

# **Land Acquisition and Resettlement Plan**

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**Project: ADB TA-9530 TAJ**

**March 2020**

## **Central Asia Regional Economic Cooperation Corridors 2, 3, and 5 (Obigarm-Nurobod) Road Project**

### **Section 2**

Prepared by the Ministry of Transport.

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# REPUBLIC OF TAJIKISTAN



## MINISTRY OF TRANSPORT



### LAND ACQUISITION AND RESETTLEMENT PLAN

#### OBIGARM-NUROBOD ROAD SECTION 2

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#### Funding Agency



#### Implementing Agency:

**Project Implementation Unit for Roads  
Rehabilitation**

#### Executing Agency:

**Ministry of Transport**

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National Bank of Tajikistan - Official exchange rate of currencies against Somoni (TJS), <http://www.nbt.tj/en/>  
1 USD=9.4397 TJS on 20 May, 2019  
<https://tradingeconomics.com/tajikistan/wages> - Tajikistan average monthly wage 1,455.10 TJS /Month in Dec 2018

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## ABBREVIATIONS AND ACRONYMS

AH	Affected household
ADB	Asian Development Bank
AIIB	Asian Infrastructure Investment Bank
ALMGC	Agency for Land Management, Geodesy and Cartography
AM	Accountability Mechanism
CAREC	Central Asia Regional Economic Cooperation
CC	Civil Code of the Republic of Tajikistan
DF	Dekhan farm
DMS	Detailed measurement survey
DP	Displaced persons
EA	Executing agency
EBRD	European Bank for Reconstruction and development
EMC	External Monitoring Consultant
ESP	Environmental and Social Policy (EBRD Policy)
FGD	Focus group discussions
GRC	Grievance redress committee
GRM	Grievance redress mechanism
ha	Hectare
HH	Household
IR	Involuntary resettlement
LAR	Land acquisition and resettlement
LARP	Land Acquisition and Resettlement Plan
M&E	Monitoring and evaluation
MOT	Ministry of Transport
NGO	Non-government organization
NoL	No objection letter
OFID	OPEC Fund for International Development
OPEC	Organization of the Petroleum Exporting Countries
PCM	Project Complaint Mechanism
PIURR	Project Implementation Unit for Road Rehabilitation
PMC	Project Management Consultant
PRs	Performance Requirements
RoW	Right of way
SPS	Safeguard Policy Statement (ADB Policy)
SPISPM	State Committee on Investment and State Property Management
TJS	Tajikistani Somoni (currency)
ToR	Terms of Reference
TRTA	Transfer Technical Assistance

## GLOSSARY

<b>Displaced Persons (DP)</b>	<p>'In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.' (ADB SPS 2009).</p> <p>It should be noted that EBRD also use the term Project-Affected Person (PAP) but for consistency along the Project alignment, it has been agreed that DP will be used throughout.</p>
<b>Detailed Measurement Survey (DMS)</b>	With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of DPs. The final cost of resettlement can be determined following completion of the DMS. However, a DMS, based on the preliminary design, may be conducted too.
<b>Compensation</b>	Payment in cash or in kind to replace losses of lands, housing, income and other assets caused by the Project. All compensation is based on the principle of replacement cost, which is a method of valuing assets to replace the loss at current market rates, plus any transaction costs such as administrative charges, taxes, registration and titling costs.
<b>Cut-off Date</b>	The date after which people will not be considered eligible for compensation.
<b>Dekhan Farm</b>	Midsize land, which is legally and physically distinct from household plots, for which full land use rights, but not ownership, is allocated to either individuals or groups. Regulations concerning Dekhan Farms in Tajikistan are laid out in Law No. 48 on Dekhan Farms, from 2002.
<b>Encroachers</b>	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.
<b>Entitlements</b>	The range of measures comprising cash or in-kind compensation, relocation cost, income rehabilitation assistance, transfer assistance, income substitution/business restoration, which are due to DPs, depending on the type, extent and nature of their losses, and which suffice to restore their social and economic base.
<b>Eligibility</b>	Any person who resided in the Project area before the cut-off date that suffers from (i) loss of house, (ii) loss of assets or ability to access such assets, permanently or temporarily, or (iii) loss of income sources or livelihood, will be entitled to compensation and/or assistance.
<b>Household</b>	All persons living under one roof or occupying a separate housing unit, having either direct access to the outside (or to a public area) or a separate cooking facility. Where the members of a household are related by blood or law, they constitute a family. <a href="http://www.businessdictionary.com/definition/household.html">http://www.businessdictionary.com/definition/household.html</a>
<b>Hukumat</b>	District administration in Tajikistan
<b>Income restoration</b>	This is the re-establishment of sources of income and livelihood of the affected households.

<b>Income Restoration Programme</b>	A programme designed with various activities that aim to support displaced persons to recover their income / livelihood to the pre-Project levels. The program is designed to address the specific needs of the affected persons based on the Socioeconomic (SES) survey and consultations.
<b>Inventory of Losses (IOL)</b>	This is a process in which all fixed assets (i.e. lands used for residence, commerce, agriculture; houses; kiosks, stalls and shops; ancillary structures, such as fences, gates, paved areas and wells, affected trees and crops etc.) with commercial value and sources of income and livelihood inside the Project right-of-way (Project area) are identified, measured, their owners identified, their exact location determined, and their replacement costs calculated.
<b>Jamoat</b>	A sub-district level administration
<b>Land Acquisition</b>	Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land/assets for public purposes in return for in-kind replacement or compensation at replacement costs.
<b>Land Acquisition and Resettlement Plan (LARP)</b>	A time-bound action plan with budget setting out compensation for affected land/assets and resettlement strategies, objectives, entitlement, actions, responsibilities, monitoring and evaluation.
<b>Non-titled</b>	Means those who have no recognizable rights or claims to the land that they are occupying.
<b>Poor</b>	The poor are persons registered by the Hukumats as poor. The 'poorness' is based on the total score of points assigned for income of each household member, home condition, number of household's members, number and type of belongings such as a car and agricultural machinery, possession of animal livestock as the main poverty indicators.
<b>Presidential Land</b>	Means land for which use rights have been allocated by a Presidential Decree but ownership remains with the state.
<b>Rehabilitation</b>	This refers to additional support provided to DPs losing productive assets, income, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life.
<b>Replacement cost</b>	The calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any.
<b>Reserve Fund Land</b>	Means land owned by the state and controlled by the district administration that may be rented, mainly for agricultural use.
<b>Resettlement</b>	This includes all measures taken to mitigate all adverse impacts of the Project on DP's property and/or livelihood. It includes compensation, relocation (where relevant), and rehabilitation as needed.
<b>Severely Affected</b>	This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources due to the Project.
<b>Significant impact</b>	Means people will experience major impacts, which are defined as; (i) being physically relocated from a house, or (ii) losing 10% or more of their income generating assets.



<b>Vulnerable</b>	Anyone 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 heads of household; (iii) poor households; (iv) landless; (v) elderly households with no means of support; (vi) households without security of tenure; (vii) ethnic minorities; and (viii) small farmers (with landholdings of two hectares or less).
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## EXECUTIVE SUMMARY

### I. Project Background

1. The proposed project “Obigarm - Nurobod Road Project” aims to construct an approximately 75 km alternative alignment (the “Project road”) for the existing M41 road connecting the northeast region of Tajikistan and the Kyrgyz Republic between Obigarm (72 km) and Nurobod (158 km), which will be inundated by the reservoir of the Rogun Hydropower Project (HPP), that is now under construction.
2. The project road is divided into three sections:
  - (i) the Obigarm-Tagikamar section is about 30 km long and includes 2 tunnels of 1.6 km and 1.7 km and local access roads of circa 30 km (Section 1);
  - (ii) the Tagikamar-Nurobod is about 44 km long and includes 1 tunnel of 2.6 km, 1 long temporary bridge and local access roads of circa 40 km (Section 2); and
  - (iii) Section 3 includes a bridge that is about 760 m long and its approaches. These sections correspond to three contract packages that will be procured separately through open competitive bidding.
3. Package 1 will be financed by a USD 110 million grant from Asian Development Bank (ADB) and USD 40 million loan from OPEC Fund for International Development (OFID). Package 1 consists of the following sections of the Road: Section 1 - Javoni – Kandak; Section 2 - Gazakyon – Sebnok (Lugur); and Section 3 - Hakimi – Siyohgulak; including Bridge No 1 through Bridge No 6 and Tunnel No 1 (Kandak Tunnel) and Tunnel No 2 (Karagach Tunnel) ending short of the south portal of Tunnel No 3 (Tagikamar Tunnel).
4. Package 2 will be financed by a USD 150 million loan from European Bank for Reconstruction and Development (EBRD). Package 2 consists of the following sections of the Road from 33km: Section 4- Mudzhiharv-Alihodzha, Section 5 - Alihodzha – Tuthor; Section 6 - Tuthor – Kabudiyon (Samsolik); Section 7 - Kaboudiyon – Humdon, including Bridge No 7 through Bridge No 13, Tunnel No 3 (Tagikamar Tunnel) and the temporary bridge over the Rogun HPP Reservoir at Darband over the Surhkhob River.
5. Package 3 will be financed by a USD 40 million loan from Asian Infrastructure Investment Bank (AIIB) and covers the long permanent bridge (760 m) over the Rogun HPP Reservoir at Darband over the Surhkhob River.
6. The project road passes through mountainous terrain and includes three tunnels with a total length of about 6 km, 13 medium size bridges and a high-level 760 m long bridge over the future hydropower reservoir just before the road rejoins the M41.
7. The realignment of this road section through the river valley is not part of the Rogun HPP project. A bypass road must be completed and opened to traffic by latest November 2023, the date by which the rising water in the hydropower project reservoir will have inundated several critical sections of the existing M41 road. No other part of Tajikistan’s national road network can provide for this traffic, and the only alternative route would represent a deviation of about 500 kilometres.
8. The proposed ensuing Project will restore and improve connectivity between Dushanbe, the northeast region of Tajikistan and the Kyrgyz Republic via the M41 road, which is located on Central Asia Regional Economic Cooperation (CAREC) Corridors 2, 3, and 5. Package / Section 2 of the proposed project (financed by EBRD) will serve 10 villages and communities located along the proposed bypass road and other villages and settlements that located away from the main road but presently rely on the existing M41 road for access to economic opportunities and social services.

9. Additionally, two types of road providing access to the alignment will be developed. These are:
  - Village access roads – these will be permanent access roads, connecting villages to the alignment, and works will comprise rehabilitation of existing access road alignments.
  - Site construction access routes - these will be temporary access roads to the alignment for use by construction traffic during the construction period.
10. Civil works along the planned at Section 2 of Obigarm-Nurobod road will require acquisition of land and properties. A land acquisition and resettlement plan (LARP) for the project alignment, based on the detailed design data and an inventory of affected assets was originally prepared in accordance with ADB SPS (2009) requirements and EBRD 2014 ESP and the national laws and regulations.
11. The original LARP only covered the new Project alignment and not land acquisition and resettlement associated with rehabilitated village access roads, or construction access roads. A preliminary assessment of the village access road routes was conducted in August 2019, and the results of this have been appended to the LARP as Annex 11. The data for numbers of affected households, etc. in the main LARP relate only to the main alignment, with the access roads data in Annex 11. However, the compensation processes and frameworks described in the main documents will be applied across all elements.
12. The village access roads will be improved to the extent possible along their existing alignments, with little or no expectation of any requirement for land acquisition, and that impact will be mainly limited to trees, bushes and fences located within 1-2 meters of the access roads. However, it is noted that the preliminary village access road assessments were conducted based on preliminary design and are based on observation and title information, with no consultation having been undertaken at this stage. Refinements to the assessments will be made as detailed designs are finalised, conducted in accordance with the EBRD ESP 2014, using the same survey methodology as the original LARP. This will include consultation with affected persons in line with the SEP will be conducted throughout the Project. The LARP will be updated to accommodate this information where necessary.
13. The LARP does not currently consider land acquisition and resettlement associated with construction access roads, construction laydown areas and camps, temporary storage of excavated materials / soil, etc, as the designs for these have not yet been finalised. Once these designs have been finalised by the ADB Consultant, assessments of potential resettlement impacts associated with the temporary land take will be conducted in accordance with the EBRD ESP 2014, using the same survey methodology as the original LARP. All DPs will be compensated and provided with resettlement assistance based on entitlements matrix in the LARP. The LARP will be updated to accommodate this information where necessary.
14. Separate LARPs have been prepared for Section 1 and Section 2. This LARP specifically covers Section 2 of the Project to be financed by the EBRD.
15. All data included in this LARP has been collected, compiled and analysed by ADB consultants in September and November 2018, with supplementary data on the village access roads collected in August 2019. Subsequent information was provided by the PIURR in March 2020, and further updates made to the LARP at that point.

## **II. Scope of Land Acquisition and Resettlement and Impact Summary**

16. The main objective of this LARP is to identify persons affected by the Project and to assist them to restore their livelihoods and standards of living to pre-Project levels or better through provision of appropriate<sup>1</sup> compensation and to ensure that resettlement activities are implemented with due disclosure of information, consultation and informed participation. The

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<sup>1</sup> Appropriate compensation means compensation at replacement cost as per PR 5 of EBRD ESP 2014.

LARP complies with Republic of Tajikistan legislations and the requirements of EBRDs ESP and PRs (2014).

17. The scope of the LARP includes:
  - (i) description of the Project,
  - (ii) profile of the DPs and affected communities,
  - (iii) impact,
  - (iv) information disclosure and public consultations with DPs,
  - (v) grievance redress mechanism,
  - (vi) legal framework,
  - (vii) entitlements, assistance and benefits,
  - (viii) resettlement budget and financing plan,
  - (ix) institutional arrangements
  - (x) LARP implementation schedule, and
  - (xi) monitoring of LARP implementation.
18. The affected households (AHs) / Displaced Persons (DPs) Census Survey and detailed measurement survey (DMS) of all affected assets was carried out in September 2018 by ADB appointed consultants. Each displaced person was present during the DMS and signed the assets inventory form. Further measurement forms and written undertakings were signed in November 2019 by AHs that decided to forego a new land plot in favour of monetary compensation. All applicable updated exchange rates and the latest Tajikistan average monthly wage were considered during the updates of the LARP.
19. For Section 2, the census identified 95 affected households (AHs) with a total of 893 household members, four legal entities, and one Dekhan farm collective affected by the Project and two state owned public buildings (meteorological station and teahouse), as summarized below:
  - 37 residential land plots;
  - 4 commercial land plots;
  - 12 agricultural private land plots;
  - 2 tenant gardens
  - 4 legal entities ;
  - Crops on 11,254 m<sup>2</sup>;
  - 2,774 fruit trees, 1,562 fruit saplings and 4,575 other decorative trees;
  - 8 residential buildings;
  - 53 ancillary residential structures;
  - 3 non-residential buildings, 78 AHs will lose gates, metal fences/wires, wall fencing/concrete, clay, concrete and asphalt areas, stairs, sheds, building foundations, basements and improvements on land affected;
  - 4 businesses (including one non-operational shop/kiosk and one plot of land which was intended for commercial use but no buildings constructed);
  - 1 Dekhan farm collective (made up of 4 land plots); and
  - 1 Meteorology station and one teahouse
20. Detailed information on different categories of AHs and DPs by impact type is provided by impact type in Chapter 2 of this LARP and a summary of impacts is presented in Table E-2.
21. The LARP identified 37 residential land plots, two commercial land plots and four agricultural Dekhan Farm land plots (making up a Dekhan Farm Collective) which will lose more than 10% of their land holdings. Households will lose crops on 11,254 m<sup>2</sup> of land. A total of eight residential buildings (7,843 m<sup>2</sup>) belonging to eight households and 53 ancillary buildings (1,194.22 m<sup>2</sup>), will be demolished. There are three main non-residential (business) buildings (affected area 927 m<sup>2</sup>) which will be affected belonging to affected businesses. There are 78

households which will lose metal fences/wires, wall fencing/concrete, clay, concrete and asphalt areas, stairs, sheds, building foundations, basements and improvements on affected land.

22. Under this Project, 2,774 fruit bearing trees and 1,562 fruit tree saplings will be affected. The owners will receive full compensation for the loss of fruit trees and saplings. In addition, 77 AHs will lose a total of 4,575 decorative trees.
23. Due to the Project's impact, four businesses will be affected. These including one petrol/gas station, one non-operating shop/kiosk, one sawmill and one non-operational commercial land plot intended for the sale of construction materials. All business losses will be compensated as per the Project-specific entitlements as described in Section 8.
24. A total of 19 AHs with 173 DPs will experience severe impact on their livelihood. There are eight AHs losing their residential buildings (i.e. homes), three businesses losing their main business building<sup>2</sup> and 19 AHs losing more than 10% of their productive agricultural land. These households will receive a severe impact allowance equal to 3 months' average national wages, whilst the affected businesses will receive compensation based on the replacement cost for affected business buildings and severe impact allowances. The petrol/gas station will have enough land remaining to re-establish their business at the same location. The unfinished kiosk, the sawmill and the commercial land plot owners will need new land plots to re-establish their businesses. The kiosk and commercial land plot AHs decided that they would prefer compensation rather than a new land plot and signed written undertakings to this effect. During the LARP implementation and independent monitoring, special attention will be given to those affected. Table E-1 summarizes the impact.

**Table E-1: Summary of Project Impact**

Type of impact	Households/ (DPs) <sup>3</sup>	Private entities, Businesses / (DPs)	Community/ Government entity
1. Total number of affected households (people in brackets) – non-overlapping and not double counted between the categories	95 (893)	4 (36)	2 <sup>4</sup>
2. Physically displaced	10 (89)	3 (25)	
3. Severely affected losing more than 10% of their productive land plots or need to relocate	19 (173)		
4. Legal entities (businesses)		4	

25. The census identified 42 AHs (518 DPs) with members belonging to vulnerable groups including 30 AHs with more than five dependent children, five AHs (40 DPs) with a disabled family member and five single-woman-headed households (28 DPs). These AHs will receive a vulnerability allowance equal to three national average monthly salaries. Families affected by the Project who have a family member with a disability, large families with more than five dependent children, single women-heads of household living below the poverty line and elderly

<sup>2</sup> The commercial land plot intended for the sale of construction materials had not yet constructed any business buildings. Affected assets for this AH amount to land, fence and tree.

<sup>3</sup> This figure includes Dekhan Farms.

<sup>4</sup> One chaihona (tea-house) and one meteorological station.

households with no means of living are entitled to the vulnerability allowance amounting to three national average monthly wages.

### **III Socioeconomic Information and Profile of the Affected Population**

26. The Socio-Economic Survey (SES) and census survey in the Project area were conducted in September 2018. In total, 92 of 95 AHs (857 DPs) in Section 2 of the Project were surveyed. The SES included owners, renters and users of affected lands and buildings, and owners and renters of permanently and temporarily affected businesses.
27. The surveyed population lives in villages located along the Project road. In general, each village has basic facilities and utilities such as electricity, mostly combined primary and secondary schools, some basic healthcare and religious facilities. Piped water is available in some villages, while other villages rely on water springs and purchasing water for daily usage.
28. Generally, the Project population is well educated. There were no illiterate people in the surveyed sample. More than half of the sample have completed secondary education. The main (self-reported) sources of income are remittance, labour, agriculture and employment. Agriculture was reported as a source of income for 11 of the Section 2 AHs. Most of the households' income is concentrated in the three lowest categories: 300-1,000 TJS (14.13%), 1,001-2,000 TJS (54.35%) and 2,001-3,000 (22.83%) per month. The average monthly expenditure for the surveyed households is 1,463.05 TJS, with the largest portion (54.86%) spent on food.
29. When decision-making processes are considered, the SES study showed that women are consulted and take part in the decision-making processes in all major family activities. There is no significant difference between any area of life and they participate in the decision making. All of the suggested categories were answered positively by 98.91% of the respondents. It indicates a very high percentage of women participation in all family matters. Women at the Focus Group Discussions (FGDs) confirmed that their husbands do consult with them on most family important matters, but some women, especially in more traditional culture values villages, stated that they do not participate in most of the decision-making processes.
30. The support for the Project is very high. The surveyed people stated that they believe the main Project benefits are: good quality road, opportunities for the future, improved access to their relatives, places and services and better lifestyle. Some stated adverse effects as resettlement and some disturbances during the road construction.

### **IV Information Disclosure, Consultations and Participation**

31. The Transaction Technical Assistance (TRTA) Consultant and the Project Implementation Unit for Road Rehabilitation (PIURR) conducted four consultations with the DPs and wider Project communities, three consultations in Hukumats and Jamoats authorities, and two female focus group discussions. In total, 99 persons (82 men and 17 women) participated in the consultations conducted in September and November 2018. Participants received information about the Project, land acquisition and resettlement plan processes, bidding process and expected time for the beginning of the works, as well as the Project Information Brochure detailing the Project-specific entitlements, government decree on the cut-off date, MoT letter on the establishment of the Grievance Redress Mechanism (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, the need for animal underpasses and adequate compensation, among other issues.
32. After the Republic of Tajikistan Government and EBRD approvals, the implementation-ready LARP for Section 2 will be uploaded to the EBRD and MOT websites.

### **V Grievance Redress Mechanism**

33. The scope of the GRM is to address issues related to involuntary resettlement, social and environmental performance, and information disclosure. The DPs 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 PIURR will ensure that grievances and complaints about any aspect of the project are addressed in a timely and effective manner.
34. The Grievance Redress Committees (GRCs) were established at the Jamoat/village level in 10 Project villages located along EBRD-funded Contract 2, by requirement of MOT Letter No. 872, issued on 27 August 2018, and will function for the duration of the project's implementation. There were seventeen GRCs formed in total for the Project. A Focal Person (FP) was appointed at each village and at the MOT PIURR. The PIURR FP participated in all consultations with communities and shared his 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 LARP. All efforts will be made to settle issues at the Project level.

## **VI Legal Framework of the Republic of Tajikistan**

35. The Constitution, Land Code and 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 EBRD ESP and PRs (2014), ADB Safeguards Policy Statement (SPS) of 2009, OFIDs Global Partnership for Effective Development Cooperation and the four shared principles of development, AIIBs Environmental and Social Framework 2016. For section 2 of the project the focus is on EBRDs requirements. Where differences exist between local law and EBRD policies and practices, the resettlement for this Project will be resolved in favour of the latter.
36. The following core involuntary resettlement principles were adopted for this Project:
- Land acquisition, and other involuntary resettlement impacts will be avoided or minimized by exploring all viable alternatives in the Project design;
  - Consultations with DPs on compensation, disclosure of resettlement information to DPs, and participation of DPs in the planning and implementation of rehabilitation measures will be ensured;
  - Vulnerable groups will be provided with special assistance<sup>5</sup>;
  - Payment of compensation to affected persons including non-titled persons (e.g., informal dwellers/squatters, and encroachers) for acquired assets at full replacement costs<sup>6</sup>;

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<sup>5</sup> Vulnerable or 'at-risk' groups include people who, by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage or social status may be more adversely affected by displacement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits. Vulnerable groups in the context of displacement also include people living below the poverty line, the landless, the elderly, women- and children-headed households, ethnic minorities, natural resource dependent communities or other displaced persons who may not be protected through national land compensation or land titling legislation. These groups should be identified through the process of environmental and social appraisal (see PR 1). Special measures in terms of consultation and development assistance may be needed to allow such groups to participate in resettlement planning meaningfully and to benefit from development opportunities. Persons identified as vulnerable should be assisted to fully understand their options for resettlement and compensation, and encouraged to choose the option with the lowest risk. (EBRD PR5 p36, 2014).

<sup>6</sup> Displaced persons may be classified as persons: (i) who have formal legal rights to the land (including customary and traditional rights recognised under national laws); (ii) 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;<sup>18</sup> or (iii) who have no recognisable legal right or claim to the land they occupy (such as indigenous groups, customary users, pastoralists, internally displaced persons or squatters who claim or make use of land without formal legal rights, and others, who may have usufruct or customary claims to affected land or other resources not recognised or recognisable under national laws). EBRD PR5, p40, 2014).

- Payment of compensation and resettlement assistance prior to the contractor taking physical possession of the land and prior to the commencement of any construction activities;
- Provision of income restoration and rehabilitation; and
- Establishment of appropriate grievance redress mechanisms.

## VII Entitlements, Assistance and Benefits

37. All DPs in the Project are entitled to compensation and resettlement assistance, irrespective of their land ownership status, to help restore 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 displaced persons. The compensation packages must reflect full replacement costs for all losses (such as land, crops, trees, structures, businesses, incomes, etc.).
38. According to the adopted Project-Specific Entitlement Matrix, which was based on the Republic of Tajikistan's Laws and the requirements of ADB's SPS (2009), and specifically EBRD's Performance Requirement 5 (PR5) – Land Acquisition, Involuntary Resettlement & Economic Displacement, DPs eligible for compensation and/or at least rehabilitation are:
- all DPs losing land covered by legal title;
  - owners of buildings, crops, plants, or other structures attached to the land, regardless of their legal title, and
  - DPs losing their businesses, income, and salaries, regardless of their legal status.

The Project-specific Entitlement Matrix, relevant to the Project impacts is provided in Table E-2 below and is line with the Matrix used for the Dushanbe to Uzbek Border Road Improvement Project: M41 Road from Avicenna Monument to West Gate, funded by EBRD and currently being implemented by the PIURR.

