in cash. Based on the specific cost of buildings and structures, as well as other types of compensation (like those who suffer greatly, for moving, etc.), a certain and agreed amount of money will be paid.
How will complaints be handled if they arise?	PIU has established Grievance Redress Committee. You will get details of names, contact numbers, email ID and address along with complaint forms. Your name will be kept confidential if you do not want to disclose.
My fence will be affected and I am an old man and cannot replace it by myself. Will you replace it?	You'll get the replacement cost and you will be able to pay workers to construct it again.
When will the construction start? We cannot construct, repair anything.	The bid will be announced as soon as the Resettlement Action Plan approved by EBRD and the Resettlement Action Plan is implemented, construction will start.
The pipes which are located under the project, after the construction work by whom will be restored?	The water pipes which are located under the project road and which will removed during construction works will be restored by the project Contractor under the project.
When the construction works will start and when we should move the project area?	The commencement of works according to the design expected on April of current year. However, regardless of the start of the construction works, the buildings and structures should be resettled only after the compensation.

Is the access to the farms considered during the construction works?	As far as possible, it will be allowed the opportunity to provide access to the Dehkan farms and the pedestrians during civil works by providing alternative access roads.
In my shop two months ago come new tenant. Will be paid compensation to him?	No, the compensation will not be done to the new worker due to the fact that all AP which were registered up to the Cut-off-Date, it's mean up to 17.03.2017 will be compensated. The mentioned date is considered as the last date of registration of the AP.
Can we suspend our license or patent from now?	It will be better if the validity of the license and patent is up to the completion of the business activities.
Are the workers of Car Washing point included for compensation?	Due to the fact that there is no agreement between these workers and any records or information on the number of these workers and also they change daily, there is no any basis for compensation to the workers of car washing points.
After the completion of the civil works can we restore our business structure?	Yes you can if you have the opportunity, but in coordination with the local Authorities.

6.4 Information Disclosure

166. During the socio economic survey and stakeholder engagement with communities, in addition to the information about the Project, Land Acquisition and Resettlement processes, bidding process and expected time for the beginning and completion of the construction works, the participants received the Project Brochure, Project-specific entitlements, the Government Decree on the GRM and information about the cut-off date. The PIU, with assistance of the Consultants' Resettlement Specialist, will update the Project Brochure during the preparation of the implementation-ready-RAP.

167. The cut-off date has been set as March 17, 2017. The MoT, through the PIU, prepared and published in national news paper "JHUMHURIYAT" dated March 17, 2017 informing residents of project area that the rehabilitation and reconstruction of Dushanbe-Uzbekistan Border road commenced with EBRD financing.

168. During the RAP implementation, the following information disclosures are planned:

- Discussion on final draft RAP approved by EBRD and preparation of a GLAC;
- Uploading of the draft RAP in English on the EBRD website;
- Distribution of copies of the RAP in the "Tajik" and Russian language in the local authorities' offices;
- Posting of the approved draft RAP in the "Tajik" and "Russian" language on the PIU website;
- Consultation on approved draft Resettlement Action Plan;
- Discussion on Road Safety training modal and awareness campaign for children, especially school going children and also for general public (road users).
- In case of changes in project design, which may result in changes of resettlement impacts, measurement of additional impact, valuation and updating of the RAP will

be undertaken. Consultations with PAPs and information disclosure will be ensured as per the established R&R consultations procedure. The updated RAP will be disclosed to the displaced persons, and submitted to the PIU and EBRD for approval prior to the commencement of construction in the section(s) where the design has been changed. The updated and approved RAP will be uploaded on the EBRD and MOT website;

- Corrective action plans will also apply to design variations effected or any omission detected once the construction has commenced.

CHAPTER 7

GRIEVANCE REDRESS MECHANISM

7.1 Overview

169. The overall goal of the grievance mechanism is to deploy a reliable, effective and timely process for capturing and responding to the concerns and grievances of Project stakeholders. The EBRD Performance Requirements describe a well-functioning grievance mechanism as one which addresses concerns in a “transparent manner that is culturally appropriate and readily accessible to all segments of the affected communities, at no cost and without retribution”. They also stipulate that the mechanism cannot at any time prevent access to existing judicial or administrative remedies, and where the Project involves land acquisition and displacement, it will include a recourse mechanism designed to resolve disputes in an impartial manner.

170. As per EBRD Performance Requirements, this RAP includes in its scope the establishment of a responsive, readily accessible and culturally appropriate grievance redress mechanism (GRM) capable of receiving and facilitating the resolution of affected persons’ concerns and grievances related to the project. The GRM is a formalized way for the PIU, RR to identify and resolve concerns and PAPs and Workers grievances. It offers the PAPs a forum to voice their concerns, seek clarifications to their queries, or register complaints related to the Project’s performance. The scope of the GRM addresses issues related to involuntary resettlement, social and environmental performance, and information disclosure.

171. The fundamental objectives of the Grievance Redress Mechanism are:

- To reach mutually agreed solutions satisfactory to both, the Project and the PAPs, and to resolve any grievances locally, in consultation with the aggrieved party;
- To facilitate the smooth implementation of the RAP, particularly to cut down on lengthy litigation processes and prevent delays in Project implementation;
- To facilitate the development process at the local level, while maintaining transparency as well as to establish accountability to the affected people and workers.

172. The MoT issued letter No 697 on 12June, 2017, requiring the establishment and development of the GRM at the Project level. The Grievance Redress Committee (GRC) includes the following expert’s and institutions and their representatives:

- Chief Specialist, Construction and Road Management Department, MoT, RT;
- Safety and Resettlement Engineer, PIU, RR;
- Main Resettlement Specialist, PIU, RR;
- Other specialists as necessary.

173. The Director, PIU,RR will be charged with the overall management of the grievance redress mechanism. The day-to-day management of the grievance mechanism will be the responsibility of the Community Liaison Officer in Dushanbe. This will include monitoring grievances, identifying trends, and recommending necessary changes to RAP implementation. At the community level, representatives of the Resettlement Unit, district level Community Authorised Person (LAP), together with local authorities will work together to ensure effective communication with complainants and PAPs in general, thorough investigation of complaints, and resolution of complaints. Detailed guideline and reporting

system of Grievance Mechanism is already placed and implemented by PIU (Ref: Annexure 7-7 and 8-8).

174. Principles guiding the implementation of the Grievance Mechanism are as follows:

- The Grievance Redress Committee of PIU will promote the existence and use of the Grievance Mechanism by disseminating information to PAPs using a range of media and community-level outreach through the course of the implementation of the RAP.
- PAPs will have numerous ways to raise grievances including by telephone, letter, in person or through an intermediary. Intermediaries may include civil society organizations and community leaders.
- Complainants will be guaranteed confidentiality (as is practical) and will be allowed to submit complaints anonymously (through suggestions boxes, for example) if necessary.
- All complainants will receive, as requested, legal counsel to provide them with advice on their complaints. The costs of the legal counsel will be paid for by the Grievance Redress Committee of PIU.
- Complainants will be provided with prompt feedback on the status of their complaints, within a time-frame specified below.
- All complaints will be documented and records maintained in both paper and electronic form. Complainants and the Grievance Redress Committee of PIU will retain documents related to complaints.
- The Grievance Redress Committee of PIU will provide quarterly feedback to the PAPs including: the numbers and types of complaints received the rates of resolutions, trends in complaints, changes made in resettlement activities as a response to complaints, etc.
- Complainants will be free to use the court system at any point in the grievance process.

175. The GRC will function for the duration of the project implementation. The PIU, RR and the Social Safeguard Specialist of CSC will conduct training for members of local GRC members.

7.2 Grievance Resolution Process

176. Grievances can be lodged with the Local Authorized Person (LAP), who is officially assigned to perform and make timely responses to complaints and petitions received from individuals and their communities and workers at project area. The LAP, in consultations with the PIU, RR safeguard specialist, will screen the grievance for eligibility. If eligible, the LAP will organize a meeting of the local level Grievance Redress Committee (GRC). The PIU, RR representative(s) will be informed and invited to the meeting.

177. Grievances will be registered and logged regardless of whether they are received in writing or verbally. The complainant should receive an acknowledgement of the receipt of the complaint within a prescribed and reasonable timeframe, preferably in writing. Lodging a grievance should not incur any cost to the complainant. The GRC will allow for flexibility and make sure that grievances are not dismissed on grounds of an administrative formality and/or procedure.

178. The complaint registered with the GRM should be reviewed, addressed and a decision made on its relevancy to the Project within 14 calendar days of lodgement. If the case is complex or requires more detailed investigation (e.g. inspection by technical experts or legal opinion from the state or certified private entities) the complaint review period may

be extended to 30 calendar days or more, if necessary. In such cases, written notification should be sent to the complainant explaining the reasons for extension, describing the process and indicating the expected dates for the delivery of the results of the revision.

179. All supporting documents such as, photographs, related certificates and legal and technical expert opinions, if required, should be prepared, reviewed and assessed. Once the complaint is resolved, the GRC will organize a complaint closure meeting, where the complainant confirms the closure of the complaint. The PIU, RR representative will oversee the resolution of the complaint.

180. All efforts will be made to settle issues at the Project level. All complaints and resolutions will be properly documented by the PIU, RR and made available for review, monitoring and evaluation purposes. A PIU safeguard specialist keeps in regular contact with the LAP of the GRCs and will have a database for the whole Project's grievances cases, including the status of grievances. This report will be regularly included in monthly project progress reports.

7.3 Functioning of the GRC within the Grievance Redress Mechanism

Stage 1: Local Level

181. The grievances will be first lodged at the local level. The complainant will report on a given case to the local authorized person (Assistant of engineer), who is nominated to GRC by MOT. The LAP will trigger the action of the Grievance Redress Commission (GRC) which will assess the situation and seek a solution through consultation with complainant(s). After consultation with GRC, the GRC makes final decision on submitted complaint(s) and determines the eligibility of the complaint and any required redress. Then LAP notifies the claimant on the final decision of the GRC. In case the grievance remains unresolved at the local level, the complaint or statement of claim attached with the relevant information, acquired documentary evidence and result is sent to the applicant and the regional level of GRC.

Stage 2: Regional Level

182. In case within 14 days of registration the grievance/claim is still unresolved at the local level, the claimant with support of the LAP will further raise the issue to regional level. Regional level of GRC, which consists of representatives of the PIU, road administration, local authorities, PAPs and NGOs, will expeditiously review the complaint; make a decision on the eligibility and relevance of the complaint case. In the case, the grievance again remains unresolved at regional level, the relevant information, acquired documentary evidence and result is sent to the applicant and the central level of GRC.

Stage 3: Central Level

183. In case within an additional 14 days the grievance is still unresolved at regional level, the relevant information, acquired documentary evidence and result is sent to the applicant and to the central level of GRC. Central level of GRC together with representatives of PIU makes a decision on the eligibility and relevance of the complaint and provides the means of resolving the issue(s).

184. In case the grievance remains unresolved at central level, the appellant can communicate his/her concern to the European Bank for Reconstruction and Development, funding the specific project (Contact in the Tajikistan office: Mr. Jamshed Rahmonbecdiev,

Project Manager). EBRD can be contacted by any PAPs regardless of status of grievance at local / national level or to the Court.

7.4 Duties of GRC Members

Local Authorized Person (LAP)

185. Once the LAP receives a written notification of a complaint, she/he will:

- Based on the simple screening procedure, assess the grievance and determine if the grievance is eligible for the GRM; if eligible, register the grievance in the complaints logbook;
- Write a grievance summary to be signed by the complainant and the FP indicating name of the complainant, date and place of presentation of complaint, description of complaint and supporting documents, if any;
- Send the complaint summary to all members of the local level GRC;
- Convey requests and enquiries of the complainants to PIURR/MoT and to the other members of the GRC at the local level;
- Organize a grievance redress meeting;
- Maintain records of each meeting and each communication between the FP/GRC and the complainants;
- Participate at appeal cases at all levels;
- Ensure administrative and organizational support for GRC members.

Supervision Consultant Resettlement Specialist

186. Once notified of a complaint and the LAP has been invited to a grievance meeting the Consultant will:

- Participate to all grievance meetings, provide opinions and analysis;
- Accompany eventual assessment/valuation specialists in the field;
- Provide other GRC members as relevant with opinion and suggestions for resolution to be reflected in the final meeting report.

GRC Chairperson / Head/Deputy of PIU, RR of MoT

187. Once notified that a complainant has lodged an appeal case at the central level, the GRC chairperson will:

- Review the local level GRC decision;
- Invite the GRC members to the meeting;
- Chair the GRC meetings and ensure that the minutes of the meeting are taken and shared with all relevant parties;
- Inform the aggrieved person of the GRC's decision;
- Ensure administrative and organizational support for GRC members to work;
- Support the decision made by the GRC and follow up to ensure action is taken.

PIURR Project Coordinator

188. Once notified that a complainant has lodged an appeal case at the central level, the Project coordinator will:

- Participate in all grievance redress meetings at *jamoat* and central level, provide opinions and analysis;
- Ensure that records at the PIU GRC are maintained;

- Request additional assessment/valuation specialists' opinions and accompany them in the field if needed;
- Request that the chairperson organizes meetings, as necessary;
- Ensure a proper PIURR Complaint Register is maintained.