**Table E-2: Project-Specific Entitlement Matrix**

No	Type of Impact	Category of Displaced Person	Compensation Entitlements
<b>Permanent Loss</b>			
1	Permanent loss of agricultural land (all losses irrespective of severity)	Individual land-use rights holders	<ul style="list-style-type: none"> <li>Cash allowance for loss of land use rights equal to net income in the last 5 years generated from the affected land area, at market rate, at the time of taking;</li> </ul> OR <ul style="list-style-type: none"> <li>Provision of alternative land plot of equal value/productivity to the lost plot. If the remaining portion of the plot to be taken is too small to use, the whole plot is compensated or exchanged.</li> </ul>
		Collective land-use rights holders	<ul style="list-style-type: none"> <li>Cash allowance for loss of land use rights equal to net income for the last 5 years generated from the affected land area at market rate at time of revocation;</li> </ul> OR <ul style="list-style-type: none"> <li>Provision of alternative land plot of equal value/productivity to the lost plot. If the remaining part of the plot to be taken is too small to use, the whole plot is compensated or exchanged.</li> </ul> <p>Agriculture leaseholders will be compensated for 1 year of lost crops from the affected area and will be</p>



No	Type of Impact	Category of Displaced Person	Compensation Entitlements
			allowed to harvest any usable crops prior to land take.
		Renters and leaseholders	<ul style="list-style-type: none"> <li>Rental allowance in accordance with the conditions of the rent agreement, but not less than the cost of rent for 3 months;</li> </ul> OR <ul style="list-style-type: none"> <li>Continuation of rental agreement on alternative land plot and three months advance notification of the leaseholder to move. Support in search for alternative land plots including assistance for legal costs and transportation for moving to new location;</li> </ul> OR <ul style="list-style-type: none"> <li>Cash allowance for the lost income equivalent to 1 year of average crop productivity.</li> </ul>
		Informal (if any) <sup>7</sup>	<ul style="list-style-type: none"> <li>Provision of opportunity to lease a plot on state land; and</li> <li>Relocation allowances; and</li> <li>Cash compensation for loss of assets (crops, irrigation infrastructure and other upgrades on the land) at replacement value.</li> </ul>
2	Permanent loss of residential and commercial land	Owners	<ul style="list-style-type: none"> <li>Cash allowance for loss of land use rights in cash equal to current annual land lease rates at the time of acquisition multiplied by 25;</li> </ul> OR <ul style="list-style-type: none"> <li>Provision of alternative land plot of equal value/productivity (similar conditions and facilities) to plot lost). If the residual portion of the plot to be taken is too small to use, the whole plot is compensated or exchanged.</li> </ul>
		Renters	<ul style="list-style-type: none"> <li>Three months advance notification of the leaseholder to move; and</li> <li>Rental allowance in accordance with the conditions of the rental agreement, but no less than the cost of rent for 3 months; and</li> <li>Support in search for alternative land plots including assistance for legal costs and transportation for moving to new location;</li> </ul> OR <ul style="list-style-type: none"> <li>Continuation of the rental agreement on an alternative land plot; and</li> <li>Relocation assistance.</li> </ul>
		Informal (if any)	<ul style="list-style-type: none"> <li>Provision of opportunity to lease a plot on state land; and</li> <li>Relocation assistance; and</li> </ul>

<sup>7</sup>Landless DPs without rights to use land, living on income from the informally used land plot. DPs owning land adjacent to the informally used parcel will be compensated for losses from the informally used part as per the entitlement matrix.

No	Type of Impact	Category of Displaced Person	Compensation Entitlements
			<ul style="list-style-type: none"> <li>Cash compensation for loss of assets (irrigation infrastructure and other upgrades on the land) at replacement value. No compensation for land will be paid.</li> </ul>
3	Permanent loss of non-residential structures (main business structures, auxiliary business structures, fences, sheds, etc.) and infrastructure - Business no longer profitable and viable at location	Owners of structures including "informal" and encroaching	<ul style="list-style-type: none"> <li>Cash compensation at full replacement cost for affected structure/other fixed assets (without deduction of depreciation, taxes, costs for salvageable materials and other transaction costs). All buildings and structures will be compensated in their entirety; and</li> <li>Payment for movable property or relocation assistance;</li> <li>If requested by the DP, and if feasible, a building for building/structure for structure exchange of equal or better characteristics; and</li> <li>Payment for movable property or relocation assistance</li> </ul>
		Renters	<ul style="list-style-type: none"> <li>Three months advance notification of the leaseholder to move; and</li> <li>Rental allowance in accordance with the conditions of the rental agreement, but not less than cost of rent for 3 months; and</li> <li>Support in search for affordable properties including assistance for legal costs and transportation for moving to new location</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>Continuation of the rental agreement for an alternative building/structure; and</li> <li>Payment for movable property or relocation assistance</li> </ul>
4	Loss of Annual and Perennial Crops	All DPs, including "informal" and encroaching	<ul style="list-style-type: none"> <li>Cash compensation equal to gross income generated on the affected land area for 1 year at market rate at time of revocation. Right to harvest any remaining crops prior to Contractor's entry into land plot.</li> </ul>
5	Trees/ Orchards	All DPs, including "informal" and encroaching	<ul style="list-style-type: none"> <li>Compensation reflecting income replacement.</li> <li>Cash compensation for productive trees based on the net market value of 1 year of income multiplied by the number of years needed to grow a tree to a similar level of productivity, plus purchase of saplings and starting materials, while the cut trees remain with their owner. 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; and</li> <li>Right to pick fruits, vegetables, etc. prior to Contractor's entry into land plot.</li> </ul>

No	Type of Impact	Category of Displaced Person	Compensation Entitlements
6.	Permanent and/or temporary loss of working place and/or sources of livelihood (economic displacement)	All DPs (including workers of affected businesses)	<ul style="list-style-type: none"> <li>• Owners of shops / commercial establishments:</li> <li>• In case of permanent loss, compensation equal to one year's net income (lost profits) plus cost of lost certificates/licenses/ patents. The income is based on the official tax declaration, or (if tax declaration is unavailable) it is accepted as the official monthly average wage<sup>8</sup> multiplied by 12.</li> <li>• In case of the temporary loss of a business, compensation equal to the net income for the period of disruption (&lt;1 year). The income is based on the tax declaration, or it is calculated based on Tajikistan average monthly wage multiplied by the number of months since the operation was disrupted (less than 12 months).</li> </ul> <ul style="list-style-type: none"> <li>• Workers indemnity for lost wages equal to 3 months' income; and</li> <li>• Assistance in restoring livelihoods such as <ul style="list-style-type: none"> <li>• Provision of professional training;</li> <li>• Support in finding alternative employment;</li> <li>• Access to micro finance.</li> </ul> </li> <li>• For temporary loss of employment, indemnity for lost wages for the duration of impact if less than 3 months.</li> </ul>
7.	Permanent loss of residential structures – physical displacement	Physically displaced households regardless of type of impact	<ul style="list-style-type: none"> <li>• Cash compensation at full replacement cost (without deduction of depreciation, taxes, costs for materials suitable for disposal and other transaction costs). All buildings and structures will be compensated in their entirety, including auxiliary structures (sheds, garages, summer kitchens, etc.); and</li> <li>• Payment for movable property or relocation assistance</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>• Provision of replacement residential structure of similar or better value including costs associated with registration and tax payments; and</li> <li>• Payment for movable property or relocation assistance; and</li> <li>• Communal and site preparation cost for the alternative residential structure (including connection to power grid, water supply system, installation of latrine etc.).</li> </ul>

<sup>8</sup> Tajikistan average monthly wage for Dec 2018 is 1,455.10 TJS/month and reported within macroeconomic indicators by the Agency on Statistics under President of the Republic of Tajikistan. Available via: <http://stat.tj/en/macroeconomic-indicators/> and <http://www.tradingeconomics.com/tajikistan/wages>

No	Type of Impact	Category of Displaced Person	Compensation Entitlements
8	Severely affected households	DPs losing more than 10% of agricultural land/ income resources, DPs needed to physically relocate due to loss of home or business.	<ul style="list-style-type: none"> <li>In addition to entitlement under Item 1,2, 3 or 7, severity/livelihood rehabilitation allowance in the form of cash compensation equal to Tajikistan average monthly wage for 3 months per household.</li> </ul>
9.	Vulnerable households	DPs receiving government assistance for poor, single women-headed HH below poverty line, elderly households, households with no means of living, households headed by disabled person or other HH members.	<ul style="list-style-type: none"> <li>Allowance equivalent to Tajikistan average monthly wage for 3 months per household;</li> <li>Enrolment in Government social assistance, if not yet enrolled;</li> <li>Priority in project-related employment for members of vulnerable households (if at legal working age).</li> </ul>
10.	Public / common assets	Community	<ul style="list-style-type: none"> <li>Rehabilitation/substitution in kind or in cash at replacement cost of affected items and rehabilitation of their functions.</li> <li>Alternative service supplied, if cut off temporarily.</li> </ul>
<b>Temporary Loss</b>			
11.	Temporary impacts (loss of access or temporary land take for construction purposes)	All relevant DPs	<ul style="list-style-type: none"> <li>The Contractor will be required to set up and maintain appropriate access. In case this is not possible, appropriate compensation shall be determined on a case-by-case basis in accordance with the principles and objectives of this LARP.</li> <li>The Contractor should give priority to vacant lands not used for agricultural /residential purposes. In case this is not feasible, the payment for rented land during construction will be based on the market price under negotiated agreement between the DP and Contractor. After discontinuation of land use, the Contractor must restore land to the original status, or as per the agreement with the land rights holder<sup>9</sup>.</li> </ul>
<b>Unanticipated impacts</b>			
12.	Other unanticipated assets loss or impact on livelihood	All DPs residing in the project corridor before the cut-off date of 31 August 2018.	<ul style="list-style-type: none"> <li>Any undefined impact shall be mitigated in accordance with the principles and objectives of this LARP. In case of discrepancies between national law and EBRD Policy in a particular case, the provision more favourable for the affected owner/user shall prevail.</li> </ul>

<sup>9</sup> In the case that the Contractor and Land-use rights holder both agree in writing to leave the land area in a state precisely described in the agreement.

39. It should be noted that the original LARP only covered the proposed new road alignment; and not the village access roads from existing settlements that will require connection to the new road alignment or temporary land take for haulage/construction routes, construction laydown areas and camps, temporary storage of excavated materials/soil, etc.
40. A preliminary assessment of the village access road routes was conducted in August 2019, and the results of this have been appended to the LARP as Annex 11. The data for numbers of affected households, etc. in the main LARP relate only to the main alignment, with the access roads data in Annex 11. However, the compensation processes and frameworks described in the main documents will be applied across all elements. Refinements to the assessments will be made using the same survey methodology as the original LARP by the MOT, as detailed designs are finalised. This will include consultation with affected persons will be conducted throughout the Project. The LARP will be updated to accommodate this information where necessary.
41. The LARP does not currently consider land acquisition and resettlement associated with construction access roads, construction laydown areas and camps, temporary storage of excavated materials / soil, etc, as the designs for these have not yet been finalised. Once these designs have been finalised, assessments of potential resettlement impacts associated with the temporary land take will be conducted in accordance with the EBRD ESP 2014, using the same survey methodology as the original LARP by the MOT. All DPs will be compensated and provided with resettlement assistance based on entitlements matrix in the LARP. The LARP will be updated to accommodate this information where necessary.
42. Information and details regarding temporary land take were not known at the time of developing this LARP. Additional DPs (including informal users, if any) along the access roads and future construction land take areas will be identified, consulted and surveyed using the same survey methodology as described in this LARP during the project preparation phase (prior to construction), and will be included in the updated LARP. All DPs will be compensated and provided with resettlement assistance based on entitlements matrix (Table E-2) in the LARP.

### **XIII Institutional Arrangements**

43. The core agencies and organizations involved in the land acquisition and resettlement process for Section 2 are: the EBRD, MOT, PIURR, Ministry of Finance, Ministry of Agriculture, State Committee for Land management and Geodesy (SCLMG), State Unitary Enterprise for Valuation (SUE) 'Narkhguzori', District Authorities, Local Executive Government Districts (Hukumats), Jamoats, City and Town Local State Executive Authorities, Land Acquisition and Resettlement Committee, and other state agencies. The institutional arrangement for the implementation of the LARP is presented in Chapter 8, figure 8-1 in this document.

### **IX Resettlement Budget**

44. The total implementation cost of the LARP, including compensation, rehabilitation allowances as well as administrative costs for LARP implementation and contingency, amounts to 5,730,851.65 TJS which is equivalent to \$ **607,101.04** (as per the exchange rate on 20 May 2019 (1USD=9.4397 TJS) National Bank of the Republic of Tajikistan. Displaced persons will be paid **4,548,294** TJS (\$481,826.22 ) which includes compensation for losses and applicable allowances.

### **X Land Acquisition and Resettlement Plan Implementation Process**

45. The Implementing Agency (IA) will begin the implementation of the LARP for Section 2 immediately after its approval by the EBRD and the Government of the Republic of Tajikistan. The official cut-off date was established as 31 August 2018 (Annex 4-2). LARP preparatory activities included:

- (i) extensive consultations with key stakeholders and DPs;
  - (ii) setting entitlements and compensation amount based on the agreed entitlement provisions;
  - (iii) identification of impacts and number of DPs, conducting the detailed measurement survey;
  - (iv) valuation of affected assets and determination of compensation amount and the LAR budget;
  - (v) preparation of the LARP document;
  - (vi) submission of the LARP to the PIURR and ADB for comments and approval.
46. As soon as the LARP for Section 2 is approved by the EBRD and the Government of Tajikistan, the IA, with assistance of the local authorities, will distribute draft contracts to DPs. PIURR will sign contracts with DPs for disbursement of compensation for affected properties as per the provisions set for the project. The compensation amount will be disbursed by PIURR within 15 days of the contract signing. IA will give advance notice to the DPs and pay their due compensation based on the eligibility criteria defined in this LARP 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 LARP. All activities related to LAR (including the EBRD's notice of 'no objection' to the LARP implementation) will be completed prior to the commencement of civil works.
47. The timeline presented in the following table shows the distinct stages of LARP preparation, finalization and implementation.

**Table E-3: LARP Preparation and Implementation Schedule**

<b>LARP PREPARATION</b>			
<b>Item</b>	<b>Responsible Entity</b>	<b>Start date</b>	<b>End date</b>
Preparation of the LARP covering the full alignment	TRTA Consultant	01/09/2018	05/12/2018
Submission of the draft LARP for full alignment to PIURR and ADB for comments and approval	TRTA Consultant		05/12/2018
Updating the LARP - Separate LARPs prepared for Section 1 and Section 2	TRTA Consultant	01/05/2019	14/06/2019
EBRD/PIURR comments addressed	PPTA Consultant	10/11/2019	31/12/2019
LARP approval/no objection by MOT and the government (including LAR budget)	MOT/Government of the Republic of Tajikistan	01/01/2020	15/02/2020
Posting approved LARP on the EBRD and MOT websites	EBRD and MOT	15/02/2020	17/02/2020
<b>LARP IMPLEMENTATION</b>		<b>18/02/2020</b>	<b>01/04/2020</b>
Preparation of draft contracts	PIURR	18/02/2020	20/02/2020
Draft contracts sent to DPs	PIURR	20/02/2020	22/02/2020
Signing contracts	PIURR/DPs	22/02/2020	25/02/2020
Disbursement of compensation	PIURR/DPs	25/02/2020	02/03/2020

Preparation of LARP Monitoring Report	PMSCS	03/03/2020	16/03/2020
EBRD reviews the LARP Compliance Report	EBRD	16/03/2020	21/03/2020
EBRD approves the LARP Compliance Report	EBRD	21/03/2020	31/03/2020
Handing over of the site to the Contractor	PIURR	(TBC)	(TBC)
Commencement of civil works	Contractor	(TBC)	(TBC)
<b>CONTINUOUS TASKS</b>			
Internal Monitoring: Quarterly monitoring reports	PIURR	(TBC)	(TBC)
Grievances redress	PIURR/Jamoats/Village GRCs	(TBC)	(TBC)

MOT – Ministry of Transport

PMSCS – Project Management and Contract Supervision Consultant

TRTA – Transition Technical Assistance

PIURR – Project Implementation Unit for Roads Rehabilitation

DPS – Displaced Persons

EM – External Monitor

## **X Monitoring and Reporting**

48. The implementation of this LARP will be subject to both internal and external monitoring due to the nature and scope of land acquisition as per the requirements of PR 1 and PR 5. The external monitor will advise on PR compliance issues, and if non-compliance with the provisions of this LARP are identified, will provide a scope of work required to address such issues.
49. Internal monitoring will be conducted by the PIURR, assisted by the Social Specialist of the Construction Supervision Consultant. A Lenders' Monitor Adviser (LMA) will be retained by EBRD to assist the Bank in monitoring the preparation and implementation of the Project including monitoring that land acquisition and resettlement is being carried out according to the principles defined in national legislation and in the Land Acquisition and Resettlement Plan (LARP); that all compensation and other commitments from the LARP are being delivered to the target PAPs and in particular to vulnerable groups; that the grievance mechanism in place is efficient and contributes to the process; that the consultation process and information dissemination is being carried out in a meaningful and comprehensive manner suited to the needs of PAPs and as defined in the Stakeholder Engagement Plan (SEP).
50. The PIURR will monitor performance (physical progress of the LARP implementation against milestones set in the LARP), impact (whether the objectives to restore the living standards of the affected population, especially severely affected, 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 the EBRD's ESP 2014 and PR5, and to the satisfaction of the DPS. The Construction Supervision Consultant shall have a resettlement specialist on board who will assist the PIURR in the internal monitoring of the LARP implementation processes.

# 1 PROJECT DESCRIPTION

## 1.1 Description and Location of the Project

51. The proposed project “Obigarm - Nurobod Road Project” aims to construct an approximately 75 km alternative alignment (the “Project road”) for the existing M41 road connecting the northeast region of Tajikistan and the Kyrgyz Republic between Obigarm (72 km) and Nurobod (158 km), which will be inundated by the reservoir of the Rogun Hydropower Project (HPP), that is now under construction.
52. The project road is divided into three sections: (1) the Obigarm - Tagikamar section is about 30 km long and includes 2 tunnels of 1.6 km and 1.7 km and local access roads of circa 30 km (Section 1); (ii) the Tagikamar-Nurobod is about 44 km long and includes 1 tunnel of 2.6 km, 1 long temporary bridge and local access roads of circa 40 km (Section 2); and (iii) section 3 includes a bridge that is about 760 m long and its approaches. These sections correspond to three contract packages that will be procured separately through open competitive bidding.
53. Package 1 will be financed by USD 110 million grant from Asian Development Bank (ADB) and USD 40 million loan from OPEC Fund for International Development (OFID). Package 1 consists of the following sections of the Road: Section 1 - Javoni – Kandak; Section 2 - Gazakyon – Sebnok (Lugur); and Section 3 - Hakimi – Siyohgulak; including Bridge No 1 through Bridge No 6 and Tunnel No 1 (Kandak Tunnel) and Tunnel No 2 (Karagach Tunnel) ending short of the south portal of Tunnel No 3 (Tagikamar Tunnel).
54. Package 2 will be financed by USD 150 million loan from European Bank for Reconstruction and Development (EBRD). Package 2 consists of the following sections of the Road from 33km: Section 4- Mudzhiharv-Alihodzha, Section 5 - Alihodzha – Tuthor; Section 6 - Tuthor – Kabudiyon (Samsolik); Section 7 - Kaboudiyon – Humdon, including Bridge No 7 through Bridge No 13, Tunnel No 3 (Tagikamar Tunnel) and the temporary bridge over the Rogun HPP Reservoir at Darband over the Surkhob River.
55. Package 3 will be financed by USD 40 million loan from Asian Infrastructure Investment Bank (AIIB) and covers the long permanent bridge (760 m) over the Rogun HPP Reservoir at Darband over the Surkhob River.
56. The project road passes through mountainous terrain and includes three tunnels with a total length of about 6 km, 13 medium size bridges and a high-level 760 m long bridge over the future hydropower reservoir just before the road rejoins the M41.
57. The respective chainage is presented in the following table.

**Table 1-1 Respective Chainage**

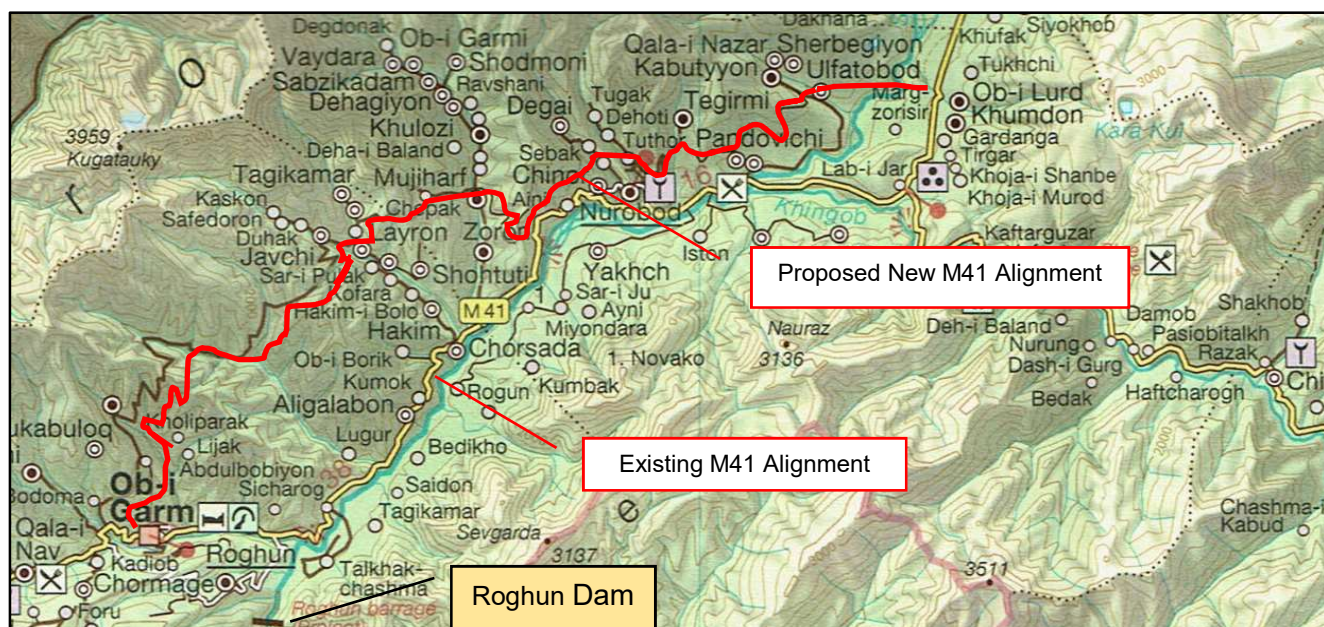
Section	Financier
Section 1: Km 0+000 to Km 30+217	ADB/OFID
Section 2: Km 30+217 to Km 75+600, less the section for Package 3 which runs from Km 72+900 to Km 74+303.	EBRD
Section 3: Km 72+900 to Km 74+303 including the 760m bridge	AIIB

58. The realignment of this road section through the river valley is not part of the Rogun HPP project. A bypass road must be completed and opened to traffic by latest November 2023, the date by which the rising water in the hydropower project reservoir will have inundated several critical sections of the existing M41 road. No other part of Tajikistan’s national road network can provide for this traffic, and the only alternative route would represent a deviation of about 500 km.



59. The proposed ensuing Project will restore and improve connectivity between Dushanbe, the northeast region of Tajikistan and the Kyrgyz Republic via the M41 road, which is located on Central Asia Regional Economic Cooperation (CAREC) corridors 2, 3, and 5. Package/Section 2 of the proposed project (financed by EBRD) will serve 10 villages and communities located along the proposed bypass road and other villages and settlements that located away from the main road but presently rely on the existing M41 road for access to economic opportunities and social services.
60. Civil works at Obigarm-Nurobod road will require acquisition of land and properties. A land acquisition and resettlement plan (LARP), based on the available design data and an inventory of affected assets, was prepared in accordance with the EBRD's Environmental and Social Policy (ESP) (2014), and Performance Requirements (PRs). The LARP will be disclosed in English, Russian and Tajik. Efforts were made during the design stage to minimize possible adverse impacts on the land plots and existing structures. For unavoidable impacts, measures were taken to ensure that the wellbeing of displaced persons (DPs) is not diminished, and that it is improved to the extent possible. In order to achieve this, legislative norms of the Republic of Tajikistan were applied, along with the requirements set out in the EBRD's ESP and PRs (2014).
61. It should be noted that the LARP only covers the new Project alignment and does not currently consider land acquisition and resettlement associated with new access roads, which will be needed for communities to access the new Project alignment in addition to such roads required for construction.
62. Subsequently, the Project has been separated into three distinct and separate sections, i.e. Section 1, Section 2 and Section 3 as previously described above with each section financed by separate IFIs. Separate LARPs have been prepared for Section 1 and Section 2. This LARP specifically covers Section 2 of the Project to be financed by the EBRD.
63. Figure 1 shows the Project villages located along the whole Project corridor, Project location and the beginning and the end of the Project road.

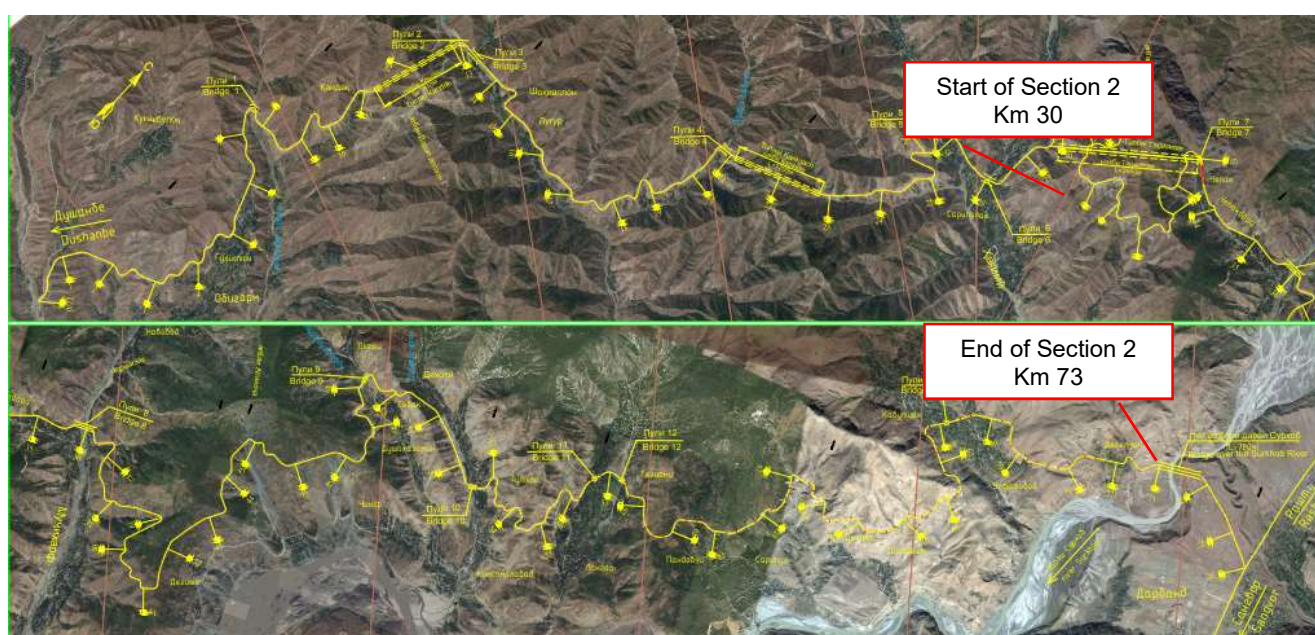
**Figure 1: Obigarm-Nurobod Project Location Map**



Source: Southern Tajikistan – Tourist Map, Gecko Maps. [www.geckomaps.com](http://www.geckomaps.com)

64. Figure 2 shows the full alignment of the Project, and highlights the beginning and the end of Section 2 which is being financed by EBRD and is the subject of this LARP.

**Figure 2: Section 2 Project Location Map**



## 1.2 Objective and Scope of the Land Acquisition and Resettlement Plan

65. The main objective of the LARP is to identify persons economically and/or physically displaced (DPs) due to the Project and to assist them to restore their livelihoods. The LARP complies with the relevant laws of the Republic of Tajikistan and the requirements of the EBRD's ESP 2014 and PR5. The LARP has been prepared to:
  - (i) address and mitigate impacts caused by the project;
  - (ii) ensure compliance with EBRDs ESP 2014 and PR5 and
  - (iii) determine compensation, resettlement and rehabilitation assistance for the affected households.
66. The scope of the LARP includes:
  - (i) a profile of the affected communities and DPs;
  - (ii) impact determined by the Detailed Measurement Survey (DMS) on all affected assets;
  - (iii) information disclosure and public consultations with DPs;
  - (iv) the policy and framework for compensation payments and rehabilitation;
  - (v) complaints and grievance redress mechanism;
  - (vi) resettlement budget;
  - (vii) institutional framework;
  - (viii) LARP implementation schedule, and (ix) monitoring of LARP implementation.
67. The LARP is based on the detailed Project design and therefore, considered as the implementation-ready LARP. The corridor of the Project is fixed, so any changes of the design will be made within the corridor. The following steps were taken for the completion of this LARP:
  - (i) disclosure of Project information and consultations with DPs;
  - (ii) completion of the socioeconomic survey (SES) and census of DPs;
  - (iii) inventory of losses for all AHS;
  - (iv) completion of detailed measurement surveys (DMS), description and valuation of the affected land, buildings, structures and other assets;
  - (v) preparation of the compensation budget for identified losses.

## 2 SCOPE OF LAND ACQUISITION AND RESETTLEMENT

### 2.1 Survey Methodology

68. One of the key principles adopted for the preparation of this LARP 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 LARP, data was collected in September and October 2018. In order to accurately assess the extent of the Project's LAR impacts, the following surveys and valuations were undertaken:
- (i) **Detailed Measurement Survey (DMS)** - to measure the affected area of the lands, buildings, and the number and types of affected assets.
  - (ii) **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 LARP budget.
  - (iii) **Census Survey** - to identify the number of AHs and number of DPs.
  - (iv) **Socioeconomic Survey (SES)**: to identify the current socioeconomic condition of affected individuals, families and business owners as well as their perceptions of Project impact on their livelihood.
69. The Detailed Measurement Survey (DMS) of affected assets was conducted by the Raisi Mahale (chief of the affected villages), Jamoats representatives, land committee representatives, local respected elders, PIURR's social safeguards specialist and international and national resettlement specialists, with the participation of the DPs. The design engineering consultant engaged a licensed valuation company to independently evaluate affected buildings, structures, other immovable assets, affected businesses and crops and trees (except land). The DMS was conducted in September and October 2018. The details on impact are presented further in this chapter.
70. The scope of the DMS and assets inventory included the identification, classification, measurement and valuation of the following losses:
- (i) affected land;
  - (ii) affected crops;
  - (iii) number and type of affected fruit trees;
  - (iv) buildings/structures (business, residential, ancillary structures)
  - (v) affected businesses;
  - (vi) number, type and area of affected community/ public assets.

### 2.2 Summary of Impact

71. In total, there are 95 affected households which form part of section 2 of the project and 893 displaced persons, four legal entities and one Dekhan farm collective. The AHs will lose residential, commercial and agricultural land along the road. (Table 2-1)
72. In total, 95 households, four legal entities (including a Dekhan farm), and two public buildings (Meteorology station and one teahouse) will be affected as follows:
- (i) 37 residential land plots
  - (ii) 4 commercial land plots
  - (iii) 12 agricultural private land plots
  - (iv) 2 tenant gardens
  - (v) 4 legal entities
  - (vi) Crops on 11,254 m<sup>2</sup>
  - (vii) 2,774 fruit trees, 1,562 fruit saplings and 4,575 other decorative trees
  - (viii) 8 residential buildings
  - (ix) 53 ancillary residential structures
  - (x) 3 non-residential buildings, 78 AHs will lose gates, metal fences/wires, wall fencing/concrete, clay, concrete and asphalt areas, stairs, sheds, building foundations, basements and improvements on land affected



- (xi) 4 businesses (including one non-operational shop/kiosk and one plot of land which was intended for commercial use but no buildings constructed)
- (xii) 1 Dekhan farm collective (made up of 4 land plots); and
- (xiii) 1 Meteorology station and one teahouse

### 2.3 Impact on land

73. In this LARP, the affected land plots are grouped into the following categories based on the type of land use:
  - (i) residential
  - (ii) commercial
  - (iii) agricultural and
  - (iv) public/government land
74. Affected land plots are grouped by legal status as follows:
  - (i) **Land with right to use certificate** – privately owned land with all legal documents necessary to prove the right to use the land
  - (ii) **Illegally used land** – Local authorities' land used illegally by the DPs
  - (iii) **Leased land** – Land plots with a legal lease from the local authorities (no land is leased privately)
  - (iv) **Local authorities' land** – Land belonging to the local authorities and other government departments
75. Section 2 of the Project will affect 95 affected households and 893 DPs. In addition, there are four affected legal entities (a petrol/gas station, sawmill, non-operating shop and one commercial land plot) and a Dekhan farm collective made up of 4 land plots. 10 AHs (81 DPs) will lose 7,245 m<sup>2</sup> of agricultural land out of which 4 AHs (54 DPs) loses more than 10% of the total landholding. The Dekhan farm will not lose its agricultural land. All affected agricultural land is arable land. Overall, 11,254 ha of crops are impacted, with the most affected being vegetables with 0.2998 ha followed by orchards with 0.2774 ha.
76. There are 56 AHs (501 DPs) having their residential land affected (Table 2-1). Out of these, 37 AHs (340 DPs) will lose more than 10% of their residential land. There are five AHs and three businesses which need to relocate. Of the AHs which needs to relocate this includes one AH has three families living at one property. This AH will be provided with both compensation and a new land plot. Of the three business which need to relocate, only the sawmill will receive a new plot of land. The non-operating kiosk owner and the commercial land plot owner have opted to receive compensation instead.
77. There are four commercial land plots (a petrol/gas station, sawmill, non-operating shop and a commercial land plot, totalling 1,649 m<sup>2</sup> of land) affected by the project. (Table 2-2).
78. The land impact data are summarized in Table 2-1.

**Table 2-1: Impact on Land by Category and Ownership**

Land category/cultivated crops	Land use right				AH losing more than 10% of land	Number of DPs losing more than 10% of land holdings
	Total area (m²)	Affected area (m²)	No of AHs	No of DPs		
A. Land under residential buildings and land used for commercial activities						
Manor land	58,900	16,935	36	338	28	252
Land used for commercial activities	5,132	1,649	4	36	3	25
Agricultural land	180,060	20,715	14	154	7	72
Dekhan land (collective)		10,109	4			
Subtotal A	244,092	49,408	58	492	38	349
B. Other lands						
Those households that need a new Household plot	11,100	7,338	9	80		
Lands administered by Jamoats		55,584	29	240		
Subtotal B	11,100	62,922	38	320		
Overall Result (A+B)	255,192	112,330	96	812	38	349

79. The details on AHs required additional residential or commercial land plots are as follows:

**Table 2-2: Required New Residential and Commercial Land Plots**

Type of land	Land use right				
	Total land holding area (m <sup>2</sup> )	Affected area (m <sup>2</sup> )	No of AHs	No of DPs	No of replacement land plots
Residential	4,700	4,498	4	54	The number of replacement land plots is unavailable at this stage as it is currently under consideration by the Government of the Republic of Tajikistan.
Commercial	600	600	1	1	
<b>Total</b>	<b>5,300</b>	<b>5,098</b>	<b>5</b>	<b>55</b>	

Official exchange rate of currencies against Somoni (TJS) <http://www.nbt.tj/en/> 1 USD=TJS 9.4397 on 20 May, 2019

**Table 2-3: AHs Land-for-Land Compensation**

AH's and No of DPs	Assets on affected land	Landholding as per certificate (m <sup>2</sup> )
AH1 15-DPs	Fence, shed, trees and land	700
AH2 11-DPs	House	2,000
AH3 23-DPs	House	1,200
AH4 5-DPs	House	800

## 2.4 Impact on Crops

80. The Project will affect 11,254 m<sup>2</sup> of land. The land is currently used for Maize (2,094 m<sup>2</sup>), fodder (5,008 m<sup>2</sup>), vegetables (2,998 m<sup>2</sup>) and Wheat (1,154 m<sup>2</sup>) (Table 2-4).

**Table 2-4: Impact on Crops**

Land category / Cultivated crops	Land use right				AH losing more than 10% of land	No of DPs losing > 10% of land holdings
	Total area (m <sup>2</sup> )	Affected area (m <sup>2</sup> )	No of AHs	No of DPs		
Agricultural Land						
Maize	6,600	2,094	3	25	3	25
Fodder	20,600	5,008	3	25	1	9
Vegetables	9,000	2,998	3	30	2	18
Wheat	4,800	1,154	1	14	1	14
Total	41,000	11,254	10	94	7	66

## 2.5 Impact on Fruit Trees

81. Under this Project, 74 AHs (759 DPs) (without double counting) will lose 2,774 mature fruit bearing trees and 1,562 saplings. (Table 2-5 and 2-6). Cherry trees (822 mature trees and 720 saplings), apples trees (450 mature trees and 334 apple saplings), and mulberry (366) and rosehip (255 trees) are the most affected. The owners will receive full compensation for the loss of fruits and for the saplings regardless if the trees are grown on their private land or Jamoat's land. Calculation of compensation was based on the market value for saplings and the market value of the lost produce multiplied by the number of years needed to reach the same level of fruit production.

**Table 2-5: Affected Fruit Trees on AH's Plots**

№	Type of fruit	No of fruit trees	No of AHs	No of DPs
1	Apricot (Абрикос)	83	28	292
2	Quince (Айва)	17	3	23
3	Dulona / Hawthorn (haw) (Дулона/Боярышник (haw))	81	21	217
4	Grapes (Виноград)	137	31	315
5	Cherry (Вишня )	822	45	498
6	Pear (Груша)	86	21	216
7	Sour cherry (kursulton) (Кислая вишня (курсултон))	2	1	13
8	Loch (Лох)	42	11	85
9	Almond (Миндаль)	7	2	30
10	Nut (Орех)	164	39	339
11	Peach (Персик )	22	7	63
12	Plum (Слива)	134	28	293
13	Mulberry / Mulberry (Тутовник/шелковица)	366	52	504
14	Persimmon (Хурма)	2	2	39
15	Chelon (Челон)	2	2	16
16	Cherries (Черешня )	100	14	141
17	Rosehip (Шиповник)	255	34	333
18	Apple tree (Яблоня )	450	38	354
19	Yezhivika (Ежевика)	2	2	39
<b>Total</b>		<b>2,774</b>	<b>74 (without double counting)</b>	<b>759 (without double counting)</b>

**Table 2-6: Affected Fruit Saplings on AH's Plots**

№	Tree view	Q. of fruit trees	No of AHs	No of DPs
1	Apricot (Абрикос)	52	11	101
2	Quince (Айва)	8	4	39
3	Dulona / Hawthorn (haw) (Дулона/Боярышник (haw))	25	4	37
4	Grapes (Виноград)	4	3	31
5	Cherry (Вишня )	720	34	348
6	Garnet (Гранат )	6	1	9
7	Pear (Груша)	65	10	90
8	Loch (Лох)	3	2	39
9	Nut (Орех)	64	20	195
10	Peach (Персик )	13	7	57
11	Plum (Слива)	95	18	205

№	Tree view	Q. of fruit trees	No of AHs	No of DPs
12	Mulberry / Mulberry (Тутовник/шелковица)	54	15	153
13	Cherries (Черешня )	71	15	126
14	Rosehip (Шиповник)	48	6	60
15	Apple tree (Яблоня )	334	27	231
<b>Total</b>		<b>1,562</b>	<b>64 (without double counting)</b>	<b>641 (without double counting)</b>

82. There will be 4,575 affected decorative trees (Table 2-7). The owners of the affected decorative trees which cannot be re-planted, will not be compensated. However, they will be able to remove and keep affected trees. Other decorative trees will be re-planted.

**Table 2-7: Impact on Decorative Trees**

No	Type of trees	No of trees	No of AHs	No of DPs
1	Decorative trees	4,575	77	771
	<b>Total</b>	<b>4,575</b>	<b>77</b>	<b>771</b>

## 2.6 Impact on Residential Buildings and Structures

83. The Project affects residential buildings and structures belonging to 24 AHs. Out of these, eight are main residential buildings which will be demolished and these belong to eight households. All affected residential buildings and structures are legal, titled structures. In addition, these household will lose 53 ancillary buildings and structures. The area of the AHs residential buildings amounts to 7,843 m<sup>2</sup> and the area of affected residential ancillary structures amounts to 1194.22 m<sup>2</sup> (Table 2-8).

**Table 2-8: Impact on Residential Buildings**

Structure Type	Number of buildings	Area of impact (m <sup>2</sup> )	No of AHs	No of DPs
<b>A. Residential Main Buildings</b>				
Residential building	8	7,843	8 (without double counting)	65
<b>B. Ancillary residential buildings</b>				
Barns, warehouses, compressor room, hearth, bathhouse, and other buildings	53	1,194.22	22 (6 AHs) Included in A	195
<b>Total</b>	<b>61</b>	<b>1,894.73</b>	<b>24 (Without double counting)</b>	<b>211 (Without double counting)</b>



## 2.7 Impact on Non-residential Buildings and Structures

84. In total, three AHs (25 DPs), will lose three non-residential buildings and additional structures with an affected area of 1,649 m<sup>2</sup> (Table 2-9). All affected buildings and structures, are legal, titled structures and belong to businesses such as petrol/gas stations, sawmills, kiosks and commercial land plot owners. The owner will be compensated for the loss for structures and loss of businesses where they have business operations (at the same principle as other DPs losing business buildings and structures).

**Table 2-9: Impact on Non-residential Buildings and Structures**

Structure Type	No of structures	No of AHs	No of DPs	Total (m <sup>2</sup> /m <sup>3</sup> )	Remarks
Petrol/Gas Station	1	1	11	295	Petrol/gas station
Shop/Kiosk	1	1	9	32.	Shop for the sale of meat and non-work shop
Sawmill	1	1	5	600	
Fence	1	1	11	722	Commercial land plot owner intended to set up shop for sale of construction materials.
<b>Total</b>	<b>4</b>	<b>4</b>	<b>36</b>	<b>1,649</b>	

85. The Project affects two fences belonging to government buildings (meteorology station and Chaihona). The affected government assets will be reinstated by the government. No monetary compensation will be paid for the loss of the government assets.

**Table 2-10: Impact on Public Buildings**

No	Structure type	Details
1	Meteorology station	Fence, wood and earth
2	Chaihona – public place (teahouse)	Fence and Land

## 2.8 Impact on Fences and Improvements

86. A total of 78 AHs (750 DPs without double counting) will lose fencing walls, gates, sheds, concrete/ asphalt area, canopies and foundation. The loss of metal fencing amounts to 7,238.38 m<sup>2</sup>. The volume of the affected fencing walls amounts to 27.06 m<sup>3</sup>. The concrete area amounts to 3.20 m<sup>3</sup>. The AHs will be compensated for losses (Table 2-11).

**Table 2-11: Impact on Gates, Fences and Improvements on Land**

Type	AHs	DPs	M	M <sup>2</sup>	M <sup>3</sup>
Metal fences / wires	74	734	1,564	7238.38	
Wall fencing/concrete, clay	3	23		8.82	27.064
Concrete and asphalt areas	3	18			3.201
Stairs	1	12			4.48
Gates	3	20		34.54	
Sheds	7	71		113.43	
Building foundation	2	17			67.1
Basement	1	6		9.18	
<b>Total</b>	<b>78 (without double counting)</b>	<b>750 (without double counting)</b>	<b>1,564</b>	<b>7,404.35</b>	<b>101.845</b>

## 2.9 Impact on Businesses and Income

87. The Project will permanently affect two operating businesses with 16 DPs and one non-operating / unfinished business. The petrol/gas station will have enough land remaining to re-establish their business at the same locations but the unfinished business building, the sawmill and the commercial land plot intended for the sale of construction materials will need new land plots to re-establish their businesses. All affected operating businesses, regardless of their legal status, will be compensated for their business losses which is, compensation equal to up 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 Tajikistan average monthly wage multiplied by the number of months needed to restore the business (maximum 12). Each affected business owner was informed about the compensation procedure based on the taxed income or the amount they would receive as non-registered businesses.

**Table 2-12: Impact on Businesses**

Loss of the main business object owners (gas stations)	Owner business object loss (Sawmill)	No of AHs	No of DPs
Qty	Qty	Qty	Qty
1	1	2	16

## 2.10 Severely Affected Households

88. There are 19 AHs with 173 DPs that will have a severe impact on their means of income and/or need to relocate. Eight households (65 DPs) will lose their residential buildings. All of these AHs will receive a vulnerability allowance. All need a new land plot to rebuild their homes/businesses. A rental allowance of \$300 for a three-month period will be given to eight AHs losing homes. The entitlements to land-for-land replacement, allowances for severe impact, transport and rental allowances have been fully explained to the DPs who need to relocate.

89. The practice from previous projects in Tajikistan showed that three months is a reasonable time for rebuilding a new home. Usually, the DPs do not spend the money for the rent but live in their supporting buildings or with relatives until they rebuild the home. Hashar (collective help) and relatives' free help are commonly used to build a home in villages, especially if a DP is a single woman, old and frail, disabled, poor or a family with many dependent children. The PIURR usually gives to DPs losing home, six months to clear the site after the new plot is assigned and compensation is paid.
90. Section 2 of the Project will affect four business, with three business buildings and seven households (72 DPs) losing more than 10% of their productive land. The business buildings affected are one petrol/gas station, one sawmill and one unfinished business building. All of them will receive compensation based on the replacement cost for affected business buildings and severe impact allowances. The petrol/gas station will have enough land remaining to re-establish their business at the same locations but the unfinished business building for the kiosk and the commercial land plot intended for the sale of construction activities will need a new land plot to re-establish its business.
91. The local authorities, will assist these DPs to get a temporary place for living during the road construction. The monitoring/implementation reports will confirm that assets of the severely affected persons are recovered/reconstructed.

**Table 2-13: Severity of Impact**

No	Degree of impact	No of AHs	No of DPs
1	Loss of home	8	65
2	Petrol/Gas station (registered as private)	1	11
3	Loss of business building (non-operating shop)	1	9
4	Losses of business (Sawmills)	1	5
5	Loss of Commercial land intended for use as shop to sell construction materials	1	11
6	Loss of more than 10% of agricultural land	7	72
<b>Total</b>		<b>19</b>	<b>173</b>

## 2.11 Impact on Vulnerable Households

92. There are 42 AHs (518 DPs) that are considered vulnerable, including seven affected households (61 DPs) which have 'poorness' as one of their vulnerability indicators registered in the Project Jamoats as being poor. The local governments' procedure of registering a household as poor is complex. The head of a household needs to present to the Jamoat officials a set of documents proving income for each family member, the number and type of animals they keep, owned or/and rented land, conditions of the residential home, possession of a washing machine, satellite dish, car, machinery or any other asset, and recipients of any remittance. A specially formed committee inspects the household and checks/observes the existing living conditions. If the application is approved, all data are forwarded to the Hukumat's department. The data are computerized, and each indicator is assigned some points. Households which are assigned less than 222 points, are registered as 'poor'. Such households receive 100 TJS assistance quarterly and 35 TJS as assistance for electricity during the winter months.
93. Persons with disabilities and other health conditions are entitled to monthly social welfare benefits regardless of their gross per capita family income. Families, affected by the Project with a family member with disability, are entitled to allowances for vulnerable groups. In addition, large families with more than five dependent children, single women-head of household registered as poor, elderly households with no means of living and households with disabled head of household/or the

household members, are entitled to the vulnerability allowance amounting to three national average monthly wages.

94. Some DPs have more than one vulnerability indicator. There are large households with five or more children which have a disabled household member, or a single woman with dependent children which, at the same time lives in a poor household. In total, there are 42 (518 DPs) vulnerable households. The largest vulnerable groups are large families with five or more children. There are seven AHs (70 DPs) with a disabled member. Each of these households will receive a vulnerability allowance of TJS 4,365.30. Households with more than one vulnerability indicator, will receive one vulnerability allowance for each category. Out of 42 vulnerable households, eight AHs belong to two vulnerability groups and will receive two vulnerability allowances.

(TJS 4,3). (1,455.10 TJS/month in 2018. <https://tradingeconomics.com/tajikistan/wages>)<sup>11</sup>.

**Table 2-14: Vulnerable Households**

Category	No of AHs	No of DPs
<b>A) Large households with more than 5 dependent children</b>	<b>30</b>	<b>435</b>
Disabled member/s in the household	2	30
Poor households registered at Jamoats	2	23
<b>b) Disabled member/s in the household</b>	<b>5</b>	<b>40</b>
Single female head of household with dependents	1	9
Poor households registered at Jamoats	1	6
<b>c) Single female head of DHZ with dependents</b>	<b>5</b>	<b>28</b>
Poor households registered at Jamoats	2	17
<b>d) Poor households registered at Jamoats</b>	<b>2</b>	<b>15</b>
<b>Total</b>	<b>42</b>	<b>518</b>

Vulnerability allowance - TJS 4,365.30

<sup>10</sup> There is no explicit reference in Tajikistan laws and regulations on vulnerable groups. Different studies use different indicators to define poverty and vulnerability in Tajikistan. For this LARP, the list of poor is provided by the local authorities where the poor persons are registered and receive applicable government allowances.

### 3 SOCIOECONOMIC PROFILE OF THE AFFECTED POPULATION

#### 3.1 Background

95. This Chapter presents the findings on the major socio-economic characteristics of the affected Project communities. The chapter is based on information from the Jamoats' Key-Informants, national statistical data and 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 LARP budget and to identify groups and persons who may need additional support due to the Project's impact.

#### 3.2 Profile of the Project Area

96. 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 (districts) which are subdivided into village level self-governing administrative units – Jamoats. There are 58 districts (rayons) and 368 Jamoats in Tajikistan.
97. For the full extent of the proposed Project, the road traverses Rogun and Nurobod districts. The full road section affects seven Jamoats with 16 villages and Darband town, located along the road. Rogun district has 14,409 inhabitants living in 40 villages and 1,595 households. Out of these, only three villages are located along the Project road. Nurobod district has 58,358 inhabitants living in 91 villages and 6,652 households. The following tables present the demographic and economic profile of the Project district and villages located in the Project corridor (Table 3-1).

**Table 3-1: Population in Project Districts**

District/ Hukumat	Subdistrict/ Jamoat	Population	Male	Female	No of households	No of villages	No of Project villages
Rogun	Obi Garm	11,526	5,991	5,535	1285	21	2
	Sicharog	2,883	1,492	1,391	310	19	1
Nurobod	Hakimi	14,194	7,303	6,891	1753	22	4
	Muchiharf	17,984	9,175	8,809	1806	25	2
	Komsomolobod	15,450	7,695	7,755	1846	19	4
	Safedcheshma	8,420	4,303	4,117	937	11	3
	Darband	2,310	1,014	1,186	310	14	1
<b>Total</b>		<b>72,767</b>	<b>36,973</b>	<b>35,684</b>	<b>8,247</b>	<b>131</b>	<b>17</b>

Source: Districts' and Jamoats' statistics

98. The major economic activities in the Project district are agriculture and animal husbandry. Wheat is the major crop in the area. Wheat is cultivated on 5,938 hectares. Pastures and fallow land account for 17,478 hectares. Fruit trees are planted on 340 hectares (Table 3-2).
99. Animal husbandry is widespread in the overall Project area. Almost every household that has some land, also has livestock. Animals raised in the area include cattle, sheep, goats and horses. The districts' statistics indicate that there are 80,479 sheep and goats, 27,238 head of cattle and 207 horses in the Project rayon (Table 3-2).

**Table 3-2: Economic Profile of Project Districts**

District / Hukumat	Subdistrict / Jamoat	Wheat (ha)	Orchards (ha)	Other land, (pasture etc. (ha)	Irrigated land (ha)	Dry land (ha)	Horses (No)	Sheep/goats (No)	Cows (No)
Rogun	Obi Garm	5,250	102	1,340	130	388	28	15,975	5,650
	Sicharog	16	15	38	13	64	25	4,806	1,884
Nurobod	Hakimi	49	34	3,981	7,285	309	5	12,259	4,891
	Muchiharf	125	26	1,546	228	583	15	24,910	6,279
	Komsomolobod	186	53	7,470	88	274	39	8,236	4,573
	Safedcheshma	221	92	2,599	295	435	95	14,099	3,880
	Darband	91	19	504	10	18		194	81
<b>Total</b>		<b>5,938</b>	<b>340</b>	<b>17,478</b>	<b>8,049</b>	<b>2,072</b>	<b>207</b>	<b>80,479</b>	<b>27,238</b>

Source: Districts' and jamoats' statistics

100. There are 10,591 people living in 10 project-affected villages. In total, there are 5,309 males and 5,295 females living in 1300 households. The affected villages' populations range from 148 people in Gulmon (Safedchashma Jamoat) to 2,786 people in Tegermi village in Komsomolobod Jamoat. The average family size in the Project villages ranges from six persons in Navobod to ten persons per household in Chepak, Tuhtor and Gulmon villages (Table 3-3).