Representatives of the PIURR Safeguards Unit

189. Once notified that a complainant has lodged at the central level, the representatives of the PIU, RR safeguard and technical unit will:

- Participate in GRC meetings at local and central level;
- Prepare the chronology of events to understand the sequence of developments prompting the complaint;
- Provide opinion on resettlement impacts claimed by the claimant;
- Request that the chairperson organizes meetings, as necessary;
- Maintain communication between the GRC and the complainants

190. The following persons at the Projects Implementation Unit for Roads Rehabilitation can be contacted for inquiries and grievances:

<p><u>Mr. Negmatov Kudratullo</u> Chief Specialist, Construction and Road Management Department, MoT of RT Tel: +918752679, +2222241 Email: n-qudrat@mail.ru.</p> <p><u>Mr. Yormatov Safarmad</u> Safety and Resettlement Engineer, PIU, RR Tel: +902203209, +2222073 Email: safarmad.ermatov@mail.ru.</p>	<p><u>Mr. Mahmadaliev Sheraly</u> Main Resettlement Specialist, PIU, RR Tel: +907828485, +2222078 Email: sherali.makhmadaliev@mail.ru.</p>	<p>Name: Mr Jamshed Rahmonbecdiev, Project Manager, Resident Mission of European Bank for Reconstruction and Development in Republic of Tajikistan Tel: +905004434 Email: rahombj@ebrd.com</p>
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Technical Expert

191. When requested by the PIU, RR to provide technical expertise for the assessment of an impact claimed by the complainant, the relevant expert will:

- Examine the case; perform relevant tests or an investigation;
- Prepare a short report based on the results of the examination completed;
- Recommend if further or additional legal opinion or expertise is needed to make a judgment on the substance of the case.

7.5 GRC Complaint Register, Records and Documentation

192. The PIU, RR of the MoT will maintain the complaint register and database. This will include a record of all complaints for regular monitoring of grievances and results of services

performed by the GRCs for periodic review by the EBRD. The GRC Grievance Registration Form can be found in Annex 7-7.

CHAPTER 8

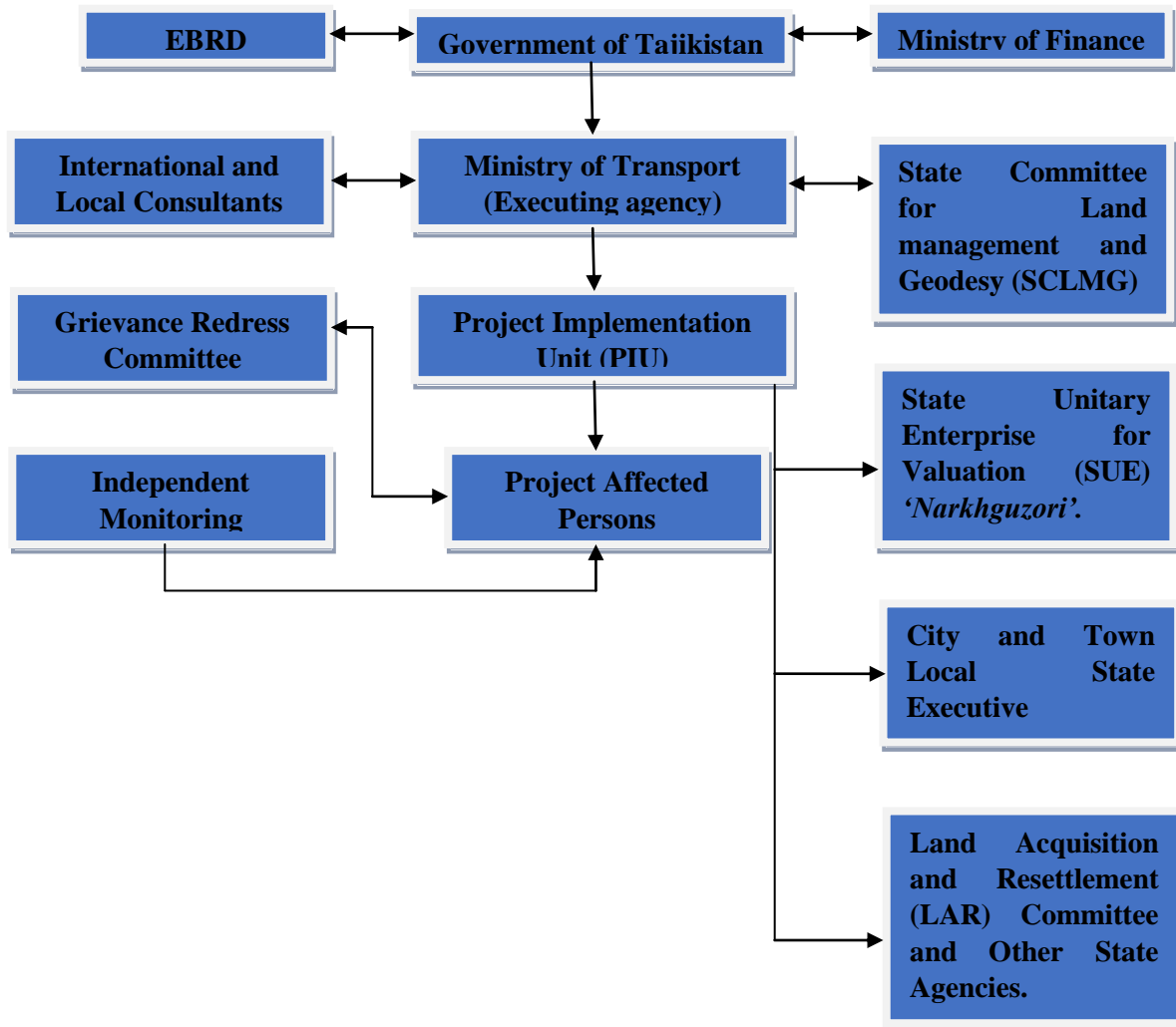
INSTITUTIONAL ARRANGEMENTS

8.1 General

193. The planning, preparation and implementation of the RAP involves distinct processes and different parties. This chapter details the core agencies and organizations involved, as well as their roles and responsibilities during the land acquisition and resettlement activities.

194. Various State Agencies and Institutions are responsible for different functions in the Land Acquisition and Resettlement processing and implementation. The Land Code stipulates that the decision for Land Acquisition and Resettlement for state and public needs is made by the local state authority (district authority) or, for major infrastructure projects, the decision on Land Acquisition and Resettlement may be approved by the Government. More specifically, the Prime Minister Office, which is inter alia in charge of construction/infrastructure projects, endorses Land Acquisition and Resettlement related decisions, including compensation packages.

8.2 Core Agencies and Organizations



The Ministry of Transport (MoT)

195. The Ministry of Transport (MoT) is the Executing Agency. The MoT has the overall responsibility for the Project in areas such as preparation, implementation and financing of all Land Acquisition and Resettlement tasks, cross-agency coordination, management, monitoring and evaluation of all project implementation aspects, including procurement of goods, services, and works on the projects. In particular, the MoT will:

- Appraise and approve the RAP after upon EBRD's approval;
- Make decisions related to the land acquisition and compensation of affected people;
- Steer government units as well as local authorities involved in land acquisition, plot allocation and complaint handling / grievance resolution;
- Ensure availability of sufficient budget for compensation, support and resettlement activities;
- Ensure compliance of land acquisition and resettlement activities with the approved RAP;
- Ensure engagement of experts / consultants to assist in verification / finalization of RAP as well as implementation of RAP monitoring/evaluation activities;
- Ensure cross agency coordination and liaison with relevant state agencies involved in implementation of RAP tasks;
- Make high level decisions, including resolving PAP's grievances and facilitating court processes; and
- Responsible for establishing the grievance redress committee.

Project Implementation Unit for Road Rehabilitation (PIURR)

196. The MoT has the Project Implementation Unit for Road Rehabilitation (PIU, RR) which is the Implementing Agency. The PIU, RR will, during the duration of the Project, ensure the operation of the project implementation unit and adequate resources and skilled personnel. The PIU, RR employs staff with extensive experience in managing such type of projects including a full time designated safeguards specialist who, with assistance from other designated officials as necessary, will be managing the implementation of the RAP, including co-ordination of the work of all involved agencies. The PIU, RR Social Safeguard Specialist is responsible directly to the PIU, RR Director. The PIU, RR Social Safeguards Specialist is responsible for:

- Cross-agency coordination and cooperation;
- Liaison between the resettlement specialists of the Supervision Consultant, other relevant organizations, agencies and government authorities and EBRD with respect to AAR tasks;
- Verification of the list of PAPs based on the final design;
- Updating a database of PAPs and impacts based on the verification results;
- Maintaining regular coordination and communication with relevant state agencies;
- Following up and providing support during notification of PAPs on upcoming land/property acquisition;
- Providing support during verification of the PAP census and socioeconomic survey data, and valuation of the land and other assets to be acquired;
- Preparing documents for negotiation of compensation with the PAPs;
- Preparing documents for formalizing agreements with PAPs, processing of compensation payments, following up with registration of land / property titles

- Conducting regular consultations and exchange of information with PAPs on the implementation of the RAP;
- Disclosing the RAP and the information brochures;
- Reviewing and issuing the RAP to EBRD for review;
- Planning and managing RAP implementation and the distribution of compensation;
- Following up with expropriation cases;
- Assisting in receiving, recording, resolving and reporting of grievances related to land / property acquisition process and other issues related to the Project and coordinate with the local authorities;
- Ensuring proper internal monitoring;
- Monitoring/supervising the temporary land acquisition carried out by contractor(s) engaged for the project;
- Preparing regular reports on the progress of LARP related activities.

The Ministry of Finance

197. The Ministry of Finance (MoF) has the overall financial responsibility for the Project. The RAP budget and compensation payments will be endorsed by the Ministry of Finance. The MoF is responsible for allocating the compensation budget for government projects. It basically performs well when and if the compensation budget is considered and included during the annual budgeting process. The Ministry of Finance acts based on requests coming from an PIU and transfers funds to the PIU for compensation based on the supporting documents, i.e. endorsed Land Acquisition and Resettlement related documents. The MOF is responsible for ensuring that sufficient budget is allocated to fully implement the RAP, providing full replacement cost and restoration of livelihoods and meet the EBRD PR 5 requirements.

State Committee for Land management and Geodesy (SCLMG)

198. State Committee for Land Management and Geodesy is the central government authority, which is responsible for formulation and implementation of the common public policy in the area of state land management, land cadastre, land surveying, mapping, state registration of immovable property and its rights, and state control over land use and conservation. During the impact assessment, when land user data is concerned, land specialists from SCLMG central level office provide information on ownership/use rights and propose the replacement land plot if AP is interested in relocation and land for land option. . The central office of the SCLMG deals with the transfer of land use rights from land users to the EAs. Based on the National Law on State Registration of Immovable Property and Rights to it a Unified Registration System (URS) was created under SCLMG, which combines functions of several institutions such as Mezhraion (Inter-district) Bureau of Technical Inventory (MBTI), the Ministry for Justice and some of the functions of local government offices into a more efficient and streamlined registration authority. There are 34 URS offices operating at district and city level in the country. During the RAP preparation and implementation phases, the agency will provide the following services:

- Together with the DMS and valuation teams visit each affected property, provide information on the right to use land and verify the documents on ownership use rights;
- Participate in the technical inventory of the immovable property and assist in preparation of the ownership certificates for the remaining immovable assets;
- Enable objective valuation of affected immovable assets by providing information necessary for the valuation.

State Unitary Enterprise for Valuation (SUE) ‘Narkhguzori’.

199. All agencies involved in the appraisal process should be licensed to perform such services. Of all the pricing and valuation entities functioning in the country, both independent and state-owned, the State Unitary Enterprise (SUE) “Narkhguzori” (pricing) under the State Committee on Investment and State Property Management is the only licensed institution performing valuation services for huge infrastructure development projects. During the RAP preparation, the valuers of the SUE ‘Narkhguzori’ will:

- Valuate all state owned assets, valuate project affected residential, commercial or industrial buildings (and the functional land plot associated with the structures).

City and Town Local State Executive Authorities

200. City and Town level executive authorities are responsible for general Land Acquisition and Resettlement cases. The Local State Authority base their review and decisions for Land Acquisition and Resettlement on planning documents and other designs, as well as approved feasibility studies. City and Town level executive authorities should work closely with the client’s valuation/assessment teams who prepare the documents necessary for Land Acquisition and Resettlement. These documents include the impact details for PAPs including informal users, the unit cost per type of impact and a list of PAPs for compensation. The City and Town level executive authorities office representative of Ministry of Agriculture values the loss of crops and fruit trees, the City and Town level executive authorities office representative of the Committee on Environment Protection values wood trees, the City and Town level executive authorities office representatives of the Ministry of Labour and Social Protection and Tax Committee value the loss of income/business/job. Valuation of structures/buildings and other tangible assets of both formal and informal users require a special valuation license; therefore, this task is contracted out to SUE “Narkhguzori”. The impact assessment should be verified and signed and stamped by relevant State level agencies (chief architect, head of agriculture department, head of land management committee, MBTI etc.) Based on the list of PAPs including informal, the City and Town level executive authorities prepare a request letter for compensation payment and send it to the EA for further action. This RAP will also serve as basis for any land acquisition and resettlement, in particular related to informal users.”

Land Acquisition and Resettlement (LAR) Committee and Other State Agencies.

201. The main role of the LAR Committee is identification of impact and valuation of lost assets. The LAR Committee is comprised of representatives from the PIU, RR, District Commission for Land Acquisition, State Architecture, State Committee on Investment and State Property Management, State Unitary Enterprise for Housing and Communal Services, relevant local governments such as *Jamoats* and *Hukumats*, representatives of *Dekhan* farms, environmental department, CSC safeguards specialist and others. The LAR Committee seeks to ensure due diligence in the implementation of the detailed measurement survey (DMS), census of the displaced persons and valuation of acquired assets. The LAR Committee ensures that the DMS and valuation results are technically comprehensive and comply with EBRD Environmental and Social requirements as well as the relevant norms of the Republic of Tajikistan.