**Table 3-3: Population of the Project Villages**

District / Hukumat	Subdistrict / Jamoat	Villages along the Project road	Population	Male	Female	No of HH	Person/ per HH (average)
Nurobod	Muchiharf	Chepak	282	133	149	28	10
		Muchiharfi Kalon	1411	709	702	169	8
	Komsomolobod	Degai	725	361	364	107	7
		Tuhtor	562	280	282	58	10
		Tegermi	2,786	1391	1,395	345	8
		Pandovchi	805	404	401	117	7
	Safedchashma	Dehi Tag	1,250	635	628	142	9
		Ulfatobod	2,020	1030	990	224	9
		Gulmon	148	72	76	14	10
	Darband	Navobod	602	294	308	96	6
<b>Total</b>			<b>10,591</b>	<b>5,309</b>	<b>5,295</b>	<b>1,300</b>	<b>84</b>

101. Data available for 4 Project Jamoats shows 889 (18.15% of the total population) registered poor households in the Project Jamoats (Table 3-4). The data for villages was not available or was not systematically recorded. The Project Jamoats have poor household rates of between 9.67% in Darband and 25.61% in Safedchashma, the village with highest poverty rate<sup>12</sup>. The villagers claim that the number of poor is much higher but due to the complex procedure for registration as being poor, people do not proceed.
102. Jamoats' data on women-headed households shows 512 households headed by a woman in relation to Section 2 of the Project. The poverty rate for the women-headed households is much higher than the general poverty rate in Project villages. (Table 3-4). In women-headed households, the poverty ranges from 25.00 % in Darband to 64.42 % in Muchiharf Jamoat.
103. Limited data on women holding some decision-making positions was available for the Jamoats. In total, there are 405 women for the Project Jamoats in positions such as members of parliament, presidents and deputies of Jamoats, directors of departments, teachers, doctors, school officials etc. Data for the Project villages is mostly unavailable.

**Table 3-4: Poverty in Project Jamoats**

Rayon	Jamoat	No of HH	No of poor HH	% of poor HH	Woman head of HH	Woman-headed poor HH	% of poor woman-headed HH	No of women on decision-making position
Nurobod	Muchiharf	1806	384	21.26	104	67	64.42	21
	Komsomolobod	1846	235	12.73	314	95	30.25	171
	Safedchashma	937	240	25.61	78	46	58.97	48
	Darband	310	30	9.67	16	4	25	165
<b>Total</b>		<b>4,899</b>	<b>889</b>	<b>18.15%</b>	<b>512</b>	<b>212</b>	<b>41.41%</b>	<b>405</b>

104. The economic data on Project villages reflect data at the village level as per the local authorities' statistics. The major economic activities in all Project villages are animal husbandry, agriculture and fruit production. The villages in section 2 of the Project have 623.11 hectares of wheat crops. The villages have 12,118.94 hectares of land mostly used as pastures. Fruit trees such as walnuts, apple, pears, cherry, sour cherry, plums, apricot and peach trees are mostly found in the roject villages. There are 189.42 hectares of fruit trees in the Project villages (Table 3-5).
105. Animal husbandry is prevalent in the village households. There are 47,439 sheep and goats and 14,813 head of cattle. Some households have horses, although they are not commonly kept in the area. In total, there are 149 horses in the Section 2 Project villages. Most of the total number of horses (53) are kept in Bulbuldara, Teghermee, Dekhitag and Ulfatobod villages.

<sup>12</sup> The source of information on poverty are Jamoats' officials.

**Table 3-5: Economic Profile of the Project Villages**

Area	Jamoat	Project Area Villages	Wheat (ha)	Orchard trees (ha)	Other land, (pasture etc. (ha)	Irrigated (ha)	Dry land (ha)	Horses (qty)	Sheep / goat (qty)	Cows (qty)
Nurobod	Muchiharfi	Chepak	124.84	25.5	1546.3	227.68	583.46	15	24910	6279
		Muchiharfi Kalon								
	Komsomolobod	Degai	186.27	53.28	7469.64	88.13	274.4	39	8236	4573
		Tuhtor								
		Tegermi								
		Pandovchi								
	Safedchashma	Dehi Tag	221	91.64	2599	295	435	95	14099	3880
		Ulfatobod								
		Gulmon								
	Darband	Navobod	91	19	504	10	18		194	81
<b>Total</b>			<b>623.11</b>	<b>189.42</b>	<b>12118.94</b>	<b>620.81</b>	<b>1310.86</b>	<b>149</b>	<b>47,439</b>	<b>14813</b>

### 3.3 Socioeconomic Survey Methodology

106. The socioeconomic surveys (SES) in the Project area were conducted in September and October 2018. The SES interviews were conducted after each consultation with the communities where DPs and broader community members were invited. Two experienced interviewers conducted the study. The number of interviews in each Jamoat was based on the number of displaced households. In total for the full project, there are 4 villages/settlements located along the Project road. The SES was completed for 92 AHs (96.77%) out of 95 AHs along Section 2 of the project area. Four of the AHs were not available for the SES. The SES included owners, renters and users of affected lands and buildings, owners of affected business and other community members. During the preparation of the LARP, the census showed that there are 96 AHs (893 DPs) which are directly affected by the overall Project, four legal entities and one collective dekhon farm. For Section 2 of the Project, households headed by a male amount to 92.39 % while households headed by a woman, accounts for 7.61 %. (Table 3-6)

**Table 3-6: Gender Characteristics**

Gender	Heads of AH		All members of the AHs	
	No	(%)	No	% of the total DPs
Male	85	92.39	438	51.11
Female	7	7.61	419	48.89
<b>Total</b>	<b>92</b>	<b>100</b>	<b>857</b>	<b>100</b>



107. The SES Questionnaire includes questions which aim to measure the main characteristics of affected households such as type of land use, 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 30-40 minutes to complete. The collected data was processed using Microsoft Excel. (Annex 3-1: SES questionnaire)

### 3.4 Socioeconomic Profile of Surveyed Households

108. In total for Section 2 of the Project, 92 households with 857 persons (438 M and 419 F) were covered by the SES study. All socioeconomic analysis in the LARP were based on information received from 92 AHs associated with Section 2 of the Project, four AHs could not be reached for the SES. On average, there were nine persons per surveyed household.

### 3.5 Key Facilities in the Surveyed Households

109. Each Project Jamoat (local authority) has a mostly combined primary and secondary school, a mosque, some small shops and small businesses along the central village road. Other services such as hospitals, medical stations, larger markets and administrative services are based in Jamoat and Hukumat centres. The population covered by the SES stated that the Project will improve accessibility to their relatives, social services and amenities such as larger hospitals, universities and other services in the regional centres (Table 3-7).

**Table 3-7: Project Villages Facilities**

District / Hukumat	Subdistrict / Jamoat	Villages along the Project road	School	Med. Station / hospital	Mosque	Special place for praying / worshipping	Cultural centre / chaihona
Nurobod	Muchiharf	Chepak	1		1		1
		Muchiharfi Kalon	1	1	2	Holy place for praying	1
	Komsomolobod	Degai	2	1	2		2
		Tuhtor	1		1		1
		Tegermi	2	1	1		3
		Pandovchi	2	1	1		1
	Safedcheshma	Dehi Tag	1	1	2		2
		Ulfatobad	1	1	2		1
		Gulmon	1		1		
	Darband	7th microrayon	0				
<b>Total</b>			<b>12</b>	<b>6</b>	<b>13</b>	<b>1</b>	<b>12</b>

110. Electricity is available in all project villages. However, during the dry season, when the production of electricity is lower, the villages get electricity supply for a few hours a day. Only a couple of villages have piped water while majority rely on spring, and purchased water for daily usage, costing TJS 100-120 per month. As piped water is not available everywhere, there are no households with in-house toilet and hot water system. Latrine is used by 91.3% of surveyed

households. Nobody among the surveyed households owns an in-home flush-out toilet or the hot water system. Two AHs own agricultural machinery.

111. All surveyed household have a mobile telephone. A TV set is owned by 81 (88% households and 54 (58.7%) own a satellite dish. Computers are owned by 11 (11.96%) AHs and six surveyed households have an internet connection. A total of 23.91% of households have amenities such as refrigerators and 86.96% of surveyed households have electric stoves. Considering that piped water is not widely available, washing machines are present in 15.22% of the households. No AHs have air conditioning units, while 50.00% of the surveyed households have a car (Table 3-8).

**Table 3-8: Households Assets and Amenities**

Items	No of AHs	%
Toilet flush	0	0.00
Latrine/Outdoor toilet	84	91.30
Hot water system	0	0.00
TV	81	88.04
Satellite dishes	54	58.70
Computer	11	11.96
Internet	6	6.52
Mobile phone	92	100
Refrigerator	22	23.91
Washing machine	14	15.22
Electric stove	80	86.96
Air conditioning	0	0.00
Motorcycle	1	1.09
Car	46	50.00
Minibus	1	1.09
Agricultural machinery	2	2.17
<b>Total number of households</b>	<b>92</b>	<b>100</b>

112. Surveyed households own 84.119 hectares of land. On average, households hold around 9,143 m<sup>2</sup> of land. Most of the land belongs to Dekhan farms (63.39 ha) followed by residential land which amounts to 14.51 ha. Agricultural land usually located close or around houses, amounts to 2.94 ha and the pasture land owned by the AHs amounts to 2.45 ha. The crops cultivated are mostly wheat, corn, various vegetables and fruits. A total of 92 households have animals. People mostly keep cows, sheep, goats and chickens (Table 3-9 and Table 3-10).

**Table 3-9: Landholdings**

Type of land	Area (ha)	No of AHs
Residential	14.51	92
Commercial	0.749	2
Agriculture	63.39	17
Agriculture	2.94	13
Orchards	0.08	1
Pasture	2.45	3
<b>Total</b>	<b>84.119</b>	<b>95</b> without double counting

**Table 3-10: Livestock**

No of AHs	No of cattle	No of sheep	No of goats	No of horse	No of donkey	No of chicken	No of rabbits	No of turkey
92	308	427	327	11	17	497	10	24

**Gender, Ethnicity and Religion**

113. The portion of male-headed households is 85 of 92 AHs (92.39%), while the remaining seven AHs (7.61%) of surveyed households for Section 2 of the Project are headed by a woman (Table 3-6).
114. Out of the total number of affected households, Tajiks are the only ethnic group with 60 households (100%). All DPs are Muslim. There are no indigenous people in the Project area. This information is taken from the socio-economic survey and the census.

**Age and Marital Status**

115. The age distribution of the surveyed population for this LARP, shows that the 18-35 age group was the most represented (34.89%). 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 79.81% of the surveyed population is younger than 35. The 36-45 age group accounts for 7.23% and the 46-55 age group accounts for 4.67 %. The 56-65 and 66 and above age groups account for 5.72% and 2.57%, respectively. The head of households tend to be aged 56-65 (27.17%) followed closely by the 46-55 and 36-45 age groups, with 20.65% and 19.57% respectively. Age groups 18-35 and 66 and above are both represented by 16.30% each (Table 3-11).

**Table 3-11: Age**

Age	Household members		Head of AHs	
	No	%	No	%
0 - 7	214	24.97		
8 - 17	171	19.95		
18 - 35	299	34.89	15	16.30
36 - 45	62	7.23	18	19.57
46 - 55	40	4.67	19	20.65
56 - 65	49	5.72	25	27.17
66 and more	22	2.57	15	16.30
<b>Total</b>	<b>857</b>	<b>100</b>	<b>92</b>	<b>100</b>

116. A large proportion (93.48%) of the surveyed population live in extended families. Nuclear families comprise 4.35% of all families in Section 2 of the Project. The household size of the sampled households ranges from one to 24 persons in a household. A total of 17 of the surveyed households have up to five persons living in the household, 44 (47.83%) have six to ten persons, 21 (22.83%) households have 11-15 persons living in one household and ten (10.87%) households have between 16 and 24 persons living in one household. Married heads of households account for 93.48% of all heads of household, 4.35% are widowed and the percentage of divorced heads of household is marginal (2.17%). (Tables 3-12 and 3-13).

**Table 3-12 Marital Status**

Marital status	AH head		AH members	
	Number	%	Number	%
Married	86	93.48	373	43.52
Unmarried	0	0.00	107	12.49
Widowed	4	4.35	8	0.93
Divorced	2	2.17	16	1.87
Minor	0	0	353	41.19
<b>Total</b>	<b>92</b>	<b>100</b>	<b>857</b>	<b>100</b>

**Table 3-13: Type of Families**

Family Type	Number of AHs	Percentage (%)
Nuclear	4	4.35
Extended	88	95.65
<b>Total</b>	<b>92</b>	<b>100</b>

## Education

117. The following table shows a high level of literacy of heads of household with 56.52% having completed secondary education. A further 18.48% and 25.00%, respectively, obtained a college or university degree. There are no illiterate heads of households nor other family members in the sample. Generally, the educational profile of other family members is lower in all educational categories than among the heads of households (Table 3-14).

**Table 3-14: Education of Surveyed Population**

Education status	Head of the household		Other household members	
	Number	%	Number	%
Illiterate	0	0.00	0	0.00
Primary school	0	0.00	98	11.44
Secondary education	52	56.52	462	53.91
Technical/other college	17	18.48	35	4.08
University degree	23	25.00	73	8.52
School age children	0	0.00	189	22.05
Total	92	100	857	100

## Employment, Income Sources and Expenses

118. Employment and income data was collected from 92 households and information is self-reported. A total of 21.74% of the heads of households and 4.67% of other family members are pensioners. The most common type of profession among the heads of households is labour and being a civil servant for 27.17% and 20.65% respectively. For family members, the largest figures are made up of 27.19% who are unemployed and 26.25% are students, followed by 21.70% housewives. Business owners account for 3.26% in the heads of households group and only 0.7% among other family members. The unemployment rate is significantly lower among the heads of households (10.87%) than among the other family member (27.19%). There are 6.67% of housewife head of households and 25.31% among the other family members.

**Table 3-15 Type of Employment**

Type of employment	Head of the household		Other members	
	Number	%	Number	%
Pensioner	20	21.74	40	4.67
Civil servant	19	20.65	47	5.48
Private sector employee	2	2.17	3	0.35
Business owner	3	3.26	6	0.70
Agriculture labour	5	5.43	5	0.58
Large land-owner	3	3.26	5	0.58
Other labour	25	27.17	100	11.67

Type of employment	Head of the household		Other members	
	Number	%	Number	%
Housewife	4	4.35	186	21.70
Pupil/Student	0	0.00	225	26.25
Unemployed	10	10.87	233	27.19
Other	1	1.09	7	0.82
Total	92	100	857	100

119. The data on income and expenses is self-reported. The data on average monthly income varies from 154 TJS to 5,000 TJS per month. Most of the households' income is concentrated in the two lowest categories: 300-1,000 TJS (10.00%) and 1,001-2,000 TJS (54.35%) per month. (Table 3-16). The total reported income for 92 households, amounts to 177,375 TJS, which gives an average of 1,928 TJS per surveyed household.

**Table 3-16: Self-reported Monthly Income**

Monthly income (TJS)	Number of households	Percentage %
300-1,000	13	14.13
1,001-2,000	50	54.35
2,001-3000	21	22.83
3,001-4,000	5	5.43
4,001-6,000	3	3.26
6,001-20,000	0	0.00
Over 20,000	0	0.00
<b>Total</b>	<b>92</b>	<b>100</b>

120. The data on income sources shows that 42.39% of surveyed households have income earned from labour (calculated using the total figure of 92 AHs). Of the 92 AHs, 60 (65.22%) receive remittances from household members working mostly abroad. The sum they receive surpass all other sources of income. Only 11 AHs have agriculture as one of the sources of income. Business provides the highest average income per household (TJS 2,700/month) followed by remittance and employment (Table 3-17).

**Table 3-17: Source of Income**

Source	No of AHs	Total income (TJS)	Average income (TJS/AHs)
Agriculture	11	6600	600.00
Employment	9	10150	1127.78
Business	4	10800	2700.00
Labour	39	40610	1041.28
Remittance	60	101100	1685.00
Other	13	8115	624.23
<b>Total</b>	<b>136 (92 without double counting)</b>	<b>177375</b>	<b>1927.99</b>

121. The average monthly expenditure for the surveyed households is 1,585.93 TJS, with the largest portion (54.86%) spent on food. Subsequent major expenses include clothing (19.51%), transport (7.70%) health (5.34%), social functions and obligations (5.00%) and utilities accounting for 3.47% of all expenses. Other household expenses range from 0.02% for water to 1.75% for communication. Education (0.65%) and agriculture (0.70%) do not present major household expenses. Villages are not easily accessible as the roads are in dilapidated condition, so transport expenses are higher than expenses for education or social obligations (Table 3-18). The reported average monthly income exceeds the average monthly expenses by 342.06 TJS. The average monthly expenditure data is summarized in the following table:

**Table 3-18: Households' Average Monthly Expenses**

Self-reported monthly expenses	No of AHs	Total expenses (TJS)	Average income (TJS)	Average expenses (TJS)
Food expenses	92	80050		870.11
Clothing	92	28470		309.46
Health	91	7795		85.66
Education	17	955		56.18
Communication	90	2554		28.38
Transport	93	11305		121.56
Social functions/ obligations	54	7230		133.89
Agriculture expenses	18	1022		56.78
Water	3	31		10.33
Utilities (electricity etc)	89	5061		56.87
Land tax	89	1433		16.10
Credit repayment	0	0		0.00
<b>Total</b>	<b>728 (92 without double counting)</b>	<b>145,906.00</b>	<b>1,927.99</b>	<b>1,585.93</b>

## Women in Project Villages

122. The Constitution of the Republic of Tajikistan recognizes international law as a component 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 additional remedies 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.<sup>13</sup>
123. The Constitution guarantees equal rights on the basis of sex (Article 17), and principles of non-discrimination are enshrined in basic legislation such as: 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.<sup>14</sup>
124. According to the Country Gender Assessment, a large portion of the population works in informal employment, and the majority of such workers are men. Still, many women work informally engaging in hard physical agricultural labour for long hours, in poor working conditions, and with the lack of social protections such as maternity leave and pension payments.
125. In Section 2 surveyed households, 98.91% of women do housework and care for family members. Other activities performed by women are cultivation and planting, minding livestock, trade and businesses, sale of agricultural products (all 2.17%) and agricultural labour (1.09%). In this area, women do not make and sell hand-made products. There is nobody to sell to in the Project villages. However, during the phone discussions with some women entrepreneurs, it was suggested that in many villages, women will come out and sell what they produce providing they have a small road-side bazar, close to home. This will be practicable when the road is completed, and many drivers will travel through (Table 3-19).

**3-19: Women's Activities**

Type of activities	No of HH	% of HH
Sale of agricultural products	2	2.17
Trade and business	2	2.17
Agricultural labour	1	1.09
Handmade products	0	0.00
Housework	91	98.91
Livestock	2	2.17
Cultivation / planting	2	2.17
<b>Total</b>	<b>100 (92 without double counting)</b>	

<sup>13</sup> ADB (2016) Tajikistan, Country Gender Assessment [Online] available at: <https://www.adb.org/documents/tajikistan-country-gender-assessment-2016>

<sup>14</sup> ADB (2016) Tajikistan, Country Gender Assessment [Online] available at: <https://www.adb.org/documents/tajikistan-country-gender-assessment-2016>



126. The survey questions on the decision-making processes in households showed that women are consulted and take part in the decision-making process in all major family activities. There is no significant difference between any area of life they participate in the decision making. All of the suggested categories were answered positively by 97.83% to 98.91% of the respondents. It indicates a very high percentage of women participation in all family matters. Women at the FGDs confirmed that their husbands do consult with them on most family important matters, but some women, especially in more traditional culture values villages, stated that they cannot choose even a tea-cup set by themselves. The husband is the one who will bring to his wife what she needs. For example, a wife needs to inform her husband that she needs a new set of tea-cups, or a set of cooking pots, and he will purchase it and bring it to her (Table 3-20).

**Table 3-20: Participation of Women in Decision-making Activities**

<b>Decision making</b>	<b>No of AHs</b>	<b>% of women in HH participating in decision making processes</b>
Financial matters	91	98.91
Education of children	91	98.91
Children's healthcare	90	97.83
Purchase/sale of assets	91	98.91
Daily family' activities	91	98.91
Social functions and obligations	91	98.91
<b>Total</b>	<b>545 (91 without double counting)</b>	

127. The support for the Project is overwhelming. The surveyed people stated that they believe the main Project benefits are: improved access to their relatives, good road, opportunities for the future, increased access to places and services and a better life style for the village residents. A few DPs stated some adverse effects such as resettlement and disturbances during the road construction.

**Table 3-21: Perceived Project Benefits and Disadvantages**

<b>Benefits of the Project</b>
The road will be good
The road is an opportunity for the future and offers prospects
This is the best project for villages and Jamoats
People will live better
Improved access to relatives (more important than access to medical or other service)
Improved access to services such as health, education and markets.

128. Women participating at the FGD, stated that they are looking forward to the beginning of the project as their life in the village is very difficult. One of the women stated the following:
- “ We are very happy for this project and we thank Allah and the Bank [ADB] for it. When we get the road, our relatives can come more often to visit us. Now, they come once and for a year, they keep repairing a car because of our roads. They do not come, and we do not get to see them often”. (Mujiharf FGD).*
129. Women put the improved access to their relatives and communities they come from, at the highest level, much higher than access to medical service, for example. Their values and the meaning of connection with significant services/ persons in their lives, start with the access to relatives. This was the highest priority for village women. One of the questions discussed, was the access to the medical services. These services, if available, are usually around at least 5 km away. However, for example, if a woman is in labour and needs to get to the doctor, it would be extremely difficult to get her to the medical station (if there will be any professional help available to her). If someone has a heart attack, women commented: *“The cemetery is closer than medical help”*.
130. Overall, the Project will deliver access to all what is important to the local communities. There were no responses on perceptions of the Project’s disadvantages as the local communities think that the road will bring only positive effects to their lives. All DPs, whether participated at the wider consultations or at the FGD, stated that the Project will bring only advantages to the local population

## **4 INFORMATION DISCLOSURE, CONSULTATIONS AND PARTICIPATION**

### **4.1 Background**

131. According to the EBRD's ESP 2014 and PR5, the DPs must be meaningfully consulted and provided with opportunities to participate in the planning and implementation of LAR. Under the same principles, the DPs have to be informed in an appropriate and timely manner of the planning process outcomes, as well as the schedules and procedures for the preparation and implementation of the LARP, including entitlements, payment procedure and relocation.
132. The laws and policies of Tajikistan which apply to resettlement to Section 2 related to EBRD-financed projects in Tajikistan are:
- Constitution of Tajikistan
  - Civil Code
  - Land Code
133. Apart from the formal notification requirements set in the Land Code, there is no requirement for the government to discuss project designs or possible LAR options with the DPs. 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. In addition, the PIURR takes the lead in the coordination of information disclosure at the local levels and conducts consultations with the local population as per the EBRD PR5 requirements.

### **4.2 Consultations with Stakeholders and Project Communities**

134. The TRTA Consultant and the PIURR conducted 4 consultations with the DPs and wider Project communities, 4 consultations in Hukumats and Jamoats authorities, and two female focus groups discussion. In total, 99 persons (82 men and 17 women) participated in the consultations conducted in September and November 2018. Participants received information about the Project, LAR processes, bidding process and expected time for the beginning of the works, as well as the Project Information Brochure 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, the need for animal underpasses and adequate compensation, among other issues. The participants shared their opinions about the Project, concerns and suggestions related to resettlement, relocation options and road safety (Tables 4-1 and 4-2). The records from consultations, translated decrees on the cut-off date, the establishment of the GRM, and scanned participant signatures are presented in Annex 4-1.
135. After consultations with DPs and the broader community were held in Project Jamoats, FGDs with present women were conducted (Table 4-1). There were two FGD with 16 participants, as the number of women that participated in consultations was limited and the FGD were not practicable to organize in some Jamoats. The main goals of focus groups discussions with local women were to give women a chance to share their opinions, concerns and suggestions in a more focused and friendlier environment. Short records with photographs and scanned participants' signatures are presented in Annex 4-1. A summary of the consultations conducted in the Project area is presented in Table 4-1 below:

**Table 4-1: List of Consultations with Communities**

No	Target	Date	Hukumat	Jamoat	Villages	No of participants		
						Males	Females	Total
1	Communities	03.09.2018	Nurobod	Mujaharf	Mujikharf Kalon & Chepak	22	1	23
2	Female FGD	03.09.2018	Nurobod	Mujaharf	Mujikharf Kalon & Chepak	0	8	8
3	Jamoat authorities	04.09.2018	Nurobod	Komsomolobod		2	0	2
4	Communities	04.09.2018	Nurobod	Komsomolobod	Deagi, Tuhtor, Bulbuldara, Tegermi & Pandovchi	16	0	16
5	Jamoat authorities	06.09.2018	Nurobod	Safedcheshma		2	0	2
6	Communities	06.09.2018	Nurobod	Safedcheshma	Tag	20	0	20
7	Jamoat authorities	30.09.2018	Nurobod	Darband		3	0	3
8	Communities	30.10.2018	Nurobod	Darband	7th Microrayon	17	0	17
9	Female FGD	30.10.2018	Nurobod	Darband	7th Microrayon	0	7	7
	<b>Total</b>					<b>131</b>	<b>32</b>	<b>163</b>

### 4.3 Summary of the Consultations

136. In general, participants were supportive of the Project during the consultations. The questions and suggestions given by the participants during the consultations focused mostly on compensation, safety for school children and crossings for animals. The following paragraphs summarize people's questions, concerns and suggestions. In addition, not specific to Section 2, preferences for land-for-land compensation have been raised.
137. The Project benefits, as perceived by the participants, are summarized as follows:
- (i) improved access to family members living in other parts on Tajikistan;
  - (ii) improved access to services such as schools, medical centers, shopping centers and markets;
  - (iii) new, modern road and comfortable travel;
  - (iv) establishment of public transport between villages and rayon centers
  - (v) development of trade, businesses and income-generating activities;
  - (vi) less dust and dirt;
  - (vii) more employment for the local population; and
  - (viii) some work for local women;

138. The participants also expressed their opinions about the adverse effects of the proposed project. The main concerns were related to relocation and process and timeframe for monetary compensation for losses. The main concerns of the communities are summarized as follows:
- (i) displacement, especially relocation;
  - (ii) losing homes and businesses;
  - (iii) compensation which enables re-establishment of the affected assets;
  - (iv) timely and adequate land for land compensation in the same village;
  - (v) safe pedestrian crossings and crossings for animals;
  - (vi) dust during construction;
  - (vii) disposal areas during the construction; and
  - (viii) compensation for assets affected during the construction;
139. The participants at the consultations gave a range of suggestions which they would like to see integrated into the project planning and road design. It should be noted that as part of the wider consultation for the full project alignment a suggestion was made in relation to new land plots for grown-up children and their families. The suggestions specific to Section 2 are as follows:
- (i) provisions for safe road crossings for people and animals;
  - (ii) adequate compensation for all assets lost especially for homes and fruit;
  - (iii) employment opportunities for local men and women; and
  - (iv) employment for people from local villages;

**Table 4-2: Questions and Answers at Consultations with Communities**

No	Questions/Discussions	Answers
<b>Section 2 Specific to this LARP</b>		
1	When will the construction start?	We expect that construction will start in the first quarter of 2019.
2	What would happen if something is damaged during construction?	If your property is damaged during the construction, the procedure for compensation based on replacement cost applies.
3	What should we do if the contractor deposits soil surplus on our properties? You see how steep it is here, and the contractor may just dump soil toward our land-plots.	The Contractor will have to arrange and agree with local authorities about locations where any surplus material will be deposited. The contractor will not be allowed to dispose of any surplus material on private properties without an agreement with the local authorities and the property owner.
4	If we have a complaint about the Contractor, to whom should we complain.	You'll have a GRC established at the Jamoat level and you may lodge your complaint there. Also, there will be a construction supervision company and you may complain to the site engineer.
5	We are very happy that you came. We do not believe that the road will be constructed. We have been hearing about that road for years!	The road will be constructed. We expect construction to start in the first quarter of 2019.
6	You are acquiring my son's house. He will not have enough land to make a new house. When you pay compensation, will	The Jamoat will replace your land. The valuator will calculate a replacement cost for a new house and other structures and assets affected. In addition, you will receive an allowance for seriously affected persons,

No	Questions/Discussions	Answers
	he be able to purchase an apartment in Dushanbe?	transport of the household's belongings, three months' accommodation cost while you build your new home and any other applicable allowances as per the entitlement matrix enclosed here with the project information brochure. However, I am not sure if for the compensation amount your son could purchase an apartment in Dushanbe.
7	There will be a lot of dust during the construction. You can see we have so much dust even without construction.	The Contractor will be obliged to sprinkle water during the construction and thus, minimize the effects of dust.
8	If the contractor does not sprinkle water, what should we do? We saw on some other project how much dust they make.	You'll have a GRC established at the Jamoat level and you can lodge your complaint there with your Rais or any other designated grievance redress committee member. In addition, there will be a construction supervision company and you may complain to the site engineer.
9	There were people before you. They came, asked the same questions and measured our properties.	Yes, you had a resettlement specialist from the design company. They made a general list of displaced persons and their assets. This team will measure exactly everything that is going to be affected by the project. You will be with us when we measure affected land, structures, count affected trees, etc. A valuation will be done and compensation calculated based on our inventory of losses,
10	Some people that are affected are not on your list and some people who are on your list, do not live in our village.	We have a topographer with us and we will determine what is going to be affected. Affected assets of those DPs who are not on the list will be documented and the DPs will be added to the list of displaced persons.
11	Will everything that is affected, paid for?	Yes, except unauthorized use of land. However, any structure, land improvement or fruit trees on such land, will be compensated for.
12	If we have a complaint should we go to the Raisi Jamoata?	There will be a grievance redress committee at the Jamoat level and Rais Jamoata, as well as Rais Mahale. You may lodge your complaint to the GRC focal person or any other GRC member.
13	During the SES and the DMS, who will be present?	Social safeguards specialists, raisi mahale and the Jamoat's representatives will be present.
14	How will you pay for the fruit trees?	All affected fruit trees will be compensated. Compensation will reflect income replacement. Cash compensation for productive trees is based on the net market value of 1 year of income multiplied by the number of years needed to grow a tree to a similar level of productivity, plus the purchase price of saplings and starting materials. The DP will keep the tree.
15	If the water pipes are affected during the construction, who will pay for the damages?	During the construction, a plan for relocation of all pipes, communication cables, electricity poles etc, will be prepared. All these amenities will be relocated where

No	Questions/Discussions	Answers
		necessary. The contractor will repair any damage resulting from the construction activities.
16	When will you pay us for our affected assets?	All compensation will be paid before the Contractor starts the works.
17	Will there be some opportunities for women to work as cooks, bread bakers, cleaners etc during the road construction?	Yes. We will inform you about positions which will be needed by the Contractor.
<b>Additional Questions specific to Section 1</b>		
1	We have water pipes located along the road and some across the road. Will you ensure that our water system is not damaged?	Water pipes, electricity and any other utilities will be relocated before the road construction starts. The contractor or subcontractor will inform you well in advance when these works are planned and the length of any disruption to these services.
2	How will you compensate affected businesses?	As explained, you will get a new location to rebuild your petrol/gas station. All buildings and structures will be compensated at replacement cost which will enable you to build a new petrol/gas station of the same size/quality. You will be entitled to some social safeguards allowances such as an allowance for seriously affected persons, a transport allowance and any other applicable allowances as per the entitlement matrix.
3	Agha Khan Foundation supplies water for us. The pipes go along this road. Please do not destroy it during the construction. Please ensure that contractor does not cut our pipes.	All village utilities along the road will be safely relocated. You may experience some disruption of services during the relocation of water pipes or power poles. The contractor should inform the population in advance about dates and times planned for the relocation.
4	How will you calculate compensation for empty homes?	The compensation will be calculated at replacement cost. If the house is empty, there is no need to organize transport of household belongings, and rental allowances will not be required. These might be the only differences between allowances for inhabited and non-inhabited houses.
5	How will our cows cross the road?	There are no animal underpasses envisaged by the design. We will recommend the construction of animal crossings. Otherwise, the livestock will move across the road.
6	How will children cross the road? Will you have pedestrian crossings or traffic lights?	In each settlement/village, there will be a footpath, pedestrian crossing and speed bumps.
7	My house is affected. I walked 7 km to hear what you have to say about the project. Please tell me where we should go.	We will come to your house tomorrow to complete the DMS and SES studies. As you heard, the compensation will be calculated based on replacement cost, which means that from the money received, you should be able to rebuild a similar house without spending any additional money. All other assets will be compensated

No	Questions/Discussions	Answers
		according to the same principle. You will receive replacement land from the Jamoat and you are entitled to allowances such as an allowance for severely affected persons, a transport allowance, a three-month rental allowance, and possibly a vulnerability allowance once we complete the SES questionnaire.
8	My husband is in Russia too. When compensation is paid, should he come here?	This is not absolutely necessary. He may give you, or anyone else, certified authorization to collect the compensation money on his behalf.
9	We have a lot of fruit in our village but sometimes when people come to purchase fruit here, they pay so little. They pay us TJS 2/kg of apples or TJS 6/kg for walnuts. Sometimes we go to the bazaar and sell some fruit. We have good honey too but we rarely sell as there is not enough for us.	

#### 4.4 Information Disclosure

140. During the SES and consultations with communities, the participants received the Project Brochure, Project-specific Entitlement Matrix, the Government Decree on the GRM and information about the cut-off date, in addition to general information about the Project, land acquisition and resettlement processes, and expected time for the commencement of the works. The cut-off date was set as 31 August 2018. The MOT, through the PIURR, prepared and published letter No 878 on 29 August 2018, informing residents of the Obigarm, Sicharog, Hakimi, Muchiharf, Komsomolobod, Safedchashma and Darnband Project Jamoats that the construction of Obigarm – Nurobod road Project commenced.
141. The letter informed residents that the construction of all structures and rehabilitation/acquisition of land on both sides of the road is prohibited. The information was published in the local newspaper, aired on the main TV program and forwarded to two Hukumats and seven Jamoat authorities. The information was repeated at each consultation in the Project villages and at meetings with Jamoat and Hukumat authorities (Annexes 4-1 and 4-2). During the SES and DMS, all DPs confirmed that they were informed about the cut-off-date and other LAR related procedures.
142. After the finalization of the LARP, the following information disclosures are planned:
- (i) distribution of copies of the LARP in the Russian language in the local authorities' offices;
  - (ii) posting of the approved LARP in the Russian language on the PIURR website;
  - (iii) consultations with DPs and information disclosure to be ensured as per the established LAR consultations procedure; and
  - (iv) uploading of the approved LARP on the EBRD and MOT website.



## 5 GRIEVANCE REDRESS MECHANISM

### 5.1 Objectives

143. The LARP 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 PIURR to identify and resolve concerns and DPs' grievances. It offers the DPs 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.
144. The DPs will have the right to file complaints and/or queries on any aspect of the Project, including land acquisition and resettlement. Under the adopted grievance mechanism, the DPs may appeal any decision, practice or activity related to the Project. All possible avenues will be made available to the DPs to voice their grievances. The PIURR will ensure that grievances and complaints on any aspect of the project are addressed in a timely and effective manner.
145. The fundamental objectives of the Grievance Redress Mechanism are:
- (i) to reach mutually agreed solutions satisfactory to both, the Project and the DPs, and to resolve any grievances locally, in consultation with the aggrieved party;
  - (ii) to facilitate the smooth implementation of the LARP, particularly to cut down on lengthy litigation processes and prevent delays in Project implementation;
  - (iii) to facilitate the development process at the local level, while maintaining transparency as well as to establish accountability to the affected people.
146. The MOT issued letter No 872 on 27 August 2018, requiring the establishment and development of the GRM at the Jamoat (sub-district) level (Annex 5-1). The GRCs has been established at the village level in each Project village. There are 17 GRCs at this level. The Grievance Redress Committees include the following institutions' and DPs' representatives:
- (i) head of Jamoat;
  - (ii) Jamoat's secretary, land surveyor or another related specialist;
  - (iii) head of the village;
  - (iv) village resident, representative of DPs;
  - (v) female village resident;
147. All grievances related to the Project will be addressed with the participation of the PIURR, Construction Supervision Consultant and Contractor's representatives. In more complex cases, representatives of other authorized institutions will be invited. The GRM covers issues related to social, environmental and other issues under the EBRD's ESP 2014 and applicable laws of Tajikistan.
148. The PIURR members of the GRCs include:
- (i) deputy Executive Director;
  - (ii) two chief specialists for resettlement;
  - (iii) MOT lawyer, chief engineer and other specialists as necessary.
149. There are 17 Grievance Redress Committees at the village level for the full Project alignment - one in each Project village. A Focal Person (FP) is appointed at each Project village and one at the PIURR. The PIURR FPs participated in all consultations with communities and shared his 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 LARP.

150. The GRCs will function for the duration of the Project implementation. The PIURR will conducted training for members of all GRC at the Jamoat/village level.

## **5.2 Grievance Resolution Process**

151. The grievance mechanism (GM) is available for those who live or work in the areas falling under the impact of the Project activities. Anyone who has experienced impact and is concerned by the Project activity has the right to participate in the GM, to have an easy access to it and receive assistance in its use. The proposed GM does not replace the public mechanisms for resolving grievances and conflicts, provided by the legal system of the Republic of Tajikistan, but tries to minimize its use as much as possible.
152. It should be noted that although multiple methods for raising grievances are highlighted below, all grievances will be addressed in the same way and the process will be consistent across the alignment. Full details of the GM can also be found in the SEP.
153. At the first phase, an attempt will be made to resolve complaints via the GM at the regional level via the following steps:
154. Grievances can be lodged with the Focal Person at the village GRC. The village FP, in consultations with the PIURR safeguard specialist, will screen the grievance for eligibility. If eligible, the FP will organize a meeting of the Grievance Redress Committee (GRC). The PIURR representatives will be informed and invited to the meeting.
155. The option to submit grievances anonymously should be available to complainants using the public grievance form in the SEP. It should be made clear to complainants submitting anonymous complaints that it will not be possible to provide a response.
156. The complaint registered with the GRM should be reviewed (with a letter of receipt/acknowledgment to complainant), and the date should be recorded on the complaints log. The complaint should be assigned to a responsible person, 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.
157. 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 PIURR representative will oversee the resolution of the complaint.
158. All efforts will be made to settle issues at the village/Project level. All complaints and resolutions will be properly documented by the PIURR and made available for review, monitoring and evaluation purposes. A PIURR safeguard specialist keeps in regular contact with the FP 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.
159. Regardless of the set grievance mechanism and procedures, DPs will have the right to submit their cases to a court of law at any point in time of the grievance redress process. All efforts will be made to settle the issues at the Project level through community consultation with affected person. If not possible, attempts will be made to resolve the issues at the PIURR level to avoid/minimize litigation as much as possible. All complaints and resolutions will be properly documented by the PIURR and made available for review, monitoring and evaluation purposes.
160. In addition for Section 2, the complainant can appeal the decision and bring the case to the EBRDs Project Complaint Mechanism (PCM) / Independent Project Accountability Mechanism

(IPAM). The GRM at the Project level does not in any way impede the DPs' access to the EBRD PCM/IPAM. If DPs want to register a complaint with the EBRD PCM/IPAM, the PIURR Focal Person will provide the complainants the following contact information:

Email: can be accessed from:

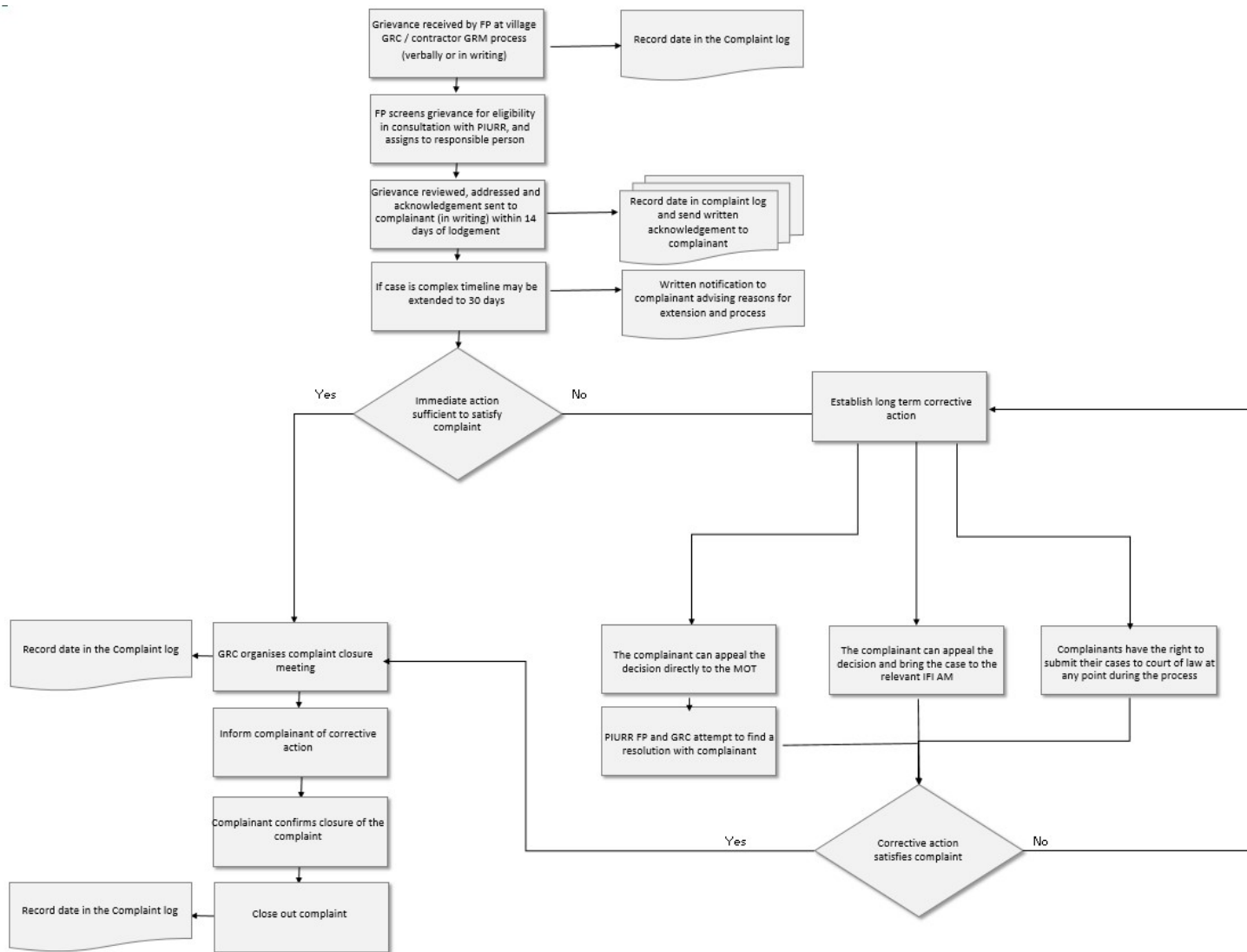
<https://www.ebrd.com/work-with-us/project-finance/project-complaint-mechanism/submit-a-complaint.html>

161. Project Complaints may also be made directly to the contractor, using the contractors GRM process:

**<<Insert Contractor GRM process once known - including 24 hour hotline>>**

162. The grievance redress process is shown in Figure 5-1 below.

**Figure 5-1: Grievance Redress Process**



163. GRM proceedings may need one or more meetings for each complaint and may require field investigations by specific technical or valuation experts. Grievance cases shared by more than one complainant may be held together as a single case.
164. For appeals lodged directly to the MOT, the FP at PIURR will review the case together with the respective GRC at the village level and attempt to find a resolution together with the aggrieved person.
165. At each level of appeal, the GRC will be assisted, as required, by the professional capacity needed to solve specific cases. This may include among others:
  - (i) Hukumat land committee
  - (ii) State Agency for Architecture
  - (iii) The State Committee for Land Management and Geodesy (SCLMG)
  - (iv) State Agency for Environment and Forestry
  - (v) State Unitary Enterprise for Housing and Communal Services
  - (vi) Technical expertise from professional engineers
  - (vii) Representatives of Committee on Women's and Family Affairs
  - (viii) Other specialized organizations as necessary
166. There is one woman and one DP's representative in each GRC. The persons at village level responsible for Project-related inquiries and grievances are provided in Annex 5-5.

### **5.3 Duties of GRC Members**

#### **Focal Point (FP)**

167. Once the FP receives a written notification of a complaint s/he will:
  - (i) 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;
  - (ii) 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;
  - (iii) send the complaint summary to all members of the local level GRC;
  - (iv) convey requests and enquiries of the complainants to PIURR/MOT and to the other members of the GRC at the local level;
  - (v) organize a grievance redress meeting;
  - (vi) maintain records of each meeting and each communication between the FP/GRC and the complainants;
  - (vii) participate at appeal cases at all levels;
  - (viii) ensure administrative and organizational support for GRC members.

#### **Supervision Consultant Resettlement Specialist**

168. Once notified of a complaint and the FP has been invited to a grievance meeting the Consultant will:
  - (i) participate to all grievance meetings, provide opinions and analysis;
  - (ii) accompany eventual assessment/valuation specialists in the field,
  - (iii) 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 PIURR of MOT**

169. Once notified that a complainant has lodged an appeal case at the central level, the GRC chairperson will:
- (i) review the local level GRC decision;
  - (ii) invite the GRC members to the meeting;
  - (iii) chair the GRC meetings and ensure that the minutes of the meeting are taken and shared with all relevant parties;
  - (iv) inform the aggrieved person of the GRC's decision;
  - (v) ensure administrative and organizational support for GRC members to work;
  - (vi) support the decision made by the GRC and follow up to ensure action is taken.

### **PIURR Project Coordinator**

170. Once notified that a complainant has lodged an appeal case at the central level, the Project coordinator will:
- (i) participate in all grievance redress meetings at Jamoat and central level, provide opinions and analysis;
  - (ii) ensure that records at the Jamoat GRC are maintained;
  - (iii) request additional assessment/valuation specialists' opinions and accompany them in the field if needed;
  - (iv) request that the chairperson organizes meetings, as necessary;
  - (v) ensure a proper PIURR Complaint Register is maintained.

### **Representatives of the PIURR Safeguards Unit**

171. Once notified that a complainant has lodged at the central level, the representatives of the PIURR safeguard and technical unit will:
- (i) participate in GRC meetings at local and central level;
  - (ii) prepare the chronology of events to understand the sequence of developments prompting the complaint;
  - (iii) provide opinion on resettlement impacts claimed by the claimant;
  - (iv) request that the chairperson organizes meetings, as necessary;
  - (v) maintain communication between the GRC and the complainants.
172. The following persons at the Projects Implementation Unit for Roads Rehabilitation can be contacted for inquiries and grievances:

<b>ABDUVOHIDZODA ERAJ</b>	<b>TEMURZODA SHERALI</b>	<b>TAVAROV SULAYMON</b>	<b>EBRD TAJIKISTAN CONTACTS</b>
Deputy Executive Director, Project Implementation Unit for Roads Rehabilitation 14 Ayni Street, 4 <sup>th</sup> Floor, Dushanbe. Tajikistan  Tel: +992 222 20 273 +992 93 583 43 83 Email:pirrr@tojikiston.com	Chief Specialist for Resettlement, Project Implementation Unit for Roads Rehabilitation 14 Ayni Street, 4 <sup>th</sup> Floor, Dushanbe. Tajikistan  Tel: +992 907 82 84 85 Email:pirrr@tojikiston.com	Chief Specialist for Resettlement, Project Implementation Unit for Roads Rehabilitation 14 Ayni Street, 4 <sup>th</sup> Floor, Dushanbe. Tajikistan  Tel: ++992 904 22 4711 Email:pirrr@tojikiston.com	Resident Office of EBRD in Republic of Tajikistan 34 Rudaki Avenue, TCELL Plaza, 12 floor 734025 Dushanbe, Tajikistan Tel: +992 (37) 2 210763; 2213 543; 2216709; 2216718; 2219832; 2510178; 2512424
<b>MAHMUDJON KHOLIKOV</b>	<b>IBROHIM KURBONAL</b>	<b>SAFARMAD YORMATOV</b>	
Tel: 987 131001	Chief Environmental Specialist.  Tel: 901 20 00 23	Chief Specialist on Social and Environment  Tel: 902 20 32 09	

### Technical Experts

173. When requested by the PIURR to provide technical expertise for the assessment of an impact claimed by the complainant, the relevant expert will:
- (i) examine the case, perform relevant tests or an investigation;
  - (ii) prepare a short report based on the results of the examination completed;
  - (iii) recommend if further or additional legal opinion or expertise is needed to make a judgment on the substance of the case.

### 5.4 GRC Complaint Register, Records and Documentation

174. The PIURR of the MOT will maintain the complaint register. 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 5-3.

## 6 LEGAL AND POLICY FRAMEWORK

### 6.1 Policy Framework

175. The policy framework for the Project is based on the Law of the Republic of Tajikistan and the EBRD ESP and PRs (2014), ADB Safeguards Policy Statement of 2009, OFIDs Global Partnership for Effective Development Cooperation and the four shared principles of development, AIBs Environmental and Social Framework 2016. For section 2 of the Project the focus is on the EBRD's requirements. 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:
- (i) Constitution of the Republic of Tajikistan (1994, as amended in 2003)<sup>15</sup>
  - (ii) Land Code (amended in 2012)<sup>16</sup>
  - (iii) Land Code (amended in 2008)<sup>17</sup>
  - (iv) Civil Code (amended in 2007)<sup>18</sup>
  - (v) Regulation "about compensation of losses to the land users and losses of agricultural products" (approved by the Decree of Government of Republic of Tajikistan, 2011. № 641)<sup>19</sup>
176. 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 resettlement of Section 2 of this Project is based on the EBRD ESP 2014 and PRs and applicable laws, regulations and policies. Where differences exist between local law and the EBRD's policies and practices, the resettlement for this Project will be resolved in favour of the latter.

### Types of land ownership and land use rights allocation

177. 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:
- (i) 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.
  - (ii) 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).
  - (iii) 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 dekhon farm, as well as household (garden) plots.
178. 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,

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<sup>15</sup> Constitution, November 6, 1994, as amended on 22 June 2003.

<sup>16</sup> Land Code of the Republic of Tajikistan as amended on 01 August 2012

<sup>17</sup> Land 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.

<sup>18</sup> Civil 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).

<sup>19</sup> Approved by the Decree of Government of Republic of Tajikistan, December 30, 2011. № 641.



non-use for two years and use of the land differing from the use established in the use-rights document. (Land Code Article 37)

179. 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"<sup>20</sup>, №48 of 10 May 2002. It resulted in the creation of 31 Dehkan farms in 1992 with 300 hectares of land. In 2003, there were 16,433 registered Dehkan's farms with 240,100 hectares<sup>21</sup>.
180. 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).
181. 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).
182. 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).
183. 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.
184. 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.

## **6.2 Tajikistan Constitution, Law/regulation on Land Acquisition, Resettlement and Compensation**

185. The Constitution of the Republic of Tajikistan is the main legal document which guarantees citizen's rights. Article 13 states that land, bowels of the earth, [i.e. 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.

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<sup>20</sup> Law of the RT "On Dehkan farms".2002. [www.mmk.tj](http://www.mmk.tj)

<sup>21</sup> Source: 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.

186. 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.*”

#### **6.2.1 Provisions regulated by the Land Code**

187. In August 2012 amendments to the Land Code that enable legal sales and lease transactions for land use rights were approved.<sup>22</sup> The Land Code also includes changes to the provisions related to land acquisition.<sup>23</sup>
188. 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.
189. The state may revoke land plots for state and public needs from land users after:
- (i) allocating a land plot of equal value;
  - (ii) 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;
  - (iii) fully compensating for all other losses, including lost profits, in accordance with the legislation of the Republic of Tajikistan.
190. 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).
191. 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:
- (i) 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 connected to the removal of land from circulation, shall be made by the natural/legal persons whose activity led to the revocation.
  - (ii) 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).
  - (iii) Upon termination of the rights to a property, the property will be assessed based on its market value (Article 265 Civil Code).
  - (iv) 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).
  - (v) 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

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<sup>22</sup> Law 891, dated August 2012, article 19.