202. The main responsibilities of the LAR Committee are to:

- Prepare the preliminary list of displaced persons and affected assets;

- Conduct a DMS for each asset affected; DMS has been conducted during April and May 2017. Prepare an inventory of losses;
- Identify non-formal assets, businesses and illegally used land;
- Check necessary documents to establish the legal status of affected assets;
- Value affected assets in accordance with the laws and legislations of the Republic of Tajikistan and EBRD Environmental and Social requirements;
- Assist in the resolution of grievances by visiting the location, of the grievance, assist the GRC by suggesting solutions to the grievance and participating in the GRC meetings when required.

203. The State Committee for Land Management and Geodesy (SCLMG) is the central government body with executive power for land management. It was approved by Order No. 225 of the Government of the Republic of Tajikistan on 3 May 2010 and it determines the general and special properties of authenticity of the documents provided for completion of the state registration of real estate and the rights to it. This Committee, together with the state enterprises under its control, is responsible for:

- Managing survey work including land cadastres, geodesy, aerial imagery and topographic mapping;
- Controlling the use and protection of land, geodesy, and further development of the level of government geodetic control, aerial imagery and mapping activities;
- Undertaking government activities on land management, land cadastre, geodesy, aerial imagery, and mapping;
- Undertaking surveying and land plot formation activities;
- Registering land use rights and implementation of land reform;
- Preparing and issuing of Land Use Right Certificates¹³;
- Acquiring land as requiring by the state, registering changes of land users and allocating new land plots;
- Surveying the land plots, those are the subject to land use rights;
- Developing projects for allocation of land use rights for non-agricultural needs;
- Implementing land assessment work, soil assessment and economic valuations of land¹⁴
- Providing a technical inventory of residential houses, buildings, apartments and state companies;
- Providing technical inventory and valuation of affected structures, and
- Providing registration of ownership and preparation of an Ownership Certificate for immovable assets.

Construction Supervision Consultants (CSC)

204. The Construction Supervision Consultants (CSC) will assist PIURR to: Prepare and supervise the consultations, disclosure of information and documents, detailed measurement survey, census and socioeconomic survey related to the finalization of the RAP;

- Coordinate with the licensed valuator in the conduct of official valuation of affected assets to ensure that these are conducted following the replacement cost principles of the EBRD Environmental and Social Policy (2008);

¹³This is a legal document that verifies the title holding of any parcel of land.

¹⁴Government Decree No.590, dated 28 December 2006 provides the details of the roles and responsibilities, organizational structure and its associated enterprises

- Ensure complete relocation or reconstruction of affected structures / businesses before civil works commencement and payment of appropriate compensation before displacing the PAPs;
- Monitor RAP implementation process, provide data and support to PIU, RR during preparation of quarterly monitoring reports on RAP implementation and monitoring activities;
- Inform the PIU, RR on the issues and bottlenecks that arise during RAP implementation and monitoring, and provide recommendations and suggestions on solution of such issues;
- Control the activities of Contractor(s) and Subcontractor(s), including implementation of mitigation measures, temporary land acquisition, etc.;
- Provide advice to PIU, RR on LAR issues and grievance redress;
- Study, communicate to PIU, RR and implement immediate remediation in case of any noncompliance with the RAP.

European Bank for Reconstruction and Development

205. The European Bank for Reconstruction and Development (EBRD) is the funding agency of the Project. In addition to funding, EBRD will periodically review the Project and RAP implementation as well as provide clearance for contract awards and the signing/initiation of civil works on the Project. EBRD will provide guidance for RAP preparation and disclosure of the RAP.

CHAPTER 9

RAP Principles VALUATION METHOD IN TAJIKISTAN

9.1 Background

206. All PAPs in the Project are entitled to compensation and resettlement assistance to help the restoration of their livelihoods to pre-Project levels. The combination of compensation measures and resettlement assistance offered to them depends on the nature of the lost assets and the magnitude of the Project's impact as well as the social and economic vulnerability of the affected persons. All PAPs are eligible for compensation and rehabilitation assistance, irrespective of their land ownership status. The compensation packages must reflect replacement costs for all losses (such as land, crops, trees, structures, businesses, incomes, etc.).

207. Agricultural land impacts will be compensated at replacement value: in form of land-for-land through provision replacement land equal in value and productivity to the plot lost. 46 The cost of preparation the land to levels the same as the affected land and any fees/taxes related to processing transaction registration will be covered by implementing agency. When >10 % of an income generating land is affected, PAP (land-users, leaseholders and sharecroppers) will receive an additional allowance for severe impacts equal to the market value of a year's gross yield of the land lost or one-time subsistence in the amount of consumer basket for a family of five members (475 TJS/month) for twelve (12) months.

208. Residential/commercial land will be compensated at replacement value in the form of land-for-land of equal size and use, with similar or improved public infrastructure facilities and services and located in vicinity of the affected land. The cost of any registration and transfer taxes will be covered by implementing agency.

209. Loss of land use rights will only be compensated in the form of land for land (in-kind) compensation with plots of equal value and productivity to project affected land parcel, free of taxes, registration fees or land use right transfer costs.

210. Houses, buildings, structures will be compensated in cash at replacement cost, i.e. construction cost without any deductions for depreciation, salvaged materials, or transaction costs. The compensation for houses/buildings will include the cost of lost water and electricity connections. Construction cost calculation considers 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 labour and contractor's fees, plus the cost of any registration and transfer and any applicable taxes. **In addition, as part of "restoration of livelihood" principle, the government will also provide technical assistance with building the replacement structure.**

211. The legally based land compensation method that exists in Tajikistan is compensation with replacement land, i.e. the land-for-land compensation. This topic was widely discussed during RPF consultations and at the public meetings held in villages Kalachai Mazor and Matpari. The Government and the local population prefer this approach if the adjoining or nearby land to the affected plot is readily available. The current practice is to allocate a replacement plot of 500 m² residential land to citizens affected by land acquisition especially those who may lose significant portions of their land parcels because of land acquisition.

212. In case if as a result of land take, the remaining land parcel is in the situation of losing its current designation, whether it is residential, commercial or agricultural, land-for-land compensation scheme will be fully exercised, meaning that the PAP will receive a new land parcel similar to size, designation and location as the entire size of the project affected land parcels. Besides, he/she will be allowed to keep the remaining portions, if interest expressed.

213. Replacement land if the land take refers to a narrow strip of a land along the road, which cannot be used for agricultural produce. However, all assets⁴⁸ attached even to this narrow strip of land will be fully compensated at replacement cost at current market values.

214. Trees: Cash compensation shall reflect income replacement. Cash compensation will be calculated at current market value and according to type, age, and productive value of project affected fruit tree. Annual yield capacity of a mature fruit-bearing tree multiplied to market price of a fruit (kg/TJS) and multiplied to the number of years required to grow a new tree to same productivity age. Each fruit-bearing tree in addition shall be compensated for purchase of seedlings. PAPs will be eligible to dispose logged trees themselves. Construction Company ensures free delivery of timber to the residence of PAPs.

215. Crops: Cash compensation at current market rates for the net annual harvest actually being lost. Crop compensation will be paid to land users and/or tenants based on their specific sharecropping agreements being made between these parties, if any.

216. Businesses: compensation for permanent business losses will be in cash for one year income based on tax declaration or, if unavailable, based on the official minimum annual salary; compensation for temporary business will be cash covering the income of the interruption period based on tax declaration or, where this data is not available, official minimum monthly salary multiplied to the number of months of actual stoppage of business.

217. Business workers and employees: Indemnity for lost wages for the period of business interruption up to a maximum of three (3) months. In case, tax declaration reports cannot be provided due to simple reason that shop owners being "PATENT" (license) holders are only responsible to pay fixed monthly fee, they will be suggested to present a document - Personal Statement of Monthly Income Form and specify the average monthly income (in TJS) they gain from operating their shop. By applying personal signature, they will agree to be responsible for honesty and accuracy of the presented information. The document will be reviewed and the same amount multiplied to three will be paid to the shop owner to compensate the loss of income for intermittent business stoppage, caused during road rehabilitation works. Shop owners reluctant to fill out and submit Personal Statement of Monthly Income Form will be eligible to one-time subsistence calculated in the amount of consumer basket for a family of five members (1051.51 TJS/month) multiplied to twelve (12) months, (1051.51 TJS X 12 = 12,618.12).

218. Agricultural land leaseholders and workers: Affected leaseholders will receive either a renewal of the lease in other plots or cash corresponding to the yearly yield of land lost for the remaining years of the lease up to a maximum of 3 years. Sharecroppers will receive their share of harvest at market rates (if impact is temporary) plus one additional crop compensation (if impact is permanent). Agricultural workers, with contracts to be interrupted, will receive an indemnity in cash corresponding to their salary in cash including portion in-kind compensation for the remaining part of the agricultural year.

219. Residential land renters/leaseholders and house renters: who have leased land and/or a house for residential purposes will be provided with a cash grant of three (3)

months' rent at the prevailing market rate in the area and will be assisted in identifying alternative accommodation.

220. Rental subsidy: project affected persons who subject to physical resettlement will be in addition provided cash compensation to cover the rental fee for temporary residence, i.e. amount that will allow them to rent a temporary residence facilities (in the amount of 2,641/month TJS for 12 months) and live there while their new residence is ready to a habitable condition.

221. Relocation subsidy: PAPs forced to relocate will receive a one-time relocation subsidy sufficient to cover transport costs of belongings twice, first time to relocate to temporary residential dwelling (rented facilities) and second time when the new residential dwelling is ready to move in). The amount of relocation subsidy will equal to $\$ 250 \times 2 = \500 for two relocations.

222. Additional Rehabilitation Measures

The RAP considers additional rehabilitation measures to be provided to the PAPs that qualify as vulnerable and severely affected PAPs.

223. Assistance for vulnerable people: In addition to the compensation of lost land and assets vulnerable PAHs will be provided with additional rehabilitation measures; in particular, one-time allowance set to one year payment of the subsistence level in the amount of consumer basket for family of five members (1051.51 TJS/month) for 12 months; i.e. $1051.51 \text{ TJS} \times 12 = 12,618.12 \text{ TJS}$ one time allowance. Besides, the members of vulnerable PAHs will be given priority in employment in project-related jobs.

224. PAHs - holders of severely affected land parcels: PAPs experiencing road project severe impact will also be provided additional assistance: one-time rehabilitation allowance for severe impact will be equal to market value of annual gross harvested from the affected portion of a land parcel in addition to standard crop compensation, or one-time allowance set to one year payment of the subsistence level in the amount of consumer basket for family of five members (1051.51 TJS/month) for 12 months; i.e. $1051 \text{ TJS} \times 12 = 12,618.12 \text{ TJS}$ one time allowance.

225. Taxation

226. In none of these cases, the PAPs will be liable for any taxes and eventual transaction fees; these will be paid by the implementing agency unless waived by government of RoT. Besides, the amount to cover bank service fees will be added on top of the amount of cash compensation to be received by PAPs at the banks.

227. Valuation Method Applied in this Project

228. The process of determining the market value of the affected assets includes the following actions:

- Personal dialogue and negotiations with specialists and experts in the field of selling real estate;
- Collection and analysis of data necessary for the assessment
- Determination of the value of the evaluated Assets by using a relatively appropriate method;
- Determination of the value of the evaluated assets;
- During the determination of the assets cost, the SUE "for evaluation" is guided by the following regulatory legal Acts:
 - Civil Code of the Republic of Tajikistan;

- The Law of the Republic of Tajikistan "On Appraisal Activities" dated July 28, 2006 under No. 196;

- Evaluation standards, the use of which is necessary for the subjects of appraisal an activity in the Republic of Tajikistan, which was approved in accordance with the Decree of the Republic of Tajikistan dated May 3, 2006 under No.192;

- The standard construction norms of the State Committee for Construction and Architecture of the Republic of Tajikistan dated January 31, 2015.

229. Methods of Evaluation

230. The costs method is the set of valuation methods that is based on determining the cost of the restoration, or replacing the valued asset including the wear;

231. Comparative method - the set of evaluation methods, which is based on comparing the evaluated object with the same objects, information on the value of which is known.

232. The method of profitability is the set of valuation methods that, by determining the current value of an appraised asset is based on the probable income from the use of the evaluated asset.

233. During the determination of the market value of the evaluated asset, the GUP "for evaluation", comparative and cost methods were used without taking into account wear.

CHAPTER 10

RESETTLEMENT PLAN BUDGET

10.1 Background

234. This chapter describes the methodology adopted for the determination of unit rates, cost of Land Acquisition and Resettlement and compensation that will be paid to PAPs for resettlement impacts caused by the Project. The compensation entitlements of different categories of PAPs presented in this chapter have been defined according to the EBRD Environmental and Social Policy, 2008 requirements and the applicable laws of the Republic of Tajikistan. The compensation rates for buildings, structures and fruit trees were determined by a certified independent valuator. All land in Tajikistan belongs to the government and therefore, there is no official land market, nor established value of land. As accepted for EBRD Project, the value of lost businesses' profit is based on data received from the Taxation Committee of the Republic of Tajikistan.

235. The Detailed Measurement Survey (DMS) of affected assets was based on the socioeconomic survey and Census Survey. The DMS was conducted between April and May 2017, by State Unitary Enterprise for Valuation (SUE) 'Narkhguzori', land committee representative, road maintenance department, PIU, RR resettlement engineer, and international and national resettlement specialists, with the participation of the PAPs.