<sup>23</sup> Articles 37-45

international agreement shall be applied (Article 105, LC of the RT edition dated 28 February 2004 No. 23).

192. 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).
193. 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”.
194. In accordance to Article 19 of the Land Code, the land right users may:
- (i) 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)
  - (ii) lease the land plot;
  - (iii) establish private (based on consent) servitude to a land plot; (In edition dated 1 August 2012 No. 891)
  - (iv) mortgage the right to a land plot;
  - (v) 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.

### **6.3 IFI Requirements**

#### **EBRD PR5 Land Acquisition, Involuntary Resettlement and Economic Displacement**

195. EBRD's Environmental and Social Policy 2014 (ESP 2014) will apply to this Project, and the main requirements pertaining to land acquisition and displacement, 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 designs; where displacement is unavoidable, appropriate compensation, resettlement and livelihood restoration action plans shall be developed by a suitably qualified specialist;
  - to mitigate adverse social and economic impacts from land acquisition or restrictions on affected persons' use of and access to land, physical assets or natural resources by:
    - providing compensation for loss of assets at replacement cost, prior to taking possession of acquired assets; and
    - ensuring that compensation 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 a minimum, restore the livelihoods and standards of living of the affected people, including those who have no legally recognisable rights or claims to the land, to pre-project levels and support them during the transition period;
  - to make special provisions for assisting disadvantaged or vulnerable individuals or groups (who are present in the project affected area at the time of the cut-off date during the future census survey) that may be more adversely affected by project impacts 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.
  - The future LARP will confirm the entitlements of affected persons or communities and will ensure that these are provided in a transparent, consistent, and equitable manner. The client should document the procedures for paying compensation at the LARP implementation stage.
  - The Project should summarise the land acquisition-related information for public disclosure to ensure that affected people understand the compensation procedures and know what to expect at the various stages of the Project (for example, when an offer will be made to them, how long they will have to respond, grievance procedures, legal procedures to be followed if negotiations fail).
  - The Project should set up a Project-level grievance procedure to deal with concerns about compensation and livelihood restoration.

The above list is a summary of the main EBRD PR 5 requirements, more information can be found on the EBRD website using the link below<sup>24</sup>.

### **ADB SPS 2009 Involuntary Resettlement Safeguards**

196. The three important elements of ADB's involuntary resettlement policy are (i) compensation to replace lost assets, livelihood, and income; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it. For any ADB operation requiring involuntary resettlement, planning is an integral part of project design, to be dealt with from the earliest stages of the project cycle, taking into account 12 key policy principles for involuntary resettlement.<sup>25</sup>
197. ADB SPS 2009 distinguishes three categories of displaced persons, with variable compensation needs:
  - (i) **Legal DPs:** DPs with formal legal rights to land lost in its entirety or in part;
  - (ii) **Legalizable DPs:** DPs without formal legal rights to land lost in its entirety or part but who have claims to such lands that are recognized or are recognizable under national law and;
  - (iii) **Non-legal DPs:** DPs who have neither formal legal rights nor recognized/recognizable claims to land lost in its entirety or in part.
198. For categories (i) and (ii) above, borrowers are expected to provide compensation at full replacement cost for lost land, structures, land improvements and relocation assistance. For DPs in category (iii) (informal settlers), the borrower/client is expected to compensate all assets other than land (i.e. buildings, trees, crops, businesses) at full replacement cost. The risk of opportunistic encroachment on land designated for acquisition by the project is managed through the declared 31 August 2018 cut-off date.
199. Compensation for lost land may be in the form of replacement land (preferred option if feasible) or in cash. When "land for land" compensation is not feasible cash compensation can be valued based on market rates or, in the absence of land markets, through other methods (i.e. land productivity or reproduction costs). Compensation is to be provided at "full replacement cost". This includes: (i) transaction costs; (ii) interest accrued; (iii) transitional and restoration costs;

<sup>24</sup> EBRD (2014) Performance Requirement 5 Land Acquisition and Involuntary Resettlement [Online] Available at: <https://www.ebrd.com/documents/environment/performance-requirement-5.pdf>

<sup>25</sup> ADB (2009) Safeguard Policy Statement [Online] Available at: <https://www.adb.org/sites/default/files/institutional-document/32056/safeguard-policy-statement-june2009.pdf>

and (iv) other applicable payments, if any. Compensation for all other assets is to be provided in cash at replacement cost without deductions for amortization, salvaged materials and transaction costs.

200. The following core involuntary resettlement principles were adopted for this Project:

- (i) land acquisition, and other involuntary resettlement impacts will be avoided or minimized by exploring all viable alternatives in the Project design;
- (ii) consultations with DPs on compensation, disclosure of resettlement information to DPs, and participation of DPs in the planning and implementation of rehabilitation measures will be ensured;
- (iii) vulnerable groups will be provided with a special assistance;
- (iv) payment of compensation to affected persons including non-titled persons (e.g., informal dwellers/squatters, and encroachers) for acquired assets (except for illegally used land) at replacement rates;
- (v) payment of compensation and resettlement assistance prior to the contractor taking physical possession of the land and prior to the commencement of any construction activities;
- (vi) provision of income restoration and rehabilitation; and
- (vii) establishment of appropriate grievance redress mechanism.

#### **OPEC Fund for international development (OFID)**

201. All of OFID's public sector operations are co-financed with the recipient government and frequently with other donors, including regional development banks, UN agencies and the bilateral and multilateral development agencies of OPEC Member Countries. This is in keeping with the Global Partnership for Effective Development Cooperation<sup>26</sup> and the four shared principles of development: ownership of development priorities by developing countries; a focus on results; inclusive partnerships; and transparency and accountability. To encourage sustainability, OFID's public sector operations also focus on capacity building and institution strengthening.<sup>27</sup>

#### **Asian Infrastructure Investment Bank (AIIB)**

202. AIIB's requirements related to land acquisition and resettlement can be found within their Environment and Social Framework<sup>28</sup>, Environmental and Social Standard 2: Involuntary Resettlement and can be summarised as follows:

- (i) Projects are screened to determine whether or not it involves Involuntary Resettlement (which covers both physical and economic displacement, as defined in ESS 2). Where it is not feasible to avoid Involuntary Resettlement, the Client is required to ensure that resettlement activities are conceived and executed as sustainable development programs, providing sufficient resources to enable the persons displaced by the Project to share in Project benefits.
- (ii) If the Project involves Involuntary Resettlement, the Bank requires the Client to prepare a resettlement plan or RPF (as applicable) that is proportional to the extent and degree of the impacts. The degree of impacts is determined by: (a) the scope of physical and economic displacement; and (b) the vulnerability of the affected people. The resettlement plan or RPF complements the broader coverage of social risks and impacts in the environmental and

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<sup>26</sup> OFID (2016) Effective Development Co-operation to help achieve the Sustainable Development Goals: What do development partners contribute? [Online] Available at: [https://effectivecooperation.org/wp-content/uploads/2016/10/OFID\\_Summary.pdf](https://effectivecooperation.org/wp-content/uploads/2016/10/OFID_Summary.pdf)

<sup>27</sup> OFID (2017) Annual Report, p52 [Online] Available at: [http://www.ofid.org/Portals/0/Publications/Annual%20Reports/AR\\_2017\\_English.pdf](http://www.ofid.org/Portals/0/Publications/Annual%20Reports/AR_2017_English.pdf)

<sup>28</sup> AIIB (2019) Environmental and Social Framework [Online], Available at: [https://www.aiib.org/en/policies-strategies/\\_download/environment-framework/Final-ESF-Mar-14-2019-Final-P.pdf](https://www.aiib.org/en/policies-strategies/_download/environment-framework/Final-ESF-Mar-14-2019-Final-P.pdf)

social assessment and provides specialized guidance to address the specific issues associated with Involuntary Resettlement, including land acquisition, changes in land use rights, displacement and need for livelihood restoration.

203. The Bank does not endorse illegal settlement; however, it recognizes that significant populations already inhabit both urban and rural land without title or recognized land rights in its countries of operation. Given this situation, the Bank requires the Client to ensure that displaced persons without title to land or any recognizable legal rights to land, are eligible for, and receive, resettlement assistance and compensation for loss of non-land assets, in accordance with cut-off dates established in the resettlement plan, and that they are included in the resettlement consultation process.

#### 6.4 Comparison of the Provisions under ADB SPS 2009, EBRD ESP and relevant PRs 2014 and National Legislation

Items	ADB SPS (2009) and ADB practice for application	EBRD ESP and PR5 2014	Tajikistan	Reconciliation
<b>1. Eligibility</b>	DPs with legal rights receive compensation for land-use rights and non-land assets	All DPs and communities (regardless of legal title) will be offered compensation for loss of assets at full replacement cost and other assistance. The measures can be based on land, resources, wages and/or business activities.	DPs with legal/registered land use rights are eligible for compensation \ rehabilitation.	Same in principle and application for ADB and Tajik legislation. EBRD provides compensation for all DPs. Follow EBRD PR5 requiring <u>all affected persons, households and businesses</u> to be eligible for compensation at full replacement cost and transition assistance.
	DPs with legalizable rights are entitled to compensation for land and non-land assets.	All DPs and communities (regardless of legal title) will be offered compensation for loss of assets at full replacement cost and other assistance. The measures can be based on land, resources, wages and/or business activities.	DPs with legalizable rights receive compensation for the land and non-land assets.	Same in principle and application for ADB and Tajik legislation. EBRD provides compensation for all DPs. Follow EBRD PR5 requiring <u>all affected persons, households and businesses</u> to be eligible for compensation at full replacement cost and transition assistance.
	DPs with no legal rights receive compensation for the assets/improvements	All DPs and communities (regardless of legal title) will be offered compensation for loss of assets at full replacement cost and other assistance. The measures can be based on land, resources, wages and/or business activities.	Informal land users (without right to use land) are not entitled to any compensation (for land or non-land assets)	Different in principle but same in application for non-land assets. Follow EBRD PR5 requiring <u>all affected persons, households and businesses</u> to be eligible for compensation at full replacement cost and transition assistance.
<b>2. Livelihood rehabilitation standards</b>	ADB Policy requires improvement in the standards for AP livelihood.	EBRD PR5 requires restoration, and potential improvement of living standards and/or livelihoods. Point 11 below covers improvement of living standards	No such a provision exists in the national law.	Different in policy from EBRD/ADB to national legislation. However, Government accepts EBRD PR5 and ADB SPS 2009 requirements and endorses them in the entitlement matrix on a project by project basis.

Items	ADB SPS (2009) and ADB practice for application	EBRD ESP and PR5 2014	Tajikistan	Reconciliation
3. Compensation	<b>A. Loss of land.</b> Replacement land as the preferred option of the compensation. If land is not available, cash compensation at full market cost.	<b>A. Loss of land.</b> Where displacement is land based, compensation will be land based.	<b>A. Permanent loss of land.</b> Replacement land but also cash compensation.	<b>A.</b> Same in principle. Application mechanisms temporarily reconciled for EBRD and ADB projects. Follow EBRD PR5 as the most stringent requirement.
	<b>B. Loss of structures.</b> Cash compensation for lost structures at full replacement cost irrespective of the legal status of land and free of depreciation, transaction costs and other deductions.	<b>B. Loss of structures.</b> Where land acquisition affects commercial structures, the affected business owner will be compensation for: <ul style="list-style-type: none"> <li>(i) the cost of re-establishing commercial activities elsewhere;</li> <li>(ii) lost net income during the period of transition; and</li> <li>(iii) the costs of the transfer and reinstallation of the plant, machinery or other equipment, as applicable.</li> </ul>	<b>B. Loss of structures.</b> Cash compensation for lost structures at market cost with depreciation or value of salvaged materials sometimes included in the calculation.	<b>B.</b> Same in principle and not in application. Application is reconciled in previous projects but not yet mainstreamed by a Decree for EBRD and ADB projects. Follow EBRD PR5 as the most stringent requirement.
	<b>C. Loss of the business.</b> Actual losses reimbursement plus business restart costs. Application based on tax declaration/similar documents for business stoppage period. Without tax declaration /similar documents, based on maximum non-taxable salary.	<b>C. Loss of the business:</b> Provide additional targeted assistance (for example, credit facilities, training or job opportunities) and opportunities to restore, and where possible improve, their income earning capacity, production levels and standards of living. In the case of businesses experiencing temporary losses or having to close as a result of project-related displacement, both the owner of the business and employees losing pay or employment are eligible for such assistance.  Provide transitional support to economically displaced persons, as necessary, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels and standards of living.	<b>C. Business Losses.</b> Compensation in cash at market value for legal businesses but the methodology is not specified. Non-registered businesses are not entitled to compensation.	<b>C.</b> Different in principle (non-legal businesses and in application (all businesses). Already reconciled for previous projects but mainstreamed reconciliation not formalized through a Decree for EBRD and ADB projects.



Items	ADB SPS (2009) and ADB practice for application	EBRD ESP and PR5 2014	Tajikistan	Reconciliation
	<b>D. Loss of trees.</b> Irrespective of legal land occupancy status compensation at market cost based for application on tree type/ wood volume for wood trees and based on income lost (x tree type x market value of 1 year income x years to grow the tree to a full production.	<b>Loss of Trees/crops (under economic displacement, paragraphs 36/37)</b> Provide replacement property (for example, agricultural or commercial sites) of equal or greater value, or cash compensation at full replacement cost where appropriate, to persons with legal rights or claims to land which are recognised or recognisable under the national laws.	<b>D. Loss of trees.</b> In general, private trees are not compensated although the wood cut is left to the DPs.	<b>D.</b> Different in principle and in application. Already reconciled in previous projects for the fruit-bearing trees only. Follow EBRD PR5 as the most stringent requirement.
	<b>E. Loss of crops.</b> Cash compensation at market price for the gross crop value of an expected harvest.	<ul style="list-style-type: none"> <li>provide assistance that will offset any loss of a community's commonly held resources. This could take the form of initiatives that enhance the productivity of the remaining resources to which the community has access, in-kind or cash compensation for loss of access or provision of access to alternative sources of the lost resource.</li> <li>compensate economically displaced persons who are without legally recognisable claims to land (see paragraph 18 (iii)) for lost assets (such as crops, irrigation infrastructure and other improvements made to the land) other than land, at full replacement cost. The client is not required to compensate or assist opportunistic settlers who encroach on the project area after the cut-off date.</li> </ul>	<b>E. Loss of crops.</b> Cash compensation at market price for all incurred land preparation activities and expected gross crop value	<b>E.</b> Same in principles and application. Follow EBRD PR5 as the most stringent requirement.
	<b>F. Loss of jobs.</b> Indemnity of lost income so as to ensure DP rehabilitation. Specific	<b>F. Loss of Jobs.</b> Provide additional targeted assistance (for example, credit facilities, training or job opportunities) and opportunities to restore, and where possible improve, their income	<b>F. Loss of jobs.</b> Severance pay provided by employer.	<b>F.</b> Different in principle and application already adjusted for previous projects.

Items	ADB SPS (2009) and ADB practice for application	EBRD ESP and PR5 2014	Tajikistan	Reconciliation
	arrangements to be agreed with borrowers for permanent impacts.	earning capacity, production levels and standards of living. In the case of businesses experiencing temporary losses or having to close as a result of project-related displacement, both the owner of the business and employees losing pay or employment are eligible for such assistance.		Follow EBRD PR5 as the most stringent requirement.
<b>4. Procedural mechanisms</b>	<b>A. Prior notification.</b> Timely notice on land acquisition needed.	<b>A. Prior notification.</b> From the earliest stages and through all resettlement activities the client will involve affected men and women, including host communities. This will facilitate their early and informed participation in decision-making processes related to resettlement, and in PR 10.	<b>A. Prior notification.</b> Written notification prior to withdrawal (acquisition) of land.	<b>A. Same.</b>
	<b>B. Information disclosure.</b> LAR documents should be disclosed in a timely manner and in a language accessible to local population.	<b>B. Information disclosure</b> The information in LARP will be summarized for public disclosure to ensure that affected people understand the compensation procedures and know what to expect at the various stages of the project.	<b>B. Information disclosure</b> LAR decisions to be published in national media in Russian and Tajik within 5 days from approval.	<b>B. Same in principle, different in application to ensure full LARP disclosure. Already reconciled for EBRD and ADB projects.</b>
	<b>C. Public consultation.</b> Meaningful public consultations are to be held with the DPs. DPs should be informed about their entitlements and options, as well as resettlement alternatives.	<b>C. Public consultation</b> will continue during the implementation, monitoring and evaluation of compensation payment and resettlement so as to achieve outcomes that are consistent with the objectives of PR5.	<b>C. Public consultation.</b> There are no requirements to inform directly the DPs about their entitlements and resettlement options as such.	<b>C. Different in principle and application. Already reconciled for EBRD and ADB projects.</b>
	<b>D. GRM</b> should be established for each project, and information on GRM should be communicated to DPs.	<b>D. GRM</b> An effective grievance mechanism to be established as early as possible in the process. It will be consistent with PR5 and	<b>D. GRM.</b> No project specific GRMs exists. Disagreements are resolved	<b>D. Different in principle and application. Reconciled for EBRD and ADB projects.</b>

Items	ADB SPS (2009) and ADB practice for application	EBRD ESP and PR5 2014	Tajikistan	Reconciliation
		with the objectives and principles of PR10 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. It will include a recourse mechanism designed to resolve disputes in an impartial manner.	through Hukumats' grievance mechanism or appeal to court.	
<b>5. Prior acquisition</b>	<b>A. Property</b> can be acquired only after full compensation is paid to the DPs	<b>A. Compensation</b> will be provided before displacement or imposition of access restrictions.	<b>A. Property</b> can be acquired only after full compensation is paid to the DPs.	<b>A.</b> Same in principle and application.
<b>6. Resettlement planning, assessment and valuation of project impacts</b>	<p><b>A. LARP Preparation:</b> includes compensation entitlements, income/livelihood restoration strategy, monitoring plan, budget and implementation schedule, based on sound impact/valuation surveys as detailed below.</p> <ul style="list-style-type: none"> <li>i. Detailed measurement survey (DMS). Measures quantitatively impacts for each affected property.</li> <li>ii. DP census (including review of legal status). Identifies all DPs and establishes a list of legitimate beneficiaries.</li> </ul>	<p><b>A. LARP Preparation.</b> The LARP will establish the entitlements of affected persons and communities and will ensure that these are provided in a transparent, consistent and equitable manner.</p> <ul style="list-style-type: none"> <li>i. A detailed census will take an inventory of the affected land and property.</li> <li>ii. The client will carry out a detailed census to: identify persons who will be displaced by the project; determine who will be eligible for compensation and assistance; and (take inventory of affected land and property.</li> </ul>	<p><b>A. LARP Preparation:</b> No requirement to prepare LARP or pursue measures to restore the livelihoods of DPs to pre-project level. A series of activities similar to those mandated by the SPS are however required as follows:</p> <ul style="list-style-type: none"> <li>i. DMS. Measures all impacts in quantitative terms.</li> <li>ii. DP census: DP Identification. Identifies all DPs by residence or locality and establishes a list of legitimate beneficiaries based on land title and house ownership status.</li> </ul>	<p><b>A.</b> Different in principle and application. Already reconciled for ADB projects through technical instructions.</p> <ul style="list-style-type: none"> <li>i. Same in principle and application. Valuation mechanisms need to be updated.</li> <li>ii. Same in principle and application.</li> </ul>

Items	ADB SPS (2009) and ADB practice for application	EBRD ESP and PR5 2014	Tajikistan	Reconciliation
	<p>iii. Socio-economic survey. Includes information on DP's disaggregated by age, sex, family size, education, occupation, income source.</p> <p>iv. <b>Valuation survey</b></p> <p>a) Land: If land market exists, valuation is based on a survey of recent land transactions. In absence of land market info, valuation is based on land productivity and income.</p> <p>b) Buildings replacement cost of materials, labour and transport and special features of the building/structure without discounting for depreciation, salvaged materials and transaction costs.</p> <p>c) Trees/crops. Based on the set methodology.</p> <p>v. <b>Monitoring &amp; Evaluation:</b> M&amp;E depends on the project category, external for Category A and internal for Category B projects.</p>	<p>iii. Socio economic survey to be undertaken including impacts related to land acquisition and restrictions on land use on impacted people. The assessment will identify impacts within a project's social context and the needs and rights of the affected people and develop appropriate actions to minimise and mitigate resettlement impacts.</p> <p>iv. The valuation method for determining replacement cost should be documented in respective Resettlement and/or Livelihood Restoration plans. Where land markets are still in a formative stage, clients should seek valuation by external independent professional valuation experts (or if there are no professional valuation experts, other professionals with relevant expertise acceptable to the EBRD and the client).</p> <p>v. <b>Monitoring &amp; Evaluation:</b> M&amp;E depends on the scale of the resettlement – external M&amp;E may be required for large scale resettlement.</p>	<p>iii. Socio-economic survey. No comparable requirements exist</p> <p>iv. <b>Valuation survey.</b></p> <p>a) Land: Mechanisms for land valuation to be defined.</p> <p>b) Buildings/structures: Market value of materials, labour and transport and special building features but discounted for depreciation, salvage materials, and transaction costs.</p> <p>c) Trees/crops. Based on the set methodology.</p> <p>v. <b>Monitoring &amp; Evaluation:</b> No M&amp;E requirements in national legislation.</p>	<p>iii. Different in principle and application but already reconciled for EBRD and ADB projects.</p> <p>iv. Different.</p> <p>a) Application and valuation method to be developed and mainstreamed.</p> <p>b) Different in application. Application already reconciled for previous EBRD and ADB projects.</p> <p>c) Same in principle, but different in application. Already reconciled for previous EBRD and ADB projects.</p> <p>v. <b>Monitoring &amp; Evaluation:</b> Different in policy but reconciled once LARP is endorsed for EBRD and ADB projects.</p>

Items	ADB SPS (2009) and ADB practice for application	EBRD ESP and PR5 2014	Tajikistan	Reconciliation
<b>7. Special assistance to vulnerable severely affected and relocating DPs</b>	<b>A. Vulnerable DPs</b> should be identified and special assistance should be provided to them so as to help their restoration or improvement of pre-project level of livelihoods	<b>A. Vulnerable DPs</b> Additional requirements apply to consultations which involve individuals belonging to vulnerable groups. These groups should be identified through the process of environmental and social assessment (as outlined in PR 1).	<b>A. Vulnerable DPs:</b> No special consideration is required for vulnerable DPs; no distinction is made between DPs when deciding on the compensation or rehabilitation package.	<b>A.</b> Different in principle and application. For EBRD and ADB projects reconciled by endorsing the entitlement matrix and the LARP.
	<b>B. Resettlement assistance.</b> DPs to be resettled receive relocation assistance covering transport and transitional period livelihood costs.	<b>B. Resettlement assistance.</b> Necessary actions to be taken to ensure that vulnerable groups are not disadvantaged in the resettlement process, are fully informed and aware of their rights, and are able to benefit equally from the resettlement opportunities and benefits.	<b>B. Resettlement assistance</b> No special consideration is required for resettled DPs. However, the package depends on Government's decision regarding transitional period allowance.	<b>B.</b> Different in principle and application. For EBRD & ADB projects reconciled by endorsing the entitlement matrix and the LARP.
<b>8. Cut-off date</b>	A cut-off date will be established by the host government procedures. In the absence of such procedures, the borrower/client will establish a cut-off date for eligibility. Information regarding the cutoff date will be documented and disseminated throughout the project area.	In the absence of national government procedures, the client will establish the cut-off date for eligibility for compensation and assistance. Using the date of the census or baseline assessment is often most practical.  Persons who move into the project affected area after the cut-off date will not be eligible for compensation and other types of assistance.  Information regarding the cut-off date will be well- documented and disseminated throughout the project area.	This is not directly regulated by regulatory legal acts.  It should be noted that the legislation of the Republic of Tajikistan does not provide compensation for losses to persons who do not have registered rights.  As regards registered rights, all of these will be compensated for loss on the basis of the signed act before the date of the decision to withdraw the land.	The cut-off date for the project was 31 August 2018.

Items	ADB SPS (2009) and ADB practice for application	EBRD ESP and PR5 2014	Tajikistan	Reconciliation
<b>9. Joint Property</b>	During the identification of the impacts of resettlement and resettlement planning, and implementation, the borrower/client will pay adequate attention to gender concerns, including specific measures addressing the need of female headed households, gender-inclusive consultation, information disclosure, and grievance mechanisms, to ensure that both men and women receive adequate and appropriate compensation for their lost property and resettlement assistance, if required, as well as assistance to restore and improve their incomes and living standards.	Ensure that the documentation for ownership or occupancy and compensation is issued in the names of both spouses or single head of households, whichever is relevant to each situation, and that other resettlement assistance, such as skills training, access to credit and job opportunities are equally available to women and adapted to their needs.  Alternative methods and/or modalities for compensation should be considered where women are less likely to have access to formal financial institutions and/or have bank accounts.	The Civil Code and the Family Code of the Republic of Tajikistan regulate the equal rights of spouses to joint ownership. A document of ownership acquired during marriage can be issued in the name of either spouse, while both spouses retain equal rights to joint ownership and to compensation from losses of joint ownership.  As regards resettlement assistance, such as training, etc. then the legislation of the Republic of Tajikistan does not provide for such assistance in the seizure of land for state or public needs.	Gender equality in terms of equal rights of ownership and compensation is the same in principle.  Resettlement assistance is different in principle and application. For EBRD & ADB projects reconciled by endorsing the LARP and entitlement matrix
<b>10. Improvement of living conditions through provision of adequate housing / shelter with security of tenure</b>	Ensure that livelihoods and standards of living of displaced persons are improved, or at least restored to pre-project (physical and/or economic) levels and that the standards of living of the displaced poor and other vulnerable groups are improved, not merely restored, by providing adequate housing, security of land tenure and steady income and livelihood sources.  If there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities,	Improve living conditions by providing adequate housing which is measured by quality, safety, affordability, habitability, cultural appropriateness, accessibility and locational characteristics. Adequate housing should allow access to employment options, markets and basic infrastructure and services (water, electricity, sanitation, health care and education).  New resettlement sites built for displaced persons will offer, at a minimum, pre-displacement living conditions and where achievable, sustainable and cost-effective opportunities to improve the standard of living.	No special consideration is required for displaced persons and host communities.	Application already reconciled for previous EBRD and ADB projects.