10.2 Compensation for Land and Trees

236. There is no privately owned agricultural land and crops grown on the land affected in this project. The affected land (2 ha) is government owned land. Compensation at full replacement value, Current market value of crops in case grown on the affected land at the time of acquisition, multiplied by 5 years Crop compensation for land users / tenants based on their specific sharecropping agreements being made between parties. There is impact on 41 privately owned fruit bearing trees on leased land of affected 6 households within project area. The total compensation amount of affected fruit bearing trees is 15,316 TJS (1,740 USD).

10.3 Compensation for Residential Land, Residential cum Commercial Lands and Commercial Lands.

237. There will be impact on residential land, residential cum commercial lands and commercial lands. The cash compensation for the loss of rights to use the land in cash equal to the current annual rental rate of the land plot at the time of land acquisition and multiplied by 25 years ($0.1 \$ \times 25 \text{ years} = 2.5 \$$). Out of 35 AHs, 6 AHs are losing residential lands, there are 12 AHs losing residential cum commercial lands and 17 are losing only commercial lands. All the affected PAPs will receive compensation amount of **161,873.43. TJS (USD 18,388.00)**. The compensation cost for lands is based on ADB funded "CAREC Corridors 2, 5 and 6 (Dushanbe – Kurgonteppa) Road Project which is USD 2.5 per m². While valuating cash compensation for the loss of rights to use the land, methodologies were used: "cost value", "comparative value" and "market value". For each of the affected peoples a separate evaluation was carried out.

Table 10-1: Compensation for Affected Residential, Residential cum Commercial and Commercial Lands.

Sr. No	Lands Type	No of Affected Households	Affected Lands Unit m ²	Cost (TJS)	Cost (USD)
1	Residential Lands	6	1221.00	31,187.00	3,543.00
2	Residential cum Commercial Lands	12	4169.8	85,259.43.00	9,685.00
3	Commercial Lands	17	2064	45,427.00	5,160.00
Total		35	7354.8	161,873.43.00	18,388.00

10.4 Compensation for Buildings, Structures and Improvements

Valuation Approach

238. The compensation for alienated buildings and structures was calculated for both, the owners of formal structures and the users of informal ones. The replacement costs for buildings and structures was determined by calculating the construction cost of a similar new building/structure, for the same use and materials, based on market prices. All necessary taxes, fees and costs for obtaining the documents for registration of land, design of a new building, cost of technical passports and other related documents to establish the ownership, are included in the replacement cost price.

Residential Buildings and Structures

239. In total, **457,638.00 TJS (USD 51,984.00)** will be paid to the owners of 2 affected residential buildings and 6, ancillary structures, like affected fences, walls and a paved area, which will be lost as a result of land acquisition. Table 10-2 details compensation for the affected residential buildings and structures.

Table 10-2: Compensation for Residential Buildings and Structures

Structure Type	No of Affected Households	Affected Unit (m ²)	Cost (TJS)	Cost (USD)
A. Residential Main Building				
Residential House	2	66	206,449.00	23,451.00
B. Auxiliary Residential Structures				
Barn, storages, fence, gates, improvements and other structures	6	730.6	375,370.00 251,189.00	28,533.00
Total A+B	8	796.6	457,638.00	51,984.00

Compensation for Residential cum Commercial Buildings and Structures

240. In total, the PAPs will be paid **9,018,590.00 TJS (USD 1,024,444.00)** for 13 affected residential buildings and 21 commercial buildings / structures and 46 ancillary structures like fences, sheds and other land improvements. The compensation is calculated for both, legal and informal owners of affected buildings and structures.

Table 10-3: Compensation for Residential cum Commercial Buildings and Structures.

Structure Type	No of Affected Households	Affected Unit (m ²)	Cost (TJS)	Cost (USD)
A. Residential cum Commercial Main Building				
Residential House + Commercial Building	13 Residential. 21 Commercial	1765.55 + 1301 = 3066.86	8,135,888	924,175
B. Auxiliary Residential cum Commercial Structures				
Storages, fence, gates, improvements and other structures	46	650.43	882,702	100,268.00
Total A+B	80	3717.29	9,018,590.00	1,024,444.00

Compensation for Non-Residential (Commercial) Buildings and Structures

241. In total, the PAPs will be paid **6,200,866.00 TJS (USD 704,371.00)** for 40 affected main commercial buildings and 34 supporting structures like fences, sheds and other land improvements. The compensation is calculated for both, legal and informal owners of affected buildings and structures.

Table 10-4: Non-residential (Commercial) Buildings and Structures

Type of Structure	No of Structures	No of Affected Households	Cost (TJS)	Cost (USD)
A. Main Commercial Buildings				
Main Commercial Buildings	40	16	5,590,827	635,075
B. Ancillary Structures				
Storages, fence, gates, improvements and other structures	34	14	610,039	69,295.47
Total	74	30	6,200,866	704,371.00

10.5 Asset Registration Costs

242. Under the RAP, there will be no deductions from the compensation paid to PAPs. During the signing of acquisition contracts and the re-registration of properties, certain mandatory fees and taxes are payable according to the laws of Tajikistan. Such fees are related to re-registration of the remaining parts of land, registration of a new land plot, registration of buildings and structures (residential, or non-residential), and registration of businesses at new locations. All necessary taxes, fees and costs for obtaining the documents for registration of land, design of a new building, cost of technical passports and other related documents to establish the ownership, are included in the replacement cost price.

10.6 Compensation for Business and Income Losses

Valuation Approach

243. All affected businesses, regardless of legal status, are to be compensated for their losses. Compensation for legal entity (registered businesses) is calculated as per the tax declared income. As per Tax Department information there are 25 tax-declared affected businesses. Out of 25 there are 13 owners and 12 tenants. There are also 14 employees working in affected commercial structures are registered. In the absence of recorded income, compensation is based on the average national monthly salary. All the tenants will re-set their business within 6 months, therefore income loss compensation for tenants is calculated as national average wage x 6 months in case of 41 non-tax declared tenants and for 12 tenants it is based on their annual income.

Business Losses

244. The total amount of compensation for loss of income from affected businesses amounts to **1,437,418 TJS (USD 163,280)** out of which **565,710 TJS (USD64, 260)** is for owners both tax declared and non-tax declared. Total 871,708 TJS (USD 99,019) is for both tax declared and non-declared tenants. Table 10-5 provide details of compensation for affected business losses.

Table 10-5: Compensation for Businesses and Income Losses

S. No.	No of APs	No of PAPs	Type of Business	Period of Impact (Months)	Cost (TJS)	Cost (USD)
A. Tax Declared Owners						
1	13	78	Petrol Station/Restaurant/Car Service Centre/Shops	12	439,529	49,927
B. Non-Tax Declared Owners						
2	16	96	Restaurant/ Shops/Car Service Centres	12	126,181	14,333
Total A+B	29	174		24	565,710	64,260
C. Tax Declared Tenants						
	12	72	Shops	6	613,036	69,636
D. Non – Tax Declared Tenants						
	41	246	Shops	6	258,671.46	29,383
Total C+D	50	300		12	871,708	99,019

Grand Total	73	438		36	1,437,418	163,280
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Income Losses

245. There are 14 (according to the owner's statement and tax declaration) registered affected workers. All formal workers losing employment, whether permanently due to the demolishing of the main business building, or temporarily due to the relocation of the business container/kiosk, will be compensated for losses. There are no informal employees in other commercial structures because all the businesses are run by family. (As per revised entitlement matrix, the compensation amount will be lost wages which is 124,770 TJS (USD 14,172)).

10.7 Allowances

Severe Impact Allowances

246. Under this RAP, total 27 AHs (162 PAPs) will receive allowances for direct (Significant) impact. All AHs will receive an allowance for severely affected households which are calculated as three national minimum monthly salaries. The total compensation for all severely impacted AHs amounts to **85,172.13 TJS (USD 9,675)**. The details are presented in table 10-7.

Table 10-7: Allowances for Significantly Affected Households

Degree of Impact	Residential Building	Commercial Building (Owners)	Commercial Building (Renter)	Total No of AHs	Total Allowances (TJS) 1051.51x 3 months (3154.53 TJS)	Total Allowances (USD)
Demolition of the main building	6	21	-	427	85,172.13	9,675.00

Allowances to Vulnerable Groups

247. Persons with disabilities and other health conditions are entitled to monthly social welfare benefits regardless of their gross per capita family income. There are two such a household which has nine family members, and they will lose their residential home. The family will receive an allowance amounting to three national average monthly salaries. The total amount to be paid in allowances for vulnerable groups is **6,309.00 TJS (USD 717)**.

Transportation Allowances

248. The calculation of the transportation allowances was based on the transportation price within the Project location. Total 13 owners AHs will receive **21,099 TJS (USD 2,397)** each as a relocation allowance. The rate of transportation and relocation within project location is 1623 TJS per AH. The transportation rate is referred from Ministry of Transport, Letter no 21, dated Jan 27, 2017.

Table 10-8: Transportation Costs for Movable Assets

Type of Allowance	Cost TJS	Cost (USD)
Transport cost for business and residential assets (13 AHs)	21,099.00	2,397.00
Total	21,099.00	2,397.00

10.8 Budget Summary

249. The total RAP implementation cost for the Project amounts to **22,086,604.55** TJS which is equivalent to USD **2,508,872. 00** Table 8-9 shows a breakdown of compensation for owned and informal affected assets. The MoT is responsible for ensuring that the compensation funds for land acquisition and resettlement and staff are allocated in time for implementation of this RAP and that compensation is provided to PAPs prior to construction.

250. The RAP budget also includes miscellaneous expenses for administrative and staffing costs that will be incurred during the implementation of the RAP. This expense has been estimated and included in the budget as a single lump sum.

Table 10-9: Budget Summary

Item	Total Cost (TJS)	Total Cost (USD)
I. Compensation Budget, including Allowances		
Compensation for residential and commercial lands	161,873.43	18,387.00
Compensation for buildings and structures.	15,677,094.00	1,780,800.00
Compensation for fruit bearing trees.	15,316	1740.00
Compensation for business losses (Tax Declared and Non-Tax Declared AHs, Owners and Renters)	1,437,418	163,280
Compensation for employment losses (subject to presentation of documents)	124,770	14,173.00
Allowances to Significantly Affected AHs	85,172.13	9,675
Allowances to vulnerable groups	6,309.00	717.00
Home rental allowance for 3 months	-	-
Transport and loaders	21,099.00	2,397.00
Asset registration costs*	-	-
Sub-Total	17,529,051	1,991,168.36
II. Administrative Costs		
Direct admin costs (5% of Sub-Total)	876,452.55	99,558.41
Total	18,405,503.55	2,090,727
Contingency 20%	3,681,101.00	418,145
Total LARP Budget (TJS) and USD	22,086,604.55	2,508,872.00
Exchange rate at 1 USD=8.8034 TJS The National Bank of Tajikistan on Nov 8, 2017		

*Asset registration cost is included in replacement cost.

CHAPTER 11

RESETTLEMENT ACTION PLAN IMPLEMENTATION SCHEDULE

11.1 Introduction

251. Implementation of RAP includes compensation to be paid for affected structures and rehabilitation and resettlement activities as well as monitoring. The time for implementation of resettlement plan will be scheduled as per the overall project implementation. All activities related to the land acquisition and resettlement must be planned to ensure that compensation is paid prior to displacement and commencement of civil works. The EA and PIU, RR will ensure that no physical or economic displacement of displaced households will occur until: (i) compensation at full replacement cost has been paid to each displaced person for project components or sections that are ready to be constructed; (ii) other entitlements listed in the resettlement plan are provided to the displaced persons; and (iii) a comprehensive income and livelihood restoration program, supported by adequate budget, is in place to help displaced persons, improve, or at least restore, their incomes and livelihoods. This programme will be produced by PIU on behalf of the MoT based on the requirements of this RAP (Refer Chapter 4 for more details). Furthermore, RAP will be revised during detailed design, and the updated RAP will be consulted with PAPs, approved by EBRD and Government of Tajikistan and disclosed prior to implementation. Public consultation, monitoring, and grievance redress will be undertaken intermittently throughout the project duration. However, the schedule is subject to modification depending on the progress of the project activities. The civil works contract for each project will only be awarded after all compensation and relocation has been completed for project and rehabilitation measures are in place.

11.2 Income Restoration Measures

252. The entitlement proposed for the project has adequate provisions for restoration of livelihood of the affected communities. The focus of restoration of livelihoods is to ensure that the APs are able to at least regain national minimum standards. To restore and enhance the economic conditions of the APs, certain income generation and income restoration programs are incorporated in the RP. To begin with providing employment to the local people during the construction phase will enable them to benefit from the project, reduce the size of intrusive work forces and keep more of the resources spent on the project in the local economy. It will also give the local communities a greater stake and sense of ownership in the project.

11.3 RAP Implementation Schedule

253. The proposed project R&R activities are divided in to three broad categories based on the stages of work and process of implementation. The details of activities involved in these three phases-Project Preparation phase, RAP Implementation phase, Monitoring and Reporting period are discussed in the following paragraphs.

11.4 Project Preparation Phase

254. The major activities to be performed in this period include establishment of PIU Field Office at project level;; and establishment of GRC etc. The information campaign and community consultation will be a process initiated from this stage and will go on till the end of the project. Community meetings will be arranged to discuss draft RAP for suggestions from PAPs along with distribution of booklets.

11.5 RAP Implementation Phase

255. After the project preparation phase the next stage is implementation of RAP which includes issues like compensation of award by EA; payment of all eligible assistance; relocation of PAPs; initiation of economic rehabilitation measures; site preparation for delivering the site to contractors for construction and finally starting civil work.

11.6 Monitoring and Reporting Phase

256. The monitoring will be joint responsibility of PIU, RR and Construction Supervision Consultants Senior Environmental and Social Specialist. PIU Field Office and CSC will start early during the project when implementation of RAP starts and will continue till the complementation of the project. Keeping in view the significant involuntary resettlement impacts, an external monitoring and reporting expert will be hired for the project. All the monitoring (internal and external) reports will be submitted to EBRD for review and feedback.

11.7 Resettlement and Rehabilitation Implementation Schedule

257. A composite implementation schedule for R&R activities in the project including various sub tasks and timeline matching with civil work schedule is prepared and presented in **Table 9-2**. However, the sequence may change or delays may occur due to circumstances beyond the control of the Project and accordingly the time can be adjusted for the implementation of the plan. The entire road can be divided in to various contract packages and the completion of resettlement implementation for each contract package shall be the pre-condition to start of the civil work at that particular contract package.

258. A timeline for RAP preparation, implementation and post implementation is summarized in Table 10-1 below. The timeline presented in the following table shows the distinct stages of RAP preparation, finalization and implementation as well as responsibilities of key stakeholders.

Table 11-1: RAP Preparation and Implementation Schedule

Activity	Responsibility	Tentative Period
Conduct census survey and identification of PAPs	PIU, RR, Supervision Consultant, State Committee for Land management and Geodesy	March 2017 (already completed)
Stakeholders Engagement	PIU, RR, Supervision Consultant, District and Local Authority.	First PC was arranged on July 12, 2017 Throughout the project implementation.
DMS and Valuation of affected assets	State Unitary Enterprise for Valuation (SUE)	April and May 2017 (already completed)
RAP Preparation	PIU, RR, Supervision Consultant	Nov 2017 to March 2018.
Stakeholders Engagement on summary of impact, RAP implementation schedule	PIU, RR, Supervision Consultant, District and Local Authority.	March 2018.
RAP approval/no objection by Government.	PIU, RR	March 2018.
Posting approved RAP on EBRD	PIU, RR and EBRD	March 2018.

and MoT website.		
RAP Implementation		
Payment of Compensation	PIU, RR, District / Local Authority	April 2018.
Relocate houses/shops/businesses	PIU, RR, Committee for Land management and Geodesy.	May - July 2018
Land Acquisition	PIU, RR	August 2018
Clear the ROW	PIU, RR, Committee for Land management and Geodesy.	Sept - Oct 2018.
Preparation of RAP monitoring report	PIU, RR, Supervision Consultant	Oct 2018 and onwards.
EBRD reviews the RAP compliance report	EBRD	Nov 2018.
Issue notice for start of civil works	PIU, RR	Sept 2018.
Grievance Redress	PIU, RR, Supervision Consultant	On going.
Submission of quarterly and annual monitoring reports	PIU, RR, Supervision Consultant.	Sept 2018 and March 2019
External consultant/3 rd Party completion audit		

Table 11.2: R&R Implementation Schedule																					
Task	Start	Finish	2017													2018					
			May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov
Conduct census survey and identification of PAPs	March 2017	May 2017																			
Stakeholders Engagement	July 2017	End 2019																			
DMS and Valuation of affected assets	April 2017	May 2017																			
RAP Preparation	Oct 2017	Feb 2018																			
PIU, RR Review of RAP	Nov 2017	Feb 2018																			
Submission of RAP to EBRD for comments	Nov 2017	Feb 2018																			
EBRD Review and Comments	Dec 2017	Feb 2018																			
Disclosure of draft RAP to the community for their feedback and suggestions	March 2018	March 2018																			
Finalisation of RAP according to EBRD Comments and community feedback	March 2018	March 2018																			
Submission of final RAP for EBRD review	March	March																			

	2018	2018																			
Stakeholders Engagement on summary of impact, RAP implementation schedule	March 2018	March 2018																			
RAP approval/no objection by Government.	March 2018	March 2018																			
Posting approved RAP on EBRD and MoT website.	March 2018	March 2018																			
RAP Implementation																					
Payment of Compensation	April 2018	April 2018																			
Relocate houses/shops/businesses	May 2018	July 2018																			
Land Acquisition	August 2018	August 2018																			
Clear the ROW	Sept 2018	Oct 2018																			
Preparation of RAP monitoring report	August 2018	Sept 2018																			
Management and EBRD reviews the RAP compliance	Sept 2018	Sept 2018																			

[illegible]

CHAPTER 12

MONITORING AND REPORTING

12.1 Monitoring and Reporting Requirements

259. While effective institutional arrangements can facilitate implementation, effective monitoring ensures that the course and pace of implementation continues as originally planned. The implementation of this RAP will be subjected to internal monitoring as the Project will not trigger a significant amount of involuntary resettlement. Internal monitoring will be conducted by the PIU, RR, assisted by the resettlement specialist of the Construction Supervision Consultant. Monitoring is vital for ensuring that the RAP is effectively implemented, unforeseen impacts related to land acquisition and resettlement activities are identified and appropriate measures to address the same can be taken in a timely manner.

260. According to Performance Requirement (PR 5) of EBRD, the PIU is required to establish procedure to monitor and evaluate the implementation of Resettlement Action Plan and take corrective actions as necessary to achieve compliance with PR5.

12.2 Internal Monitoring

261. The key objective of the internal monitoring is to monitor the process of RAP implementation such as the compensation process, grievance mechanism and effectiveness of RAP implementation procedure. Internal monitoring will be performed routinely (once in two months) by the PIU, RR. The results will be communicated to EBRD through the quarterly Project implementation reports and AESRs. Indicators for the internal monitoring will be those related to the RAP implementation processes, and immediate outputs and results which allow for the assessment of the progress and results of RAP implementation and the adjustment of the work program, if necessary.

262. The PIU, RR along with Senior Environmental and Social Expert will monitor performance (physical progress of the RAP implementation against milestones set in the RAP), impact (whether the objectives to restore the living standards of the affected population have been properly considered and executed), and RAP compliance, indicating whether the compensation program has been carried out in accordance with the provisions of Tajikistan's laws and EBRD policies, and to the satisfaction of the PAPs.

263. Specific performance monitoring indicators will be:

- Meaningful public consultations held;
- Socio Economic Survey /census surveys and assets inventories studies completed and follow up mitigation measures implemented;
- Compensation payments disbursed in time;
- Replacement plots allocated (if applicable);
- Housing and infrastructure construction completed (if applicable)
- Relocation of people completed;
- Income restoration and development activities initiated; and
- Monitoring and evaluation reports submitted.

264. Impact monitoring will encompass verification of the following indicators:

- Whether all physical inputs committed in the RAP has been delivered and all services provided;

- Whether the mitigation actions prescribed in the RAP have provided the desired effects;
- The socioeconomic status of the affected population and host population measured against the baseline conditions before the displacement.
- Finally, whether livelihoods have indeed been restored.

265. Impact monitoring will be supplemented by the assessment of the PAPs satisfaction with the resettlement initiatives and the adequacy of measures applied for restoration of PAPs livelihoods. This will be done through direct consultations with the affected population and face-to-face meetings with the PAPs.

266. The following table outlines monitoring indicators which the PIU, RR will use during the RAP implementation monitoring; such data will be collected by various means including satisfaction surveys. Templates for other monitoring tools are given in Annex 6-6.

Table 112-1: RAP Implementation Monitoring Indicators

Monitoring Aspects	Indicators
Delivery of Entitlements	<ul style="list-style-type: none"> • Entitlements disbursed, compared with number and category of losses set out in the entitlement matrix. • Disbursements against timelines. • Identification of the displaced persons losing land temporarily, e.g. through soil disposal, borrow pits, contractors' camps • Timely disbursements of the agreed transport and relocation costs, income substitution support and any other resettlement allowances according to the schedule. • Provision of replacement land plots. • Quality of new plots and issuance of land titles. • Restoration of social infrastructure and services. • Affected businesses receiving entitlements, including transfer and payments for net losses resulting from loss of a business. • Provision of job opportunities to project affected people and numbers of displaced people employed on the project.
Consultation and Participation	<ul style="list-style-type: none"> • Consultations organized as scheduled including meetings, groups and community activities; • Knowledge of entitlements by the displaced persons; • Number of general meetings (for both men and women); • Percentage of women participated at consultations; • Number of meetings held exclusively with vulnerable groups; • Level of participation in meetings (of women, men and vulnerable groups); • Level of information communicated – adequate or inadequate; • Information accessibility and disclosure

	(translation of information in the local languages); •
Effectiveness of the GRM	<ul style="list-style-type: none"> • Uses of the grievance redress mechanism by the displaced persons; • Information on the resolution of the grievances; • Number of APs used the GRM; • Number of cases resolved at project level; • Number of cases transferred to other GRC levels; • Number of APs' requests rejected. • Number of days taken to resolve issues; • Number of court cases; • Number of days spent in the court to resolve the issue.
Budget and Time Frame	<ul style="list-style-type: none"> • Land acquisition and resettlement staff appointed and mobilized on schedule for the field and office work; • Capacity building and training activities completed on schedule; • Achieving resettlement implementation activities against the agreed implementation plan; • Timely allocation of funds to resettlement implementation agencies; • Funds disbursement according to the resettlement plan; • Land acquisition and clearance in time for implementation.
Livelihood and Income Restoration	<ul style="list-style-type: none"> • Gender and vulnerability segregated data on displaced persons under the rehabilitation programs; • Types of vocational trainings and number of participants (women and men); • Number of displaced persons who have restored their income and livelihood patterns (women, men and vulnerable groups); • Number, type of employment and duration of new employment activities; • Degree of satisfaction with support received for livelihood programs; • Percentage of displaced persons who improved their income and standard of living (women, men and vulnerable groups).

267. PIU and RR will maintain a database of the persons, households and businesses, whose properties have been affected by the project , as well as compensation and displacement and livelihood restoration measures that have been implemented. This database will include information about availability of vulnerable persons/ households and the type of their vulnerability.

268. All information on APs, their possessions and their compensation payments and assistance measures will be kept confidential. As stated above bi-monthly internal reports will be prepared and verified by the Senior Environmental and Social expert prior to

submission to Senior Management and quarterly PIU reports on land acquisition and resettlement will be submitted to produced and presented to management team and EBRD.

269. The quarterly reports will consolidate the information on compensation and resettlement/livelihood restoration measures, consultations, information on negotiations and results, provision of assistance to vulnerable groups, grievance management, etc. The PIU will document all meetings and consultations with minutes and photographs where appropriate and include in the reports as appropriate.

270. Information from these reports will be summarised and included in the Annual Environmental & Social Reports, distributed to relevant stakeholders, including the EBRD.

271. At the end of RAP implementation, the MOT will engage an external consultant for a third party evaluation of RAP implementation process. In the vent that any material findings are identified a remedial action plan will be agreed and implemented by the MOT/PIU.A summary of the report produced by the external consultant will be publically disclosed.

Annex 1-1: Socioeconomic Survey Questionnaire

SOCIOECONOMIC SURVEY OF THE AFFECTED HOUSEHOLDS

Questionnaire No.....

Date:

Name of the Road: Dushanbe City to Uzbek Border Road Improvement Project

Name of Interviewer:.....

Signature of Interviewer:.....

1. GENERAL IDENTIFICATION

1.1 Road side: 1. Left 2. Right

☐

1.2 Chainage km:

1.3 Location: Urban;

2. HOUSEHOLD IDENTIFICATION

2.1 Name of the Head of Household:.....

2.2 Address and telephone number:

2.3 Family type: 1. Nuclear 2. Extended

☐

2.4 Religion: 1. Islam 2. Christianity 3. Other (specify)

☐

2.5 Ethnicity: 1. Tajik 2. Russian 3. Uzbek 4. Other (specify)

☐

2.6 Number of family members: Total.....Men:.....Women:.....

Details of family members (enter the code)

No	Name of Family members	Relationship with head of house.	Sex 1. Male 2. Female	Age (Years) Enter the whole no.	Marital Status 1. Married 2. Unmarried 3. Widow 4. Divorced 5. Minor	Education 1. Illiterate 2. Primary 3. Secondary 4. Collage 5. University 6. Other (Specify)	Occupation 1. Pensioner 2. Civil Servant 3. Private Sector employee 4. Business owner 5. Works in Agriculture 6. Land owner 7. Other labour 8. Housewife 9. School/study 10. Unemployed
1	XXXX	Head of the house					
2	XXX	Wife					
3							
4							
5							
6							
7							
8							
9							
Number of physically challenged family members, if any:							
Number of members receiving help under the government schemes:							

3. HOUSEHOLD ASSETS AND AMENITIES

Items	Yes = 1 / No = 2
In house flush toilet	
Latrine	
In house drinking water	If no, from where you bring water? How brings water? Distance from your house?
Hot water system	
Electricity	
Television set	
Satellite dish	
Computer	
Internet	
Mobile phone	
Refrigerator	
Washing machine	
Air conditioner	
Motorbike	
Car	
Other (Specify)	

3.1 How do you rate your current living (Housing)?

1. Good 2. Average 3. Poor

☐

3.2 Please indicate what you would change to improve your living conditions.

4. HOUSEHOLD MONTHLY INCOME

Note: Please include the income of all household members

No	Name of the member	Source of income						Self-reported income per month (TJS)
		Agriculture	Employment	Pension	business	Labour	Other	
1								
2								
3								
4								
5								
Grand total								

5. HOUSEHOLD MONTHLY EXPENDITURE

No	Items	Self-reported monthly expenditure (TJS)
1	Food	
2	Rent	
3	Health / Medical expenses	
4	Clothing	
5	Education	
6	Communication (Phone Bills)	
7	Water and electricity bill	
8	Transportation	
9	Taxes	
10	Credit repayment	
11	Smoking / Drinking	
12	Others (Specify)	
Grand Total		

6. INDEBTEDNESS

6.1 Do you have any debts?

Yes =1 No =2

☐

(If yes, please indicate, your borrowings during last year)