Items	ADB SPS (2009) and ADB practice for application	EBRD ESP and PR5 2014	Tajikistan	Reconciliation
		Security of tenure exists if resettled persons are protected from forced evictions, to the greatest extent possible.		
<b>11. Legal Assistance</b>	The grievance mechanism addresses affected people's concerns and complaints promptly, using an understandable and transparent process that is gender responsive, culturally appropriate, and readily accessible to all segments of the affected people at no costs and without retribution.	Displaced persons should be provided with legal assistance to help them complete administrative requirements prior to land acquisition and, if needed, to seek redress from the courts.	It is not foreseen by normative legal acts of the Republic of Tajikistan	Different in principle and application. For EBRD & ADB projects reconciled by endorsing the LARP, entitlement matrix and SEP.
<b>12. Impacts on host communities</b>	Provide physically and economically displaced persons with needed assistance to ensure integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; provide transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and civic infrastructure and community services, as required.	Identify and assess potential adverse impacts of the resettlement process on host communities and include mitigation measures agreed with the host community in the LARP.	It is not foreseen in case of seizure of land for state and public needs.	Different in principle and application. For EBRD & ADB projects reconciled by endorsing the LARP and entitlement matrix.
<b>13. Loss of public amenities</b>	Restore and/or rehabilitate community and other public properties affected by the project.	To mitigate loss of public amenities, undertake meaningful consultation with the locally affected community to identify and agree upon a suitable alternative where possible.	It is foreseen only losses of land users associated with the work of hydraulic structures, the road network, the work of anti-erosion and anti-mudflow structures (systems) of water sources. In such a case, the amount of losses caused shall be determined in accordance with the established	Same in principle. In relation to application, for EBRD & ADB projects reconciled by endorsing the LARP and SEP.

Items	ADB SPS (2009) and ADB practice for application	EBRD ESP and PR5 2014	Tajikistan	Reconciliation
			procedure or the construction of new facilities or repair of existing facilities shall be established as a result of these facilities.	



## 6.4 Project-Specific Entitlements

204. All DPs 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 DPs 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.).

### Land

205. 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.
  - 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).
- **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 or 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 12 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

206. All DPs, 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 3 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.

## Crops and Trees

- **Crops:** Compensation to all DPs 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.
- **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 DP will keep wood from the cut tree. The decorative trees will be replanted during the project implementation.

## Businesses

- **Permanently lost business:** Compensation equal to up 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 Tajikistan average monthly wage multiplied by the number of months needed to restore the business (up to 12).
- **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 Tajikistan average monthly wage by the number of months since the operation was disrupted (less than 12).
- **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, Tajikistan average monthly wage multiplies by three. No employment was lost as part of Section 2 of the Project.

## Relocation, Transition and Severity/Livelihood Rehabilitation Allowances

- **Transportation allowance** for the cost of labour and vehicle rent to transport the households /and business belongings to a new location;
- **Communal and site preparation cost** for the alternative land plot (including connection to power grid, water supply system, installation of a latrine);
- DPs who lose more than 10% of their income or DPs 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 average wage, whichever is higher.

207. 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

208. Tajikistan's legislation does not make a distinction between vulnerable and other categories of DPs when deciding on compensation for affected assets. Also, there is no special consideration given under Tajikistan's laws and regulations to vulnerable DPs (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. Currently, if a household needs to be registered as poor, the family members need to do the following:

- (i) visit the Jamoat's social protection officer;
- (ii) submit passports and other personal documents for each family members;
- (iii) submit official documents on income for every family member;
- (iv) submit information about land used;

- (v) information on husbandry;
- (vi) complete all necessary assessment forms provided by Hukumat;
- (vii) the completed forms are forwarded to Hukumat;
- (viii) decision is made in Hukumat based on points for each parameter considered

209. The household considered as poor will receive a financial help of TJS 100 on a quarterly basis.
210. During the socioeconomic study in the Project area, the local authorities reported that the Government provision to the poor amounts to 35 TJS per quarter given to households registered by the Hukumat departments as poor; 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 Tajikistan average monthly wage multiplied by three. In addition, (those that fulfil the government requirements to be registered as poor), 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.
211. In total, there are 42 AHs (518 DPs) which are vulnerable. The largest vulnerable group are households with more than five dependent children. There are 30 such households with 435 persons. One single-women-headed households with 9 DPs will receive twice the vulnerability allowance; one for being a single woman-head of household and one for having more than 5 dependent children. There are five households with a disabled family member. One of these is also a poor household whilst another is a single woman headed household, both households will receive two vulnerability allowances (Table 2-14).

### Temporary Impacts

212. In case of temporary land acquisition, compensation shall be based on local commercial rental rates for the duration of use. The land shall be restored by the construction contractor(s) to its original status at the end of the rental period.
213. 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. All the necessary conditions related to unanticipated impact during the construction will be included in the civil work contract with the Contractor.
214. The following Project-specific Entitlement Matrix details the entitlements agreed for this Project:

**Table 6-1: Project-specific Entitlement Matrix**

No	Type of Impact	Category of Displaced Person	Compensation Entitlements
<b>Permanent Loss</b>			
1	Permanent loss of agricultural land (all losses irrespective of severity)	Individual land-use rights holders	<ul style="list-style-type: none"> <li>Cash allowance for loss of land use rights equal to net income in the last 5 years generated from the affected land area, at market rate, at the time of taking;</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>Provision of alternative land plot of equal value/productivity to the lost plot. If the remaining portion of the plot to be</li> </ul>

No	Type of Impact	Category of Displaced Person	Compensation Entitlements
			taken is too small to use, the whole plot is compensated or exchanged.
		Collective land-use rights holders	<ul style="list-style-type: none"> <li>Cash allowance for loss of land use rights equal to net income for the last 5 years generated from the affected land area at market rate at time of revocation;</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>Provision of alternative land plot of equal value/productivity to the lost plot. If the remaining part of the plot to be taken is too small to use, the whole plot is compensated or exchanged.</li> <li>Agriculture leaseholders will be compensated for 1 year of lost crops from the affected area and will be allowed to harvest any usable crops prior to land take.</li> </ul>
		Renters and leaseholders	<ul style="list-style-type: none"> <li>Rental allowance in accordance with the conditions of the rent agreement, but not less than the cost of rent for 3 months;</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>Continuation of rental agreement on alternative land plot and three months advance notification of the leaseholder to move. Support in search for alternative land plots including assistance for legal costs and transportation for moving to new location;</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>Cash allowance for the lost income equivalent to 1 year of average crop productivity.</li> </ul>
		Informal (if any) <sup>29</sup>	<ul style="list-style-type: none"> <li>Provision of opportunity to lease a plot on state land; and</li> <li>Relocation allowances; and</li> <li>Cash compensation for loss of assets (crops, irrigation infrastructure and other upgrades on the land) at replacement value.</li> </ul>

<sup>29</sup>Landless DPs without rights to use land, living on income from the informally used land plot. DPs owning land adjacent to the informally used parcel will be compensated for losses from the informally used part as per the entitlement matrix.

No	Type of Impact	Category of Displaced Person	Compensation Entitlements
2	Permanent loss of residential and commercial land	Owners	<ul style="list-style-type: none"> <li>Cash allowance for loss of land use rights in cash equal to current annual land lease rates at the time of acquisition multiplied by 25;</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>Provision of alternative land plot of equal value/productivity (similar conditions and facilities) to plot lost). If the residual portion of the plot to be taken is too small to use, the whole plot is compensated or exchanged.</li> </ul>
		Renters	<ul style="list-style-type: none"> <li>Three months advance notification of the leaseholder to move; and</li> <li>Rental allowance in accordance with the conditions of the rental agreement, but no less than the cost of rent for 3 months; and</li> <li>Support in search for alternative land plots including assistance for legal costs and transportation for moving to new location;</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>Continuation of the rental agreement on an alternative land plot; and</li> <li>Relocation assistance.</li> </ul>
		Informal (if any)	<ul style="list-style-type: none"> <li>Provision of opportunity to lease a plot on state land; and</li> <li>Relocation assistance; and</li> <li>Cash compensation for loss of assets (irrigation infrastructure and other upgrades on the land) at replacement value. No compensation for land will be paid.</li> </ul>
3	Permanent loss of non-residential structures (main business structures, auxiliary business structures, fences, sheds, etc.) and infrastructure - Business no longer profitable and viable at location	Owners of structures including "informal" and encroaching	<ul style="list-style-type: none"> <li>Cash compensation at full replacement cost for affected structure/other fixed assets (without deduction of depreciation, taxes, costs for salvageable materials and other transaction costs). All buildings and structures will be compensated in their entirety; and</li> <li>Payment for movable property or relocation assistance;</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>If requested by the DP, and if feasible, a building for building/structure for</li> </ul>

No	Type of Impact	Category of Displaced Person	Compensation Entitlements
			structure exchange of equal or better characteristics; and <ul style="list-style-type: none"> <li>• Payment for movable property or relocation assistance</li> </ul>
		Renters	<ul style="list-style-type: none"> <li>• Three months advance notification of the leaseholder to move; and</li> <li>• Rental allowance in accordance with the conditions of the rental agreement, but not less than cost of rent for 3 months; and</li> <li>• Support in search for affordable properties including assistance for legal costs and transportation for moving to new location</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>• Continuation of the rental agreement for an alternative building/structure; and</li> <li>• Payment for movable property or relocation assistance</li> </ul>
4	Loss of Annual and Perennial Crops	All DPs, including “informal” and encroaching	<ul style="list-style-type: none"> <li>• Cash compensation equal to gross income generated on the affected land area for 1 year at market rate at time of revocation. Right to harvest any remaining crops prior to Contractor’s entry into land plot.</li> </ul>
5	Trees/ Orchards	All DPs, including “informal” and encroaching	<ul style="list-style-type: none"> <li>• Compensation reflecting income replacement.</li> <li>• Cash compensation for productive trees based on the net market value of 1 year of income multiplied by the number of years needed to grow a tree to a similar level of productivity, plus purchase of saplings and starting materials, while the cut trees remain with their owner. 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; and</li> </ul> <p>Right to pick fruits, vegetables, etc. prior to Contractor’s entry into land plot.</p>
6.	Permanent and/or temporary loss of		<ul style="list-style-type: none"> <li>• Owners of shops / commercial establishments:</li> </ul>

No	Type of Impact	Category of Displaced Person	Compensation Entitlements
	working place and/or sources of livelihood (economic displacement)	All DPs (including workers of affected businesses)	<ul style="list-style-type: none"> <li>• In case of permanent loss, compensation equal to one year's net income (lost profits) plus cost of lost certificates/licenses/ patents. The income is based on the official tax declaration, or (if tax declaration is unavailable) it is accepted as the official monthly average wage<sup>30</sup> multiplied by 12.</li> <li>• In case of the temporary loss of a business, compensation equal to the net income for the period of disruption (&lt;1 year). The income is based on the tax declaration, or it is calculated based on Tajikistan average monthly wage multiplied by the number of months since the operation was disrupted (less than 12 months).</li> </ul>
			<ul style="list-style-type: none"> <li>• Workers indemnity for lost wages equal to 3 months' income; and</li> <li>• Assistance in restoring livelihoods such as <ul style="list-style-type: none"> <li>• Provision of professional training;</li> <li>• Support in finding alternative employment;</li> <li>• Access to micro finance.</li> </ul> </li> <li>• For temporary loss of employment, indemnity for lost wages for the duration of impact if less than 3 months.</li> </ul>
7.	Permanent loss of residential structures – physical displacement	Physically displaced households regardless of type of impact	<ul style="list-style-type: none"> <li>• Cash compensation at full replacement cost (without deduction of depreciation, taxes, costs for materials suitable for disposal and other transaction costs). All buildings and structures will be compensated in their entirety, including auxiliary structures (sheds, garages, summer kitchens, etc.); and</li> <li>• Payment for movable property or relocation assistance <ul style="list-style-type: none"> <li>• OR</li> </ul> </li> <li>• Provision of replacement residential structure of similar or better value</li> </ul>

<sup>30</sup> Tajikistan average monthly wage for Dec 2018 is 1,455.10 TJS/month and reported within macroeconomic indicators by the Agency on Statistics under President of the Republic of Tajikistan. Available via: <http://stat.tj/en/macroeconomic-indicators/> and <http://www.tradingeconomics.com/tajikistan/wages>

No	Type of Impact	Category of Displaced Person	Compensation Entitlements
			<p>including costs associated with registration and tax payments; and</p> <ul style="list-style-type: none"> <li>• Payment for movable property or relocation assistance; and</li> <li>• Communal and site preparation cost for the alternative residential structure (including connection to power grid, water supply system, installation of latrine etc.).</li> </ul>
8	Severely affected households	DPs losing more than 10% of agricultural land/ income resources, DPs needed to physically relocate due to loss of home or business.	<ul style="list-style-type: none"> <li>• In addition to entitlement under Item 1, 2, 3 or 7, severity/livelihood rehabilitation allowance in the form of cash compensation equal to Tajikistan average monthly wage for 3 months per household.</li> </ul>
9.	Vulnerable households	DPs receiving government assistance for poor, single women-headed HH below poverty line, elderly households, households with no means of living, households headed by disabled person or other HH members.	<ul style="list-style-type: none"> <li>• Allowance equivalent to Tajikistan average monthly wage for 3 months per household;</li> <li>• Enrolment in Government social assistance, if not yet enrolled;</li> <li>• Priority in project-related employment for members of vulnerable households (if at legal working age).</li> </ul>
10.	Public / common assets	Community	<ul style="list-style-type: none"> <li>• Rehabilitation/substitution in kind or in cash at replacement cost of affected items and rehabilitation of their functions.</li> <li>• Alternative service supplied, if cut off temporarily.</li> </ul>
<b>Temporary Loss</b>			
11.	Temporary impacts (loss of access or temporary land take for construction purposes)	All relevant DPs	<ul style="list-style-type: none"> <li>• The Contractor will be required to set up and maintain appropriate access. In case this is not possible, appropriate compensation shall be determined on a case-by-case basis in accordance with the principles and objectives of this LARP.</li> <li>• The Contractor should give priority to vacant lands not used for agricultural /residential purposes. In case this is not feasible, the payment for rented land</li> </ul>



No	Type of Impact	Category of Displaced Person	Compensation Entitlements
			during construction will be based on the market price under negotiated agreement between the DP and Contractor. After discontinuation of land use, the Contractor must restore land to the original status, or as per the agreement with the land rights holder <sup>31</sup> .
<b>Unanticipated impacts</b>			
12.	Other unanticipated assets loss or impact on livelihood	All DPs residing in the project corridor before the cut-off date of 31 August 2018.	<ul style="list-style-type: none"> <li>Any undefined impact shall be mitigated in accordance with the principles and objectives of this LARP. In case of discrepancies between national law and EBRD Policy in a particular case, the provision more favourable for the affected owner/user shall prevail.</li> </ul>

215. It should be noted that the original LARP only covered the proposed new road alignment; and not the village access roads from existing settlements that will require connection to the new road alignment or temporary land take for haulage/construction routes, construction laydown areas and camps, temporary storage of excavated materials/soil, etc.
216. A preliminary assessment of the village access road routes was conducted in August 2019, and the results of this have been appended to the LARP as Annex 11. The data for numbers of affected households, etc. in the main LARP relate only to the main alignment, with the access roads data in Annex 11. However, the compensation processes and frameworks described in the main documents will be applied across all elements. Refinements to the assessments will be made using the same survey methodology as the original LARP by the MOT, as detailed designs are finalised by ADB Consultants. This will include consultation with affected persons will be conducted throughout the Project. The LARP will be updated to accommodate this information where necessary.
217. The LARP does not currently consider land acquisition and resettlement associated with construction access roads, construction laydown areas and camps, temporary storage of excavated materials / soil, etc, as the designs for these have not yet been finalised. Once these designs have been finalised by ADB Consultants, assessments of potential resettlement impacts associated with the temporary land take will be conducted in accordance with the EBRD ESP 2014, using the same survey methodology as the original LARP by the MOT. All DPs will be compensated and provided with resettlement assistance based on entitlements matrix in the LARP. The LARP will be updated to accommodate this information where necessary.
218. Information and details regarding temporary land take were not known at the time of developing this LARP. Additional DPs (including informal users, if any) along the access roads and future construction land take areas will be identified, consulted and surveyed using the same survey methodology as described in this LARP during the project preparation phase (prior to

<sup>31</sup> In the case that the Contractor and Land-use rights holder both agree in writing to leave the land area in a state precisely described in the agreement.

construction), and will be included in the updated LARP. All DPs will be compensated and provided with resettlement assistance based on entitlements matrix (Table E-2) in the LARP.

## **6.5 Income Restoration and Relocation Strategy**

219. A total of eight residential buildings belonging to eight AHs will lose their homes, and four businesses including a petrol/gas station, sawmill, non-operating kiosk and a commercial land owner will receive compensation based on the replacement cost for affected business buildings/structures and severe impact allowances.
220. The DPs were informed that they will have at least 3 months to build a new home. They will need to rent a home in the village for the duration of this period. The AHs will receive monetary compensation for the loss of their land-use-right, house and supporting buildings and structures, calculated at replacement cost, inclusive of all administrative costs such as the cost of a technical passport for buildings, land use right certificate for the remaining area, transport for their households' belongings and any other related costs. In addition, the displaced household will receive a severity and vulnerability (where applicable) livelihood rehabilitation allowance equal to Tajikistan average monthly wage for 3 months.
221. To restore their livelihood, the owners of the business buildings to be demolished, will receive compensation for loss of land use right, loss of buildings and structures at replacement cost as per the entitlement matrix, a severity/livelihood rehabilitation allowance equal to Tajikistan average monthly wage for 3 months and a transport allowance for the stocks. All operating business owners/operators will receive cash compensation for loss of business for 3-12 months. The non-operating kiosk and the commercial land owner will receive a cash compensation for 3 months for loss of business, while the petrol/gas station and sawmill will receive a cash compensation for 12 months for loss of business. All will receive a severity/livelihood rehabilitation allowance equal to Tajikistan average monthly wage for 3 months.
222. The DPs with affected agricultural land, owners and renters, will receive cash compensation as per the agreed entitlements for this Project.

## **7 INSTITUTIONAL ARRANGEMENTS**

### **7.1 General**

223. The planning, preparation and implementation of the LARP for Section 2 of the Project 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.
224. Various State Agencies and Institutions are responsible for different functions in the LAR processing and implementation. The Land Code stipulates that the decision for LAR for state and public needs is made by the local state authority (district authority) or, for major infrastructure projects, the decision on LAR may be approved by the Government. More specifically, the Prime Minister Office, which is inter alia in charge of construction/infrastructure projects, endorses LAR related decisions, including compensation packages.

### **7.2 Core Agencies and Organizations**

#### **European Bank for Reconstruction and Development**

225. The European Bank for Reconstruction and Development (EBRD) will be the funding agency for Section 2 of the Project. In addition to funding, the EBRD will periodically review the Project and LARP implementation as well as provide clearance for contract awards and the signing/initiation of civil works on the Project. The main responsibilities of the EBRD are: guidance for LARP preparation, approval and disclosure of the LARP and issuance of a no objection letter for the beginning of the construction works.

#### **The Ministry of Transport /PIURR**

226. 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 LAR 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:
- (i) appraise and approve the LARP after upon EBRD's approval;
  - (ii) make decisions related to the land acquisition and compensation of affected people;
  - (iii) steer government units as well as local authorities involved in land acquisition, plot allocation and complaint handling / grievance resolution;
  - (iv) ensure availability of sufficient budget for compensation, support and resettlement activities;
  - (v) ensure compliance of land acquisition and resettlement activities with the approved LARP;
  - (vi) ensure engagement of experts / consultants to assist in verification / finalization of LARP as well as implementation of LARP monitoring/evaluation activities;
  - (vii) ensure cross agency coordination and liaison with relevant state agencies involved in implementation of all LAR tasks;
  - (viii) make high level decisions, including resolving DPs' grievances and facilitating court processes.
  - (ix) responsible for establishing the grievance redress committee.

#### **The Project Implementation Unit for Road Rehabilitation (PIURR)**

227. The MOT has the Project Implementation Unit for Road Rehabilitation (PIURR) which is the Implementing Agency. The PIURR will, during the duration of the Project, ensure the operation of the project implementation unit and adequate resources and skilled personnel. The PIURR employs staff with extensive experience in managing EBRD Projects including a full time designated safeguards specialist who, with assistance from other designated officials as necessary, will be managing the implementation of the LARP, including co-ordination of the

work of all involved agencies. The PIURR Social Safeguard Specialist is responsible directly to the PIURR Director. The PIURR Social Safeguards Specialist is responsible for:

- (i) cross-agency coordination and cooperation
- (ii) liaison between the resettlement specialists of the Supervision Consultant, other relevant organizations, agencies and government authorities and EBRD with respect to LAR tasks
- (iii) verification of the list of DPs based on the final design;
- (iv) updating a database of DPs and impacts based on the verification results;
- (v) maintaining regular coordination and communication with relevant state agencies;
- (vi) following up and providing support during notification of DPs on upcoming land/property acquisition;
- (vii) providing support during verification of the DP census and socioeconomic survey data, and valuation of the land and other assets to be acquired;
- (viii) preparing documents for negotiation of compensation with the DPs;
- (ix) preparing documents for formalizing agreements with DPs, processing of compensation payments, following up with registration of land / property titles;
- (x) conducting regular consultations and exchange of information with DPs on the implementation of the LARP;
- (xi) disclosing the LARP and the information brochures;
- (xii) reviewing and issuing the LARP to EBRD for review;
- (xiii) planning and managing LARP implementation and the distribution of compensation;
- (xiv) following up with expropriation cases;
- (xv) 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;
- (xvi) ensuring proper internal monitoring;
- (xvii) monitoring/supervising the temporary land acquisition carried out by contractor(s) engaged for the project;
- (xviii) preparing regular reports on the progress of LARP related activities.

### **The Ministry of Finance**

228. The Ministry of Finance (MoF) has the overall financial responsibility for the Project. The LARP 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 EA and transfers funds to the EA for compensation based on the supporting documents, i.e. endorsed LAR related documents. However, EAs/projects usually face problems getting funds allocated for LAR mid-year because the budget does not have any assigned funding for LAR even if the project is included in strategic documents.

### **Ministry of Agriculture**

229. The Ministry of Agriculture has the responsibility, together with the local authorities, to provide the data on cropping patterns in the Project area, productivity of lands and other data relevant for calculation of compensation for loss of right to use land, fruit trees yield and other affected crops.

### **State Committee for Land management and Geodesy (SCLMG):**

230. During the impact assessment, when land user data is concerned, land specialists from SCLMG subdivisions at district and Jamoat levels provide information on ownership/use rights and propose the replacement land plot for DPs. The central office of the CLMG, through its subdivisions like “*Markaz Zamin*” or “*Fazo*”, 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 LARP preparation and implementation phases, the agency will provide the following services:
- (i) 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;
  - (ii) participate in the technical inventory of the immovable property and assist in preparation of the ownership certificates for the remaining immovable assets;
  - (iii) enable objective valuation of affected immovable assets by providing information necessary for the valuation.

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

231. 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 LARP preparation, the valuers of the SUE ‘Narkhguzori’ will evaluate all state-owned assets, value project affected residential, commercial or industrial buildings (and the functional land plot associated with the structures).

### **District Authorities**

232. District level authorities are responsible for general LAR cases. The district authorities base their review and decisions for LAR on planning documents and other designs, as well as approved feasibility studies. District authorities should work closely with the client’s valuation/assessment teams who prepare the documents necessary for LAR. These documents include the impact details for DPs, the unit cost per type of impact and a list of DPs for compensation. The district office representative of the Ministry of Agriculture values the loss of crops and fruit trees, the district office representative of the Committee on Environment Protection values wood trees, the district 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 require a special valuation license; therefore, this task is contracted out to SUE “*Narkhguzori*”. The impact assessment should be verified/signed and stamped by relevant district level agencies (chief architect, head of agriculture department, head of land management committee, MBTI etc.) Based on the list of DPs the district level authorities prepare a request letter for compensation payment and send it to the EA for further action.

### **The Local Executive Government Districts (Hukumats)**

233. The District (Hukumat) is the local administrative body, established in all cities and districts. It is under the district level and above the Jamoat level. The Hukumat is led by a chairperson who has a wide range of responsibilities and authorities including land management, housing and infrastructure, social security, law and order, healthcare and production. The planning and implementation of any LAR activities related to land and assets is done through districts’

authorities (Hukumat). This is the local administration that has a direct link with the people through sub-districts '*Jamoats*' and heads of communities. In relation to land and immovable property administration, the Hukumat assists the concerned departments in resolving issues such as allocation of land use rights, and decisions on acquisition of land use rights and allocation of alternate sites for resettlement.

### **Jamoat**

234. The Jamoat is the sub-district level local authority and is instrumental during impact assessment by identifying/verifying land users and their type and ownership/use status. The Jamoat also re-confirms the names of DPs, etc. While district level authorities officially endorse the list of DPs, the jamoat level authorities are the front-line force working with the surveyors to identify the impact. The Land Code of the Republic of Tajikistan (Article 8) defines the land-related role of Jamoats as follows:

- (i) assignment and confiscation of land;
- (ii) establishment and approval of the size of privately tilled household plots within the norms specified in Article 71 of the Code;
- (iii) registration of titles to land use and land-lease agreements;
- (iv) keeping of household registers;
- (v) control over land use and land protection.

### **City and Town Local State Executive Authorities**

235. These are the bodies of local government in the cities and towns. Their functions in relation to LAR are basically the same as those of district authorities and depending on the scope of the project entailing LAR, the relevant critical decisions may be taken either at the city/town level or by the national Government.

### **LAR Committee and Other State Agencies**

236. 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 PIURR, 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 Hukumat, representatives of dekhans, environmental department, PPTA safeguards team 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 Group ensures that the DMS and valuation results are technically comprehensive and comply with EBRDs ESP 2014 and PRs as well as the relevant norms of the Republic of Tajikistan.