No	Source	Amount taken (TJS)	Amount returned (TJS)	Balance
1	Bank			
2	Private money lender			
3	Relatives			
4	Others (Specify)			
	Total			

7. HEALTH STATUS

7.1 Was any family member affected by any illness during the last one year?

Yes = 1 / No = 2

☐

7.2 If “yes”, please indicate the details

No of cases	Type of disease / illness	Treatment taken 1. Conventional 2. Traditional local medicine 3. No treatment

8. WOMEN STATUS

No	Economic / non-economic activities	Engagement in activities Yes = 1 / No = 2
1	Cultivation	
2	Livestock	
3	Sale of household products	
4	Trade and Business	
5	Agricultural labour	
6	Non-agricultural labour	
7	Household work	
8	Others (Specify)	

8.1 Women in household decision making

No	Issues	1 = Yes	2 = No
1	Financial matters		
2	Education of children		
3	Health care of children		
4	Purchase / sale of assets		
5	Day to day family activities		
6	Social functions and marriage		
7	Others (Specify)		

9. OPENION ABOUT THE PROJECT

9.1 Are you aware of the Dushanbe to Uzbek Border Road Improvement Project that will be built in this area?

1. Yes 2. No

☐

9.2 If yes, from which source?

1. From other people of my locality 2. From Municipality Officials 3. From the media
4. Others (Specify)

☐

9.3 What in your opinion will be the benefits of the Project?

9.4 What in your opinion will be disadvantages of the Project?

10. PREPARANCE AND PLAN FOR THE FUTURE

10.1 Where would you like to be resettled?

1. Same location 2. To my home town / City of origin 3. To another town / City

☐

10.2 What type of assistance do you/your family members need?

1. Construction material 2. Accommodation 3. Social assistance 4. Employment
5. Skill training 6. Others (Specify)

☐

11. VULNERABILITY STATUS OF THE HOUSEHOLD:

11.1 Is it a women headed household?

1. Yes 2. No

☐

11.2 Is it headed by physically / mentally challenged person?

1. Yes 2. No

☐

11.3 Is it household below poverty line?

1. Yes 2. No

☐

11.4 Is it household headed by Pensioner?

1. Yes 2. No

☐

12. AFFECTED AGRICULTURAL LAND

12.1 Total Agricultural Land

Ownership Status	Total Area
Owned	Ha
Possessed	Ha
Rented	Ha
Non- titled	Ha
Grand total	Ha

12.2 Affected Agricultural Land

Ownership Status	Affected Area of Land
Owned	Ha
Possessed	Ha
Rented	Ha
Non- titled	Ha
Grand total	Ha
Value of affected Agricultural Land (Market Value)	TJS per Ha. Total: TJS

13. AGRICULTURE ON AFFECTED LAND

Crop	Type	Area under cultivation in Hectar	Estimated Annual Produce (in Kg)	For Sale (in Kg)	For self-consumption (in Kg)	Net Annual Income (TJS)
Food Grains						
Vegetables						
Fruits						
Other (Specify)						
Value of affected crops TJS =						

14. AFFECTED RESIDENTIAL / COMMERCIAL LAND

14.1 Total Residential / Commercial Land

Ownership Status	Total Area
Owned	m ²
Possessed	m ²
Rented	m ²
Non-titled	m ²
Total	m ²

14.2 Affected Residential / Commercial Land

Ownership Status	Affected Area of Land
Owned	m ²
Possessed	m ²
Rented	m ²
Non-titled	m ²
Total	m ²
Value of affected Residential / Commercial Land (Market Value)	TJS per m² Total: TJS

1. STRUCTURES

Total Structures			
Residential structures [on listed property]	1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No		
Type of residential structure	1 <input type="checkbox"/> House num.:	2 <input type="checkbox"/> Other:	
Size of residential structure	House: m ²	Other: m ²	
Commercial structures [on listed property]	1 <input type="checkbox"/> yes 2 <input type="checkbox"/> no		
Type of commercial structure	1 <input type="checkbox"/> House num.:	2 <input type="checkbox"/> Open space [OS]	
	3 <input type="checkbox"/> Other		

Size of commercial structure	House: m ² Open space: m ² Other: m ²
Type of commercial activity in structure	1 <input type="checkbox"/> Grocery shop 2 <input type="checkbox"/> Restaurant 3 <input type="checkbox"/> Construction material production/sale 4 <input type="checkbox"/> Petrol station 5 <input type="checkbox"/> Other (Specify):
Monthly income from this commercial activity?	TJS:
Other Structures	
Fence / wall	1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No Size: m
Latrine	1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No Number:
Shed	<input type="checkbox"/> Yes 2 <input type="checkbox"/> No Number:
Garage	<input type="checkbox"/> Yes 2 <input type="checkbox"/> No Number:
Other (Specify)	<input type="checkbox"/> Yes 2 <input type="checkbox"/> No Number:

2. AFFECTED STRUCTURES

Residential	1 <input type="checkbox"/> House num.: size: m ² Proportion of house affected: % Can be rebuilt on land? 1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No
<i>Value of affected residential structure [market value]</i>	<i>TJS per m² Total TJS=</i>
Commercial	1 <input type="checkbox"/> House num.: size: m ² Proportion of house affected: % Can be rebuilt on land? 1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No
	2 <input type="checkbox"/> Other: can be moved 1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No
<i>Value of affected commercial structure [market value]</i>	<i>TJS per m² Total TJS=</i>
Fence Wall	1 Yes 2 No 1 <input type="checkbox"/> can be moved m from ROW Size: m
<i>Value of affected fence/wall [market value]</i>	<i>TJS per m Total TJS=</i>
Latrine	1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No
<i>Value of affected Latrine [market value]</i>	<i>TJS per m² Total TJS=</i>
Shed	1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No
<i>Value of affected Shed [market value]</i>	<i>TJS per m² Total TJS=</i>
Garage	1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No
<i>Value of affected Garage [market value]</i>	<i>TJS per m² Total TJS=</i>
Other	1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No, if yes, please specify
<i>Value of affected other structure [market value]</i>	<i>TJS per m² Total TJS=</i>

3. ANIMAL ASSOCIATED WITH AFFECTED AGRICULTURAL LAND

Type	Number	For sale	For consumption	Estimated net annual income from animals and animal products in

				TJS (milk, meat, cheese, eggs, honey and so on)
Cattle (Total)				
Milk Cows				
Sheep's				
Goats				
Poultry				
Horses				
Other (Specify)				

4. WORKFORCE ASSOCIATED WITH AFFECTED AGRICULTURAL LAND

Who is engaged in agriculture/animal husbandry associated with the affected land plot?	<p>1. <input type="checkbox"/> members of the household (please specify how many individuals):</p> <p>2. <input type="checkbox"/> Hired help (please specify how many individuals):</p> <p><i>Note: hired help includes persons engaged temporarily or permanently, formally or informally, for some kind of compensation such as a salary or goods.</i></p>
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5. ADDITIONAL COMMENTS:

Annex 2-2: Stakeholders Engagement (First Public Consultation) List of participants

Вазорати нақлиёти Ҷумҳурии Тоҷикистон
Маркази татбиқи лоиҳаҳои таҷдиди роҳҳо

Лоиҳаи бехтарсозии роҳ аз китъаи Пайкаран
А. Сино то Дарвозаи ғарбии шаҳри Душанбе

ПРОТОКОЛИ МАШВАРАТ

«12» июни соли 2017

ш. Душанбе, н. Сино
Муассисаи таъсисоти умумии № 88

Иштирокчиён:

1. Ҳамаи Шахсони таъсирдида дар доираи Нақшаи амал оид ба кўчонидан;
2. Намояндагони мақомоти маҳаллии ҳокимияти давлатии ноҳияи Синои шаҳри Душанбе;
3. Гуруҳи корӣ оид ба баррасии арзу шикоятҳо;
4. Намояндагони Маркази татбиқи лоиҳаҳои таҷдиди роҳҳо ва Ширкати машваратии «САЙ»-и Ҳиндустон;
5. Дигар шахсони хоҳишманд.

Мавзӯ:

1. Машварати ҷамъиятӣ оид ба татбиқи Лоиҳаи бехтар намудани роҳи автомобилгарди Душанбе – сарҳади Ўзбекистон, Китъаи роҳ аз Пайкаран А. Сино то Дарвозаи ғарбии шаҳри Душанбе ва Нақшаи амал оид ба кўчонидан;
2. Механизм ва Кумитаи баррасии арзу шикоятҳо;
3. Дигар масъалаҳои пешбининагардида.

*Дар мақсари роҳи таҷдиди роҳи БАТР
ба расонидани маълумот оиди аҳолӣ,
Сиёсати экологӣ ва иқтисодии БАТР, КТ 5
қудро қонунҳои давлатӣ, қўноқиёти аҳоли
ва кўчонидани аҳоли, Механизми
баррасии арзу шикоятҳо ва қўноқиёти
аҳоли ва шаҳсони таъсирдида оиди
баррасии таъсирдидаи қўноқиёти аҳоли.*

Оиди лоиҳа, бонки маблағгузор, Сиёсати экологӣ ва иқтисодии БАТР ва Нақшаи амал оид ба кўчонидан корҳои фаҳмондаиҳӣ гузаронида шуда, моҳияти қудро намудани замин, кўчонидани ҳисмонӣ ва иқтисодӣ, инчунин ҳуқуқи ухдадорҳои аҳоли, хусусан шахсони таъсирдида, машварат гузаронида шуд.

Мо шахсони дар поён имзокарда дар машварати ҷамъиятӣ иштирок намуда, оиди лоиҳа, Нақшаи амал оид ба кўчонидан, Сиёсати экологӣ ва иқтисодии БАТР, КТ 5 “қудро намудани замин, кўчонидани аҳоли ва кўчонидани иқтисодӣ” ва Механизми баррасии арзу шикоятҳо маълумотҳои муфид гирифтём.

Ному насаб	Шахсият	Имзо
Ҳосенимова Дилрабо	Ш/Т	<i>[Signature]</i>
Дурбанова Дина	Ш/Т	<i>[Signature]</i>
Ҳосенимова Фаррух	Ш/Т	<i>[Signature]</i>
Султонов Ширин	Ш/Т	<i>[Signature]</i>
Султонов Ширин	Ш/Т	<i>[Signature]</i>
Султонов Ширин	Ш/Т	<i>[Signature]</i>
Султонов Ширин	Ш/Т	<i>[Signature]</i>
Султонов Ширин	Ш/Т	<i>[Signature]</i>

Дорамонӣ Саид	ш-т	
Раҳмонов Муҳаммад	ш-т	
Мавзидов Фирдав	ш-т	
Садров Абдуллоҳ	ш-т	
Амиров Абдулқомил	ш-т	
Аббасов Ҷаҳонгир	ш-т	
Назаров Суҳроб	ш-т	
Фотимов Қарзун	ш-т	
Мурзиев Сиродидин	ш-т	
Захмонов Захмон	ш-т	
Исмаилов С.	ш-т	
Қудратов Х.	ш-т	
Ибраҳимов З.	ш-т	
Мухоммадова М.Ҳ.	ш-т	
Исмаилова Т.Ҳ.	ш-т	
Исмаилова А.Ҳ.	ш-т	
Аббасова Т.Ҳ.	ш-т	
Исмаилов Ҷамал	ш-т	
Мавзидов Фотима	ш-т	
Мавзидов Мавзидов	ш-т	
Амиров Қомил	ш-т	
Исмаилов Ф.	ш-т	
Аббасов З.	ш-т	
Назарова Р.М.	ш-т	
Аббасов А.	ш-т	
Фавзодов Ҷамал	ш-т	
Исмаилов С.	ш-т	
Исмаилов С.	ш-т	
Назарова Ҳамид	ш-т	
Мурзиев Аббар	ш-т	
Исмаилов А.	ш-т	
Исмаилова Сафармурод	ш-т	
Исмаилов А.	ш-т	
Аббасов Шамшур	ш-т	
Аббасов Ф.	ш-т	
Аббасов Шохир	ш-т	
Аббасов Ҷамал	ш-т	
Аббасов Закир	ш-т	
Назарова Зайнабӣ	ш-т	
Аббасов Х.	ш-т	
Аббасов М.	ш-т	
Аббасов Махмуд	ш-т	
Аббасов Қурбан	ш-т	



Questions and Answer session during first Public Consultation



English Version of Public Consultation

Ministry of transport of Republic of Tajikistan Project of improvement of road from part of A.Sino Centre of implementation of road projects Monument to west door of Dushanbe city

MINUTES OF CONSULTANCY

12th July of 2017 year

Dushanbe city, Sino district

School number 88

Participants:

1. All affected people during the resettlement plan
2. Members of local authorities of district Sino, Dushanbe city;
3. Working group on considering complains;
4. Members of implementation of road projects and Consulting Company of <<SAI>> India;
5. Other volunteers.

Topic:

1. Social consultancy about implementation of Project for improving car road of Dushanbe – Uzbekiston border, Part of road from A.Sino Monument to western door of Dushanbe city and action plan for resettlement.
2. Mechanism and Review Committee of complains;
3. And other not provided tasks.

Whit aim of following BATR demands and giving information about project, Ecologic and social politic of BATR, K5<<sharing of land, resettlement of population and economic resettlement >>. Mechanism of reviewing complains and rights and responsibilities of effected people social consulting were carried out.

About project, financing bank, ecological and social politics of BATR and action Plan for resettlement , commanding works were done, opportunity of sharing land, physical and economical resettlement, also rights and responsibilities, especially effected people, consulting works were done.

We signed people below joined social consulting, about project, action plan for resettlement. Ecologic and social politic of BATR, K5 <<sharing of land, resettlement of population and economic resettlement >> and Mechanism of reviewing complains and took useful information.

English version of attendance sheet

Sr. No.	Name and Surname	Sex
1.	Kosimova Dilrabo	F
2.	Kurbonova Ona	F
3.	Nomonov Farrukh Single	M
4.	Solihova Dilorom	F
5.	Ubaydov Nusratullo	M
6.	Rustamov Sharif	M
7.	Mahmadaliev Mehrob	M
8.	Ibragimova Saida	F
9.	Rajabov Muhammadi	M
10.	Mahmadaliev Firdavs	M
11.	Safarov Emomiddin	M
12.	Aliev Abdullo Single	M
13.	Asoev Ilhom	M
14.	Nazarov Suhrob	M
15.	Fathulloev Nazrullo	M
16.	Mirzoev Sirojiddin	M
17.	Rahmonov Rahmonali	M
18.	Mustafoev S.	M
19.	Khushvakhtov Kh.	M
20.	Ubaydov Z.	M
21.	Muzafarova M.H.	F
22.	Muminova T.Ch.	F
23.	Inoyatova M.H.	F
24.	Arabova G.A.	F
25.	Shoev Jamshed	M
26.	Fayzulloev Kathuyon	M
27.	Katirov Muhibullo	M
28.	Olimov Tohir	M
29.	Ismoilov S.	M
30.	Abdullev Sh.	M
31.	Nazarova R.I.	F
32.	Asoev A.	M
33.	Dovudova Gulandom	F
34.	Shokirov S.	M
35.	Rahmonov S.	M
36.	Nazarova Hamida	F
37.	Mirzoev Akbar	M
38.	Jamolov A.	M
39.	Ismoilova Safarmoh	F
40.	Mustafoqulova A.	F
41.	Abdulloev Shamsiddin	M
42.	Ashurova M.	F
43.	Hoshimov Bakhtiyor	M
44.	Turaboev Zokir	M
45.	Saadieva Zaynambi	F
46.	Oyahmadov Kh.	M
47.	Toirova M.	F
48.	Shokirov Mahmadullo Single	M
49.	Saidov Khusrav	M
50.	Khojaev Dilshod	M
51.	Muzafarov Abror	M
52.	Mirzoev Eray	M
53.	Tavarov Sulaymon	M

Invitation letter of Public Consultation submitted to respective Hukumay

ЉУМЊУРИИ ТОЉИКИСТОН

МАРКАЗИ ТАТБИҚИЛОИ ЊАЊОИ

ТАЉДИДИРОЊЌО



РЕСПУБЛИКА ТАДЖИКИСТАН

ЦЕНТР РЕАЛИЗАЦИИ ПРОЕКТОВ

РЕАБИЛИТАЦИИ ДОРОГ

REPUBLIC OF TAJIKISTAN

PROJECTS IMPLEMENTATION UNIT FOR ROADS REHABILITATION

ш. Душанбе, кўчаи Айни 14

14 Ayni str., Dushanbe

г. Душанбе, улица Айни 14

Тел/Факс: (992 37) 222 20 73

Tel/Fax: (992 37) 222 20 73

Тел/Факс: (992 37) 222 20 73

E-mail: piurr@bk.ru

E-mail: piurr@bk.ru

E-mail: piurr@bk.ru

№ _____

To: Chairman of the Sino district of
Dushanbe city Mr. Salimzoda N.F.

Dear Mr. Salimzoda N.F.

The Project Implementation Unit for Road Rehabilitation informs you that the works on evaluation of the volume of the buildings and structures under the rehabilitation project of the Dushanbe-Tursunzoda Uzbekistan Border Road, from the section of Avisenna monument to the west gates of Dushanbe, the determining of the number of affected households, the survey, and other set of activities were carried out under the Land Acquisition and Resettlement Plan.

According to the requirements of the Economical and Social Policy of the European Bank for Reconstruction and Development (EBRD), which is a funding Institute, prior to the implementation of LARP, it is necessary to conduct the consultation for the affected population. In consultation, according to the regulations, the affected people should be informed about the project, on the Environmental and Social Policies of the EBRD, information on rights and responsibilities of affected persons during the project implementation and other norms set forth in the legislation of the Republic of Tajikistan.

In order to implement this activities and conduct the Public consultation, could you please determine the location, time, and to invite the affected people for participation in the consultation.

Thank you for your cooperation and support.

Note: The responsible person for implementation of Land Acquisition and Resettlement Plan is the Deputy Executive Director, Mirzoev E. (tel: 222 2078; 90 555 6060).

Sincerely,

Executive Director

N. Arabzoda

Annex 3.3: Stakeholders Engagement (Second Public Consultation)

INVITATION

Dear

Sir/Madam _____

On **13 February 2018, at 17:00** you invited to the Public Consultation on Resettlement Action Plan in under the Dushanbe-Tursunzoda-Uzbekistan Road Improvement Project, from the Avicenna monument up to the west gate of Dushanbe, which is located in the active hall of the secondary school No.88 of Sino district.

The participation in the public consultation is mandatory.

Note: For additional information call to: 90 422 47 11; 222 20 78

Invitation received by:

«_____» _____ 20
18

THE MINUTE OF
PUBLIC CONSULTATION

«13» February 2017 The active hall of the School No.88
Sino district of Dushanbe city

Participants:

1. Residents whose buildings and structures, business points and their livelihoods are effected by the project (Affected Persons);
2. Representatives of the local authorities of Sino district of Dushanbe city;
3. The representative of the Tajikistan Resident Mission of EBRD
4. Grievance redress committee;
5. Representatives of the Project Implementation Unit for Road Rehabilitation
6. Other interested persons

Agenda:

1. In the public consultation was provided the detail information regarding the Dushanbe –Tursunzoda – Uzbekistan border Road Improvement Project, The road section from Avicenna monument to West Gates and on the Environmental and Social Policy of the EBRD;
2. The Grievance redress mechanism and Committee;
3. Other unplanned issues

During the public consultation along with other subjected issues, additional information was provided regarding the mechanism of estimation of buildings and structures, households and determining their value.

There was conducted explanatory work about the project, the financing Bank, the EBRD Safeguard Policy Statement and the Resettlement Action Plan, and was provided the consultation on essence of land acquisition, physical and economic resettlement, as well as the rights and responsibilities of the population, especially affected persons.

At the same time, more detailed information on the mechanism for determining the value of buildings and structures, fruit trees and their livelihoods were presented. Each person was given information about the value of the buildings and structures identified by the SUE "On Evaluation", and their questions were answered with satisfaction.

The following were asked by the AP from the Working Group members:

Question: 1. The pipes which are located under the

project, after the construction work by whom will be restored?

Answer: The water pipes which are located under the project road and which will be destroyed during construction works will be restored by the project Contractor under the project.

Question: 2. When the construction works will start and when we should move the project area?

Answer: The commencement of works according to the design expected on April of current year. However, regardless of the start of the construction works, the buildings and structures should be resettled only after the compensation.

Question: 3. Is the accesses to the farms considered during the construction works?

Answer: As far as possible will be allow the opportunity to provide the access to the Dehkan farms and the pedestrians roads during the civil works.

Question: 4. in my shop two months ago come new tenant. Will be paid compensation to him?

Answer: No, the compensation will not be done to the new worker due to the fact that all AP which were registered up to the Cat-of-Date, it's mean up to 22.03.2017 will be compensated. The mentioned date is considered as the last date of registration of the AP.

Question: 5. Can we suspend our license or patent from now?

Answer: It will be better if the validity of the license and patent is up to the completion of the business activities.

Question: 6. Are the workers of Car Washing point included for compensation?

Answer: Due to the fact that there is no any agreement between these workers and no any records or

information on the number of these workers and also they changed daily, there is no any basis for compensation to the workers of car washing points.

Question: 7. After the completion of the civil works can we restore our business structure?

Answer: Yes you can if you have the opportunity, but in coordination with the local Authorities.

We, the undersigning have participated in the public consultation and got the useful information regarding the project, on financing Bank, ADB Safeguard Policy Statement and the Grievance redress mechanism.

No.	Name	Position	Signature
1	Solikhova Dilorom	AP	
2	Berdikulova Nigora	AP	
3	Abdulloev Bakhtiyor	AP	
4	Halimov Abduhakim	AP	
5	Ubaidov Zubaidullo	AP	
6	Ismatov Shamsullo	AP	
7	Ismatov Jumaboi	AP	
8	Mustafoqulov Abdulmanon	AP	
9	Rustamov Mahmadsharif	AP	
10	Rahmonov Rahmon	AP	
11	Nuriddinov Umed	AP	
12	Polvonov Umarali	AP	
13	Yunusov Shamsiddin	AP	
14	Abdulloev Shamsiddin	AP	
15	Khushvakhtov Khursand	AP	
16	Mirzoev A	AP	
17	Abdulloev Tohir	AP	
18	Kabirov Otullo	AP	
19	Shoev Jamshed	AP	
20	Olimov Hokim	AP	
21	Ismoilov Akram	AP	
22	Rahmatov Dilshod	AP	
23	Musiev Alidod	AP	
24	Ibrohimova Saida	AP	
25	Ashurova Muhiba	AP	
26	Ubaidov Junaidullo	AP	
27	Jobirov Muhibullo	AP	
28	Faizulloev F	AP	
29	Abdulloev Davlatyor	AP	
30	Naimov Ahliddin	AP	
31	Shahidov Abdurahmon	AP	
32	Zaripov Qiyomiddin	AP	
33	Jamolov Amriddin	AP	
34	Nemonov Sorbon	AP	

35	Gadoev Jamshed	AP	
36	Sobirov Jamshed	AP	
37	Miraliev Abdullojon	AP	
38	Sadieva Zainab	AP	
39	Mahmadalieva Khairinisso	AP	
40	Zarirova Saltanat	AP	
41	Odinaev Furqat	AP	
42	Qalandarova Nargis	AP	
43	Oyahmadov Khurshed	AP	
44	Safarov Emiddin	AP	
45	Muhammadamini Habibullo	AP	
46	Miraliev Mehrob	AP	
47	Ismoilov Karomatullo	AP	
48	Asoev Asliddin	AP	
49	Barotov Nuriddin	AP	
50	Ismatov Burhoniddin	AP	
51	Barotov Sunatullo	AP	
52	Nazarova Farzona	AP	
53	Nazarova Hamida	AP	
54	Rajabov Dustmurod	AP	
55	Tabarov Ramazon	AP	
56	Saidov Khusrav	AP	
57	Shakirov M	AP	
58	Akhmedova Zulola	AP	
59	Fathulloev Narzullo	AP	
60	Teribaev Alisher	AP	
61	Abdurahmonov V	AP	
62	Abdurahmon Nozirov	AP	
63	Tabarov Akbar	AP	
64	Kabirov Tolib	AP	
65	Qosimov Alisher	AP	
66	Qurbonova Ela	AP	
67	Qosimova Dilrabo	AP	
68	Namozov Afzalsho	AP	
69	Quvvatov S	AP	
70	Boborajaboz Behruz	AP	
71	Khojaev Dilshod	Sino District Authority	
72	Mirzoev Habibullo	Evaluator	
73	Mirzoev Eraj	Deputy Execution Director PIU RR	
74	Ahmadbekova Guldavlat	Engineer PIU RR	
75	Tabarov Sulaimon	Local Resettlement Consultant	

Вазорати нақлиёти Ҷумҳурии Тоҷикистон Маркази татбиқи лоиҳаҳои таҷдиди роҳҳо	Лоиҳаи таҷдиди роҳи автомобилгарди Душанбе – Турсунзода – сарҳади Ўзбекистон, қитъаи роҳ аз пайкараи А. Сино то дарвозаи ғарбии шаҳри Душанбе
---	---

ПРОТОКОЛИ МАШВАРАТИ ЧАМЪИЯТӢ

«13» феврал соли 2018

толори мактаби миёнаи №88,
н. Синои ш. Душанбе

Иштирокчиён:

1. Шахрвадоне, ки бинову иншоотҳо, нуқтаҳои тиҷоратӣ ва манбаҳои рӯзгузарониашон зери лоиҳа қарор гирифтаанд (шахсони таъсирдида);
2. Намояндагони мақомоти маҳаллии ҳокимияти давлатии ноҳияи Синои шаҳри Душанбе;
3. Намояндагони Бонки Аврупоии Таҷдид ва Рушд (БАТР, идораи маҳаллӣ);
4. Гуруҳи корӣ оид ба баррасии арзу шикоятҳо;
5. Намояндагони Маркази татбиқи лоиҳаҳои таҷдиди роҳҳо;
6. Дигар шахсони хоҳишманд.

Мавзӯ:

1. Машварати ҷамъиятии васеъ оид ба корҳои фаҳмондадихӣ дар бораи Лоиҳаи таҷдиди роҳи автомобилгарди Душанбе – Турсунзода – сарҳади Ўзбекистон, қитъаи роҳ аз пайкараи А. Сино то дарвозаи ғарбии шаҳри Душанбе ва Сиёсати экологӣ ва иқтимоии Бонки Аврупоии Таҷдид ва Рушд (кӯчонидани аҳоли);
2. Механизм ва Кумитаи баррасии арзу шикоятҳо;
3. Дигар масъалаҳои пешбинӣ нагардида.

Бар маъварати, дар баробари
дигар мавзӯҳои ғарздорона, ҷа
вазъи мавзӯи таҷдиди роҳи
ми ҷисб намудани ҳаҷми ва
нову иншоотҳои қитъаҳои
миёнда назр ҳаҷми ва ҷу
айён намудани арзиши онҳо
гузаронида шуд.

Оиди лоиҳа, бонки маблағгузор, Сиёсати БАТР ва Нақшаи амалиёт оид ба кӯчонидани корҳои фаҳмондадихӣ гузаронида шуда, моҳияти ҷудо намудани замин, кӯчонидани ҷисмонӣ ва иқтисодӣ, аз даст додани манбаи рӯзгузаронӣ, инчунин ҳукуку уҳдадорихи аҳоли, хусусан шахсони таъсирдида, машварат гузаронида шуд.

4. Савол:

Фар нуртан саброе ман ру
ноҳ неш, сеҳибкор - ишора бран
даи нов омар. Оё ба ӯ зӯброн
шарроҳе карда немавар?

Не, шарроҳе карда немавар,
зеро таноме маҳсон тазсир
дида то санан қотзмавӣ, бине
ча 22. Оз. долҳсо ба ҳисоб ме
рифта мудар. Санан мазкур
санан аҳирине баваир гирӣ ба
мунор мавар.

5. Савол:

Мо метавонем маҳоратнома
ё патентро аз ҳозир баъд на
моем?

Ҷавоб:

Безор неш, агар то санан
қотзмавӣ тизорат маҳорат
нома ба патент фарошмет
некар.

6. Савол:

Оё кормандони кирое нуртан
хои муштуми номини ба
инедат, фирдате немавар?

Ҷавоб:

Бинавар сабабе он ки бо онҳо
егон чун шароҳе, маълум
не аниқ аниқ мушортани он
нест ба онҳо қарин ҳар
рӯз иваз немавар, асос ба
рӯи зӯброн нест.

7. Савол:

Пас аз итмоми корҳои соҳт
монӣ мо метавонем нуртан
хурро барқарор созем.

Бале, метавонем, агар аниқ
нида бошад, бале реформатро
бо маълумоти баҳалӣ.

Мо шахсони дар поён имзокарда дар машварати чамъиятӣ иштирок намуда, оиди лоиҳа, бонки маблағгузор, Сиёсати экологӣ ва иҷтимоии Бонки Аврупоии Таҷдид Рушд, Механизм ва Кумитаи баррасии арзу шикоятҳо маълумотҳои муфид гирифтаем.

№	Ному насаб	Шахсият	Имзо
1	Солтимова Дилорам	ш/т	
2	Ҳасидинова Нисора	ш/т	
3	Абдуллоев Бахтиёр	ш/т	
4	Ҳасидинов Абдулло	ш/т	
5	Ҳасидинов Зубайдулло	ш/т	
6	Исмаилов Икромалло дустиев	ш/т	
7	Исмаилов Ҷафаров Ермоҳам	ш/т	
8	Исмаилов Абдулло	ш/т	
9	Ҷафаров Мамадулло	ш/т	
10	Ҷафаров Ҷафаров	ш/т	
11	Ҷафаров Ҷафар	ш/т	
12	Ҷафаров Ҷафар	ш/т	
13	Ҷафаров Ҷафар	ш/т	
14	Ҷафаров Ҷафар	ш/т	
15	Ҷафаров Ҷафар	ш/т	
16	Ҷафаров Ҷафар	ш/т	
17	Ҷафаров Ҷафар	ш/т	
18	Ҷафаров Ҷафар	ш/т	
19	Ҷафаров Ҷафар	ш/т	
20	Ҷафаров Ҷафар	ш/т	
21	Ҷафаров Ҷафар	ш/т	
22	Ҷафаров Ҷафар	ш/т	
23	Ҷафаров Ҷафар	ш/т	
24	Ҷафаров Ҷафар	ш/т	
25	Ҷафаров Ҷафар	ш/т	
26	Ҷафаров Ҷафар	ш/т	
27	Ҷафаров Ҷафар	ш/т	
28	Ҷафаров Ҷафар	ш/т	
29	Ҷафаров Ҷафар	ш/т	
30	Ҷафаров Ҷафар	ш/т	
31	Ҷафаров Ҷафар	ш/т	
32	Ҷафаров Ҷафар	ш/т	
33	Ҷафаров Ҷафар	ш/т	
34	Ҷафаров Ҷафар	ш/т	
35	Ҷафаров Ҷафар	ш/т	

36	Робитов Закиев	ИТ	Зиё
37	Миралиев Абдулло	ИТ	Мир
38	Срѣдмева Зайнаб	ИТ	Сир
39	Мамададиева Райхана	ИТ	Мам
40	Варирова Салтакат	ИТ	Зи
41	Одинов Рукмет	ИТ	Оди
42	Валандарова Нафиса	ИТ	Вал
43	Орджонидзе Рукмет	ИТ	Ор
44	Сараров Эмилхон	ИТ	Сар
45	Мухомидовичи Аббасхон	ИТ	Мух
46	Миромед Миромед	ИТ	Мир
47	Мамонид Миромед	ИТ	Мам
48	Абдиев - Абдиев	ИТ	Аб
49	Боротов Нуриддин	ИТ	Бор
50	Исмаилов Бурхонхон	ИТ	Ис
51	Боротов Султонхон	ИТ	Бор
52	Назарова Фарзона	ИТ	Наз
53	Назарова Фарзона	ИТ	Наз
54	Назаров Рукметхон	ИТ	Наз
55	Назаров Рукметхон	ИТ	Наз
56	Саидов Рукметхон	ИТ	Сай
57	Махмудов Махмудхон	ИТ	Мах
58	Ахмедов - Зилола	ИТ	Ах
59	Рахматов Рукметхон	ИТ	Рах
60	Меридиев Ахмедхон	ИТ	Мер
61	Абдурахмонхон Б	ИТ	Аб
62	Абдурахмонхон Назаров	ИТ	Аб
63	Назаров Назар	ИТ	Наз
64	Назаров Назар	ИТ	Наз
65	Назаров Назар	ИТ	Наз
66	Назаров Назар	ИТ	Наз
67	Назаров Назар	ИТ	Наз
68	Назаров Назар	ИТ	Наз
69	Назаров Назар	ИТ	Наз
70	Назаров Назар	ИТ	Наз
71	Назаров Назар	ИТ	Наз
72	Назаров Назар	ИТ	Наз
73	Назаров Назар	ИТ	Наз
74	Назаров Назар	ИТ	Наз
75	Назаров Назар	ИТ	Наз

Photographs of Public Consultation held on Feb 13, 2018



Annex 4-4: Notification of Cut-Off-Date in local news paper (JUMHURIYAT)
Date: March 17, 2017



English Translation

Hereby informing all the residents of streets: Qazoqon 1, Qazoqon 2, Nusratullo Makhsum, Ismoil Somoni, Ispechak region, Shamsi, Hisor street of Sino district and residents of “Choryakoron” jamoat, Zafar street of Rudaki district, that first phase of “Dushanbe – Uzbekistan border road (part of road from A.Sino monument to West gates of Dushanbe)” has been commenced, and the second phase is planned to be started at second half of the year.

Therefore, it is requested to stop all the construction of structures and planting of fruit trees on both sides of the road

Annex 5-5: Decision on GRC Establishment

ҶУМҲУРИИ ТОҶИКИСТОН
МАРКАЗИ ТАТБИҚИ ЛОИҲАҲОИ
ТАҶДИДИ РОҲҲО



РЕСПУБЛИКА ТАДЖИКИСТАН
ЦЕНТР РЕАЛИЗАЦИИ ПРОЕКТОВ
РЕАБИЛИТАЦИИ ДОРОГ

REPUBLIC OF TAJIKISTAN
PROJECTS IMPLEMENTATION UNIT FOR ROADS REHABILITATION

ш. Душанбе, кӯчаи Айни 14
Тел/Факс: (992 37) 222 20 73
E-mail: piurr@bk.ru

14 Ayni str., Dushanbe
Tel/Fax: (992 37) 222 20 73
E-mail: piurr@bk.ru

г. Душанбе, улица Айни 14
Тел/Факс: (992 37) 222 20 73
E-mail: piurr@bk.ru

12.06.17 № 697

SAI Consulting Engineers Pvt. Ltd
Mr. Richard Bell
Team leader

Loan 42232: Dushanbe – Uzbekistan border Road Improvement Project.
Construction of the Interchange on 82nd Circle Roundabout.
- Grievance Redress Committee

Dear Sir,

Referring to the meeting conducted with the international Resettlement Specialist Mr. Nitin Shitole and the Assistant of the vice-president of the head office of the SAI company, Mr. Sidhar Bancar, and in order to timely process complaints and suggestions from the local residents, we are sending you the list of the Grievance Redress Committee members from the Ministry of Transport of the Republic of Tajikistan and Project Implementation Unit for Road Rehabilitation.

1. Negmatov Kudratullo - Chief Specialist of the Construction and Road Management Department of the Ministry of Transport of the Republic of Tajikistan, Tel.: mob. 918 75 26 79, 2222241, e-mail: n-quadrat@mail.ru.
2. Yormatov Safarmad – Safety and resettlement engineer of PIU RR, Tel: 90 220 32 09, office. 222 20 73, e-mail: safarmad.ermatov@mail.ru.
3. Mahmadaliev Sheraly - Main Resettlement Specialist of the PIU RR, Tel: 907 82 84 85, паб. 222 20 78, e-mail: sherali.makhmadaliev@mail.ru.

Sincerely,

Executive Director

N.Arabzoda

Annex6-6: Internal Monitoring Templates

Data Collection Format for Internal Monitoring (Template)

DPs/Impact Compensation Payment Status Form														
No	No of AHs	Compensation to be paid (based on impact type) in TJS						Total Compensation paid (TJS)	Amount received by PAPs (TJS)	Compensation payment status				Explain reason for non payment
		Loss of Land use right	Loss of structures	Loss of trees	Loss of crops	Loss of businesses / employment	Allowances			Paid on date	Cheque / Voucher no	Amount paid (TJS)	Remaining amount (if any) TJS	
1														
2														
3														
4														
5														
6														
7														
8														
9														
10														
11														
12														
13														
14														
15														
16														
17														
18														
19														
20														
Total														

Compensation Payments for the Reporting Period

No	Reporting period	Compensation paid (TJS)			Remaining PAPs and balance compensation (TJS)		Remarks / comments
		No of PAPs paid	Amount paid	Date	Remaining PAPs	Balance amount	
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
Payment till (date)							
% paid progress							

Replacement Land Plots

Category of Land	No of PAPs lost Land	No of plots affected	Area of affected lost plot (m ²)	No of PAPs provided replacement Land plots	No of plots provided to PAPs	Area of replacement plots (m ²)	Remarks / Comments
Residential							
Commercial							
Other (Specify)							
Total							

Tracking Temporary Losses / Impacts

Type of temporary losses	Total no of PAPs	Total paid PAPs	Paid PAPs during reporting period	No paid till reporting date	% paid	% not paid	Remarks / Comments
Soil disposal							
Borrow Pits							
Contractors Camp							
Diversion Roads							
Loss of access							

Stakeholders Engagement

Type of Consultation	No of Consultation	No of PAPs Consulted	No of PAPs informed	No of PAPs now aware	%
Meetings					
Focus Group Discussion					
Individual Interview					
Other (Specify)					
Type of Dissemination Information					
Information on Entitlements					
Use of GRM					
Total					

Grievance Redress Mechanism

GRM cases	Number	%	Remarks
Complaint Register during reporting period			
Complaint Resolved during reporting period			
Complaint submitted to a Court			
Complaint Resolved by a Court			
Issues Resolved before it became a Grievance			
PAPs satisfied with GRM procedure			
Total Complaints Resolved			
Issues / Complaints Registered			
Issues / Complaints Resolved			
Total			

RAP Information Disclosure

Resettlement Information Booklet	Remarks
To PAPs:	
Date:	
No of PAPs:	
Resettlement Action Plan	
To Government Institutions:	
Date:	
No:	
Disclosed on EBRD website	
Date:	
Disclosed on MoT / PIU, RR website	
Date:	

Annex 7-7: Grievance Reporting Format and Database Format

Reference No.

Note: you can remain anonymous if you prefer or request not to disclose your identity to the third parties without your consent

Full Name.....

First Name:.....

Last Name:.....

- ☐ I wish to raise my grievance anonymously
- ☐ I request not to disclose my identity without my consent
-

Contact Information

Please mark how you wish to be contacted (mail, telephone, e-mail).

☐ By Post: Please provide mailing address:

.....
.....
.....

☐ By Telephone (Provide number).....

☐ By E-mail (Provide e-mail address)

.....

Preferred Language for communication ☐ Tajik

☐ Uzbek

☐ Russian

☐ Any other (Please specify)

Description of Incident or Grievance

a) What Happened?

b) Where did it Happened?

c) What is the result of the problem?

Date of Incident / Grievance:.....

Frequency of Incident / Grievance

- ☐ **One time Incident / Grievance:** (Date of incident.....)
- ☐ **Happened more than once:** (How many time and dates.....)
- ☐ **On-going:** (Currently experiencing problem)
-

What would you like to see happen to resolve the problem?

Signature of the complainer:

.....

Date and

time:.....

Please return this form to (Name and designation) Mr. Mahmadaliev Sheraly

.....Main Resettlement Specialist, PIU, RR

.....

Address: PIU Main Office, MoT, Dushanbe

.....

Telephone Number... +907828485, +2222078

.....

E-

mail...sherali.makhmadaliev@mail.ru.....

.....

SAMPLE GRIEVANCE DATABASE (EBRD)

Initiator					Person delegated to address issue in PIU				Problem				
Location	Type of the problem	Name of the complainer	Date	Phone number	Name	Phone number	e-mail	Address	Description of the problem	Action to be done	Due date	Result of the intervention	Closing date of the problem
1													
2													
3													
4													
5													
6													
7													
8													
9													
10													

Annex 8-8: Flowchart of Grievance Redress Mechanisms