237. The main responsibilities of the Land Acquisition and Resettlement Committee are to:

- (i) prepare the preliminary list of displaced persons and affected assets;
- (ii) conduct a DMS for each asset affected;
- (iii) prepare an inventory of losses;
- (iv) identify non-formal assets, businesses and illegally used land;
- (v) check necessary documents to establish the legal status of affected assets;
- (vi) value affected assets in accordance with the laws and legislations of the Republic of Tajikistan and EBRD ESP 2014 and PR5;
- (vii) 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.

238. 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:
- (i) managing survey work including land cadasters, geodesy, aerial imagery and topographic mapping
  - (ii) controlling the use and protection of land, geodesy, and further development of the level of government geodetic control, aerial imagery and mapping activities
  - (iii) undertaking government activities on land management, land cadaster, geodesy, aerial imagery, mapping
  - (iv) undertaking surveying and land plot formation activities
  - (v) registering land use rights and implementation of land reform
    - (vi) preparing and issuing of Land Use Right Certificates<sup>32</sup>
  - (vii) acquiring land as requiring by the state, registering changes of land users and allocating new land plots
  - (viii) surveying the land plots, that are subject to land use rights
    - (ix) developing projects for allocation of land use rights for non-agricultural needs
    - (x) implementing land assessment work, soil assessment and economic valuations of land.<sup>33</sup>
  - (xi) providing a technical inventory of residential houses, buildings, apartments and state companies
  - (xii) providing technical inventory and valuation of affected structures, and
  - (xiii) providing registration of ownership and preparation of an Ownership Certificate for immovable assets.

### **Construction Supervision Consultants**

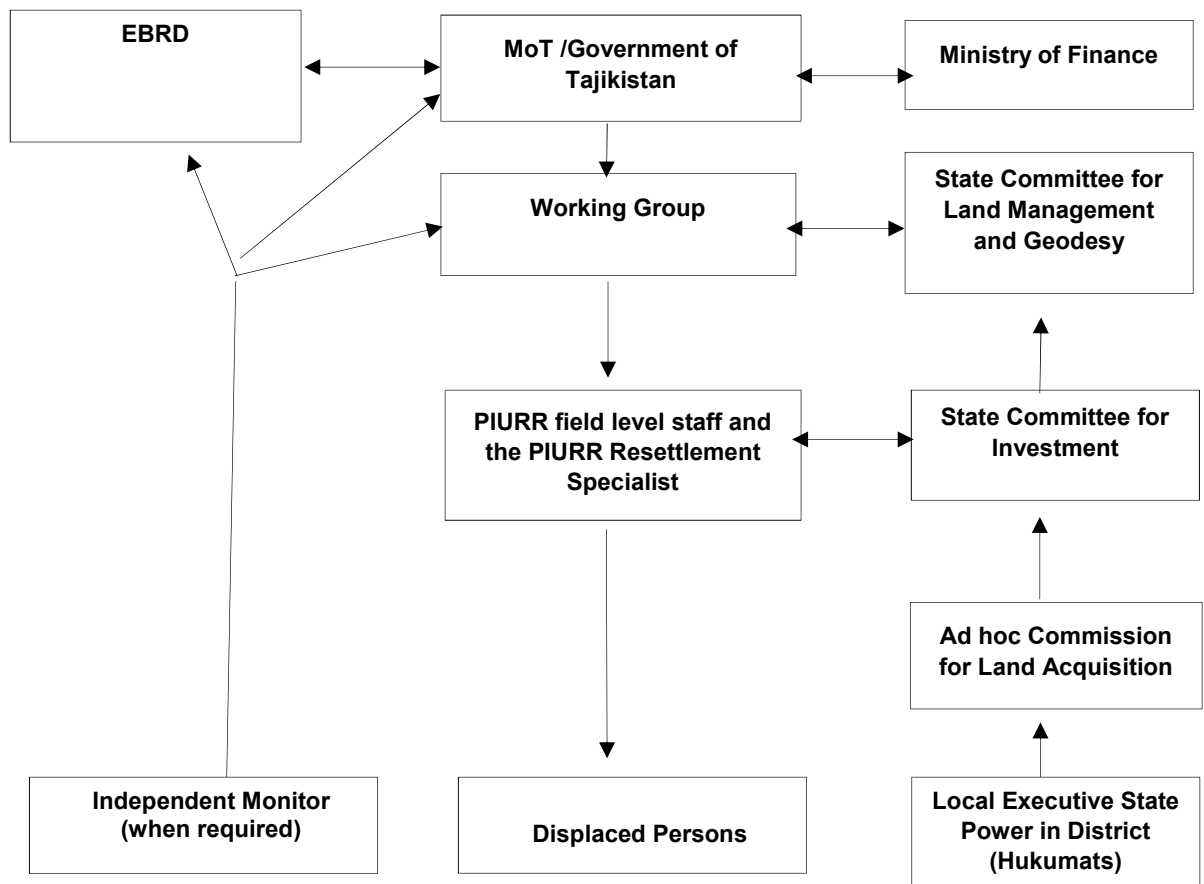
239. The Construction Supervision Consultants (CDS) will assist PIURR to:
- (i) Prepare and supervise the consultations, disclosure of information and documents, detailed measurement survey, census and socioeconomic survey related to the finalization of the LARP;
  - (ii) Coordinate with the licensed valuator in the conduct of official valuation of affected assets to ensure that these are conducted following the replacement cost principles of the EBRD ESP 2014 and PRs;
  - (iii) Ensure complete relocation or reconstruction of affected structures / businesses before civil works commencement and payment of appropriate compensation before displacing the DPs;
  - (iv) Monitor RP implementation process, provide data and support to PIURR during preparation of quarterly monitoring reports on LARP implementation and monitoring activities;
  - (v) Inform the PIURR on the issues and bottlenecks that arise during LARP implementation and monitoring, and provide recommendations and suggestions on solution of such issues;
  - (vi) Control the activities of Contractor(s) and Subcontractor(s), including implementation of mitigation measures, temporary land acquisition, etc.;
  - (vii) Provide advice to PIURR on LAR issues and grievance redress;
  - (viii) Study, communicate to PIURR and implement immediate remediation in case of any non-compliance with the LARP.
240. The institutional arrangement for the implementation of the LARP is presented in the following figure.

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<sup>32</sup>This is a legal document that verifies the title holding of any parcel of land.

<sup>33</sup> Government Decree No.590, dated 28 December 2006 provides the details of the roles and responsibilities, organizational structure and its associated enterprises.

**Figure 7-1: Institutional Arrangements**





## 8 RESETTLEMENT PLAN BUDGET

### 8.1 Background

241. 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 DPs for resettlement impacts caused by the Project. The compensation entitlements of different categories of DPs presented in this chapter have been defined according to the EBRD ESP 2014 and PR5 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 all EBRD Projects, compensation is paid for the loss of land use right. Compensation for loss of land use right is based on the Hukumats' data on the yearly yield of different crops grown in the area. The value of lost businesses' profit is based on data received from the Taxation Committee of the Republic of Tajikistan issued in Hukumats.
242. The Detailed Measurement Survey (DMS) of affected assets was based on the detailed design. The DMS was conducted in September 2018 by the team of specialists and with participation of DPs, Raisi Mahale (chief of the affected villages), Jamoats/ Hukumat's representatives, PIURR social safeguard specialist, international and national resettlement specialists, interviewers and topographic survey specialist.
243. In accordance with the EBRDs ESP 2014 and PR5, the current ground situation measured is based on the actual size of the assets used by the AHs at the time of the measurement. The design engineering consultant engaged a licensed valuation company to independently evaluate affected buildings, constructions, and other immovable assets except land. The following paragraphs outline valuation methodology and compensation for each type of affected assets.

### 8.2 Compensation for Land and Trees

#### Land valuation

244. Privately owned lands (lands with land use right) will be compensated in cash based on the current market value of crops grown on the affected land, multiplied by 5 years. In order to avoid large differences in price for loss of land use right caused by the market value of different types of crops planted in the period of the DMS, the value of all crops affected in the Project area was aggregated, and one average 'land price' was established. In this way, for example, two neighbours with the same quality of land will receive the same amount per m<sup>2</sup>, regardless of the standing crop. In addition to compensation for loss of land, the DPs will receive a compensation for loss of crops. The loss of 1 year's yield will be compensated as per actual crop grown during the DMS.
245. In this way, the compensation will not be dependent on individual 'luck' arising from the choice of a more expensive crop to grow in the period of the DMS. The price for 1 m<sup>2</sup> of agricultural land for this Project was set at USD 1.87 (which is equal to TJS 17.65. Table 8-1. The price of USD 1.87 is used for the update of the land price using the dollar-somoni exchange rate on 20 May 2019. The following calculation was used to determine the price of agricultural land for the entire length of the Project road:

### 8-1: Calculation of the Land Use Right Price for Agricultural Land

Crops in the Project area	Affected land(m2)	Average yearly yield (kg/ha)	Average yearly yield (kg/m <sup>2</sup> )	Total yield for 5 years (kg/m <sup>2</sup> )	Average price kg	Price per kg/m <sup>2</sup> for 5 years (TJS)
Maze	2,094	3,000	0.30	1.50	4.00	6.00
Fodder	5,008	5,100	0.51	2.55	1.70	4.34
Vegetables	10,600		1.62	8.10	7.04	57.02
Wheat	1,154	2,000	0.20	1.00	3.00	3.00
<b>Price per m<sup>2</sup> =TJS 17,59=\$1.87</b>	<b>18,856</b>	<b>10,100</b>	<b>2.63</b>	<b>13.15</b>	<b>3.95</b>	<b>17.59</b>

TJS 17.59 = USD 1.87 at 1 USD= TJS 9.4237 on 22 Nov 2018, The National Bank of Tajikistan (<http://nbt.tj>)  
Updated on 20 May 2019: 1m2= USD 1.87 =17.65 TJS at 1 USD=9.4397 TJS

246. The valuation of commercial and residential land is based on the taxes paid for the land multiplied by 25 years. The price used for previous similar projects was set as \$2.5/m<sup>2</sup> which is equal to 23.60 TJS at 1USD=9.4397 TJS, National Bank of Tajikistan on 20 May 2019. This price is used for valuation of the loss of land use rights for residential and commercial land.

#### Valuation of Trees

247. The calculation of losses for fruit trees and saplings was carried out by a professional valuator. The valuation of affected fruit trees is based on the replacement cost principle which includes the net market value of the typical tree's annual income multiplied by the number of years needed for cultivation of a new tree to its mature age. The data on average annual income and the average price per kg of fruit for the last season, are given by the agriculture statistics units from Hukumats. In this approach, the following indicators are also considered: type of tree, age at which it gives full harvest, typical yield, average yield cost and the region where the tree is grown. The cost includes the cost of saplings based on the price of saplings in the nurseries. Wood trees are not commonly compensated in Tajikistan, but DPs keep cut trees. Decorative trees will be replanted as part of the Project during the construction phase. As such, no compensation cost was calculated for these types of trees.

#### Compensation for Loss of Land Use Rights

248. The total compensation to be paid for loss of land-use-right, amounts to 1,066,288 TJS. Out of this, residential land users will receive 497,488 TJS, commercial land users will receive 24,756.40 TJS, private agricultural land users will receive 365,619.75 TJS. There is one collective Dekhan farms. Their management board will receive 178,423.85 TJS for loss of land. One commercial land user will receive a replacement land plot, and the remainder will receive compensation. Table 8-2 details compensation for loss of land use right. No compensation for loss of illegally used land and local government/ state land is calculated.

**Table 8-2: Compensation for Titled Land**

Type of land	No of plots	Affected area (m <sup>2</sup> )	Cost per m <sup>2</sup>	Total Cost (TJS)	Total Cost USD
Residential land	43	21,080	23.60	497,488	52,701.67
Land used for commercial activities	4	1,049	23.60	24,756.40	2,622.58
Agricultural land (private and Dekhan farm)	12	20,715	17.65	365,619.75	38732.14
Dekhkan land (collective)	4	10,109	17.65	178,423.85	18901.43
<b>Total</b>	<b>63</b>	<b>52,953</b>		<b>1,066,288</b>	<b>112,957.82</b>

**Compensation for Loss of Produce**

249. The valuation of affected crops is based on the net market value of the annual income from the affected land plot planted by the actual crop. The data on average crop productivity for the Project region and the average price per kg of crops for the last season, are given by the agriculture units from the Project Hukumat in Nurobod in November 2018 (Table 8-4).
250. The total compensation to be paid to DPs losing standing crops amounts to 41,737.73 TJS (USD 4,421.62). Table 8-3 details compensation for loss of crops from the affected parts of land.

**Table 8-3: Compensation for Loss of Crops**

Type of crop	No of AHs	No of DPs	Affected land under crops (m <sup>2</sup> )	Average crop productivity (kg/m <sup>2</sup> )	Market price TJS/kg	Total cost for lost crops TJS	Total cost for lost crops USD
Maze	3	25	2094	0.3	4	2512.80	266.19
Fodder	3	25	5008	0.51	1.7	4341.936	459.97
Vegetables	3	30	2998	1.62	7.04	34191.59	3622.11
Wheat	1	14	1154	0.2	3	692.40	73.35
<b>Total</b>	<b>10</b>	<b>94</b>	<b>11254.00</b>			<b>41738.73</b>	<b>4421.62</b>

The official exchange rate in Somoni (TJS) [http://www.nbt.tj/ru/1US share](http://www.nbt.tj/ru/1US%20share), = 9,4397 Somoni May 20, 2019

The crop price and yield are based on information received from Nurobod Hukumat in November 2018.

**Compensation for Fruit Trees**

251. The calculation of losses of fruit trees was carried out by a professional valuer in November 2018. The compensation to be paid for fruit-bearing trees affected by Section 2 of the Project amounts to 810,681 TJS. All affected trees and saplings, whether grown on legally or illegally used land, will be compensated (Table 8-4)

**Table 8-4: Compensation for Fruit Trees**

No of AHs	No of DPs	No of affected trees and saplings	Compensation (TJS)	Compensation (USD)
81		2774	810681.00	85879.95

	797	1562		
<b>Total</b>		<b>4336</b>	<b>810681.00</b>	<b>85879.95</b>
The official exchange rate in Somoni (TJS) <a href="http://www.nbt.tj/ru/">http://www.nbt.tj/ru/</a> 1US share, = 9,4397 Somoni May 20, 2019				

### 8.3 Compensation for Buildings, Structures and Improvements

#### Valuation Approach

252. The compensation for alienated buildings and structures was calculated for both, the owners of legal structures and the users of illegal ones. The replacement costs for buildings and structures was determined by calculating the construction cost (material plus labour) 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

253. In total, 1,521,744 TJS (\$ 161,206.82) will be paid to nine AHs (80 DP). Owners. Eight affected main residential buildings and 53 ancillary buildings which will be lost as a result of land acquisition. One household will lose part of their land, but not all, and will receive a new land plot plus compensation for land. Table 8-5 details compensation for the affected residential buildings. In addition, eight owners of affected homes will receive a rental allowance for three months (TJS 943.97 per month) which amounts to 22,655.28 TJS (943,97 TJS x 3 months x 8 AHs).

**Table 8-5: Compensation for Residential Buildings**

Structure Type	Number of buildings	Area affected (m <sup>2</sup> )	Cost (TJS)	Cost (USD)
<b>A. Residential main buildings</b>				
Houses to be demolished	8	7,843	1,211,410	128,331.41
Compensation for AH	1	200	2373	251.39
<b>B. Ancillary residential buildings</b>				
Barns, warehouses, compressor room, hearth, bathhouse, and other buildings	53	1,194.97	307,961	32,624.02
<b>Total</b>	<b>62</b>	<b>9,237.97</b>	<b>1,521,744</b>	<b>161,206.82</b>
The official exchange rate in Somoni (TJS) <a href="http://www.nbt.tj/ru/">http://www.nbt.tj/ru/</a> 1US share, = 9,4397 Somoni May 20, 2019				

Replacement cost prices by a professional valuator as of November 2018

## Compensation for Non-Residential Buildings and Structures

254. In total, the three AHs will be paid 510,882 TJS (\$ 54,120.58) for three affected main business buildings and one AH will be paid 935 TJS (\$ 99.05) for a fence constructed on commercial land where no shop building had yet been constructed. The compensation is calculated for both, legal and informal owners of affected buildings and structures at cost in November 2018 (Table 8-6).

**Table 8-6: Non-residential Buildings and Structures**

No	Type of structures	No of AHs	No of DPs	No of structures	Total cost (TJS)	Total cost (USD)
1	Petrol/gas Station	1	11	1	296500	31409.90
2	Shop	1	9	1	78302	8294.97
3	Sawmill	1	5	1	136080	14415.71
4	Fence on commercial land	1	11	1	935	99.05
<b>Total</b>		<b>4</b>	<b>36</b>	<b>4</b>	<b>511,817</b>	<b>54,219.63</b>

The official exchange rate in Somoni (TJS) <http://www.nbt.tj/ru/> 1US share, = 9,4397 Somoni May 20, 2019

Replacement cost prices by a professional valuator as of November 2018

255. Compensation to DPs for affected residential and non-residential fences, walls, curbs, wells, paved areas, advertisement boards and other improvements on land, is presented in Table 8-7. The DPs will receive in cash 263,362 TJS (27,899.40 USD) for affected structures and land improvements. Replacement cost prices are calculated by a professional valuator in November 2018.
256. In total, compensation for all residential and non-residential buildings and structures, amounts to 2,118,937 TJS (\$224,470.80).

**Table 8-7: Gates, Fences and other Land Improvements**

Residential and non-residential buildings / structures	No of AHs	DPs	TJS	USD
Gates, fences, sheds, billboards, basements, concrete pavement, concrete curbs, land improvement	78	750	263,362.00	27,899.40
The official exchange rate in Somoni (TJS) <a href="http://www.nbt.tj/ru/">http://www.nbt.tj/ru/</a> 1 US share, = 9,4397 Somoni May 20, 2019				

## 8.4 Asset Registration Costs

257. Under the LARP, there will be no deductions from the compensation paid to DPs. 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. The DPs will be paid **130,292.06** TJS for registration of assets and obtaining new documents.

**Table 8-8: Assets Registration Costs**

Cost types	No of AHs	Documents	Unit cost	Total cost (TJS)	Total cost (USD)
Residential buildings	8	Certificate for construction	150	1200	127.12
		Design	2736	21888	2318.72
		Technical passport	850	6800	720.36
		Land certificate	1037.91	8303.28	879.61
Petrol/Gas station (petrol/gas station)	1	Certificate for construction	150	150	15.89
		Design	9284	9284	983.51
		Technical passport	1200	1200	127.12
		Land certificate	1037.91	1037.91	109.95
Affected Land Shops	1	Certificate for construction	150	150	15.89
		Design	9284	9284	983.51
		Technical passport	1200	1200	127.12
		Land certificate	1037.91	1037.91	109.95
Sawmill	1	Certificate for construction	150	150	15.89
		Design	9284	9284	983.51
		Technical passport	1200	1200	127.12
		Land certificate	1037.91	1037.91	109.95
Only land	55	Land certificate	1037.91	57085	6047.34
<b>Total</b>	<b>66</b>			<b>130292.06</b>	<b>13802.56</b>
		1 dollar = 9,4397 Somoni (TJS)			

## 8.5 Compensation for Business and Income Losses

### Valuation Approach

258. All affected businesses and their operators/full time workers, 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. There are two affected businesses with the tax declared income. There are two affected business without recorded income/profit and will be compensated as a non-registered (illegal) businesses. Indemnity for eligible workers will be paid for a period between three months as per the Entitlement Matrix.

## Business and Employment Losses

259. The total amount of compensation for loss of income from affected businesses amounts to 42,997.30 TJS (USD 7,393.28). The petrol/gas station and sawmill compensation is based on the tax declared income while the non-operating kiosk and commercial land plot owner does not have tax declared income. In absence of the tax declaration, the kiosk owner and the commercial land owner will receive a compensation of 3-month the national average monthly wage as per the Entitlement Matrix. Table 8-9 details compensation for affected business.
260. There are no employment losses as a result of Section 2 of the Project.

**Table 8-9: Compensation for Businesses and Employment**

No	No of AHs	No of DPs	Type of business	Period of impact (months)	Average yearly profit (TJS)	Average yearly profit (USD)
1	1	11	Petrol/Gas station	12	25536.00	2705.17
2	1	5	Sawmill	12	17461.20	1849.76
<b>Total</b>	<b>2</b>	<b>16</b>			<b>42997.20</b>	<b>4554.93</b>
The official exchange rate in Somoni (TJS) <a href="http://www.nbt.tj/ru/">http://www.nbt.tj/ru/</a> 1 US share, = 9,4397 Somoni May 20, 2019						

## 8.6 Allowances

### Severe Impact Allowances

261. Under this LARP, 19 AHs (173 DPs) will lose either a residential building, business buildings, operating businesses or non-operating businesses. All AHs will receive an allowance for severely affected households which is calculated as three national average monthly wages (4,365.30 TJS) (<http://stat.tj/en/macroeconomic-indicators/> and <http://www.tradingeconomics.com/tajikistan/wages>). The total compensation for all severely impacted AHs amounts to 82,940.70 TJS. The details are presented in table 8-10.

**Table 8-10: Allowances for Severely Affected Households**

No	Type of loss	No of AHs	No of DPs	Period of impact (months)	Total allowances (TJD 1,455.10 per month)	Average annual profit (USD)
1	Housing losses	8	65	3	34922.4	3699.52
2	Petrol/gas Station (registered as private)	1	11	3	4365.3	462.44
3	Loss of business building (non-operating shop)	1	9	3	4365.3	462.44
4	Losses of business (Sawmills)	1	5	3	4365.3	462.44
5	Loss of Commercial Land	1	11	3	4365.30	462.44
6	Loss of more than 10% of agricultural land	7	72	3	30557.1	3237.08
<b>Total</b>		<b>19</b>	<b>173</b>		<b>82940.70</b>	<b>8786.37</b>
The official exchange rate in Somoni (TJS) <a href="http://www.nbt.tj/ru/">http://www.nbt.tj/ru/</a> 1 US share, = 9,4397 Somoni May 20, 2019						

Tajikistan average monthly wage available for Dec 2018, via: <http://stat.tj/en/macroeconomic-indicators/> and <http://www.tradingeconomics.com/tajikistan/wages>

### **Allowances to Vulnerable Groups**

262. Persons with disabilities and other health conditions are entitled to monthly social welfare benefits regardless of their gross per capita family income. Families, affected by the Project with a family member with disability, are entitled to allowances for vulnerable groups. In addition, large families with more than five dependent children, single women-head of household registered as poor, elderly households with no means of living and households with disabled head of household/or the household members, are entitled to the vulnerability allowance amounting to three national average monthly wages.
263. Some DPs have more than one vulnerability indicator. There are large households with five or more children which have a disabled household member, or a single women with dependent children, or are at the same time large and poor household. In total, there are 42 (518 DPs) such households. The largest vulnerable groups are large families with five or more children. The PIURR (MinTrans road maintenance units) will assist vulnerable households in relocation and moving of their assets. The total amount to be paid in allowances for vulnerable groups is 218,265.00 TJS (Table 8-11).



**Table 8-11: Allowances for Vulnerable Groups**

Category	No of AHs	No of DP's	Total Allowances (TJS 1455,10)	Total benefit (USD)
<b>A) Large households with more than 5 dependent children</b>	<b>30</b>	<b>435</b>	<b>130959.00</b>	13873.22
Disabled member/s in the household	2	30	8730.60	924.88
Poor households registered at Jamoats	2	23	8730.60	924.88
<b>b) Disabled member/s in the household</b>	<b>5</b>	<b>40</b>	<b>21826.50</b>	2312.20
Single female head of household with dependents	1	9	4365.30	462.44
Poor households registered at Jamoats	1	6	4365.30	462.44
<b>c) Single female head of household with dependents</b>	<b>5</b>	<b>28</b>	<b>21826.50</b>	2312.20
Poor households registered at Jamoats	2	17	8730.60	924.88
<b>d) Poor households registered at Jamoats</b>	<b>2</b>	<b>15</b>	<b>8730.60</b>	924.88
<b>Total</b>	<b>42</b>	<b>518</b>	<b>218265.00</b>	<b>23122.03</b>
The official exchange rate in Somoni (TJS) <a href="http://www.nbt.tj/ru/">http://www.nbt.tj/ru/</a> 1US share, = 9,4397 Somoni May 20, 2019				

### Transportation Allowances

264. The calculation of the transportation allowances was based on the transportation price within the Project districts. Nine households will receive 1,500 TJS each for transport of households' belongings. The allowance is calculated for all AHs that need to relocate their assets. In addition, poor, disabled, single women with dependent children and households headed by elderly persons, will be assisted by the local authorities and PIURR in physical relocation. In total, 13,500 TJS will be paid for the relocation of movable assets of AHs. Vulnerable households will be assisted during relocation of their assets (Table 8-12). The AHs which will need to re-build their homes, will receive a three-month rental allowance amounting to 943,97 TJS per month.

**Table 8-12: Transportation Costs for Movable Assets**

Type of allowance	No of AHs	Cost per unit (TJS)	Total cost (TJS)	Total cost (USD)
Transport for residential assets	9	1500	13500	1430.13
<b>Total</b>	<b>9</b>	<b>1500</b>	<b>13500</b>	<b>1430.13</b>
The official exchange rate in Somoni (TJS) <a href="http://www.nbt.tj/ru/">http://www.nbt.tj/ru/</a> 1US share, = 9,4397 Somoni May 20, 2019				

## Budget Summary

265. The total LARP implementation cost for the Project amounts to 5,730,851.65 TJS which is equivalent to \$ 607,101.04 as shown in the following table. Displaced persons will be paid 4,548,294.96 (\$ 481,826.22) which includes compensation for losses and applicable allowances. The MOT will ensure that the compensation funds for land acquisition and resettlement are allocated in time for implementation of this LARP. The LARP budget also includes 20% of contingencies which may not be used if the road design does not change. The budget also includes miscellaneous expenses for administrative costs that might incur during the implementation of the LARP. This expense has been estimated and included in the budget as a single lump sum.

**Table 8-13: Budget Summary**

<b>I. Compensation Budget, including Allowances</b>	<b>TJS</b>	<b>USD*</b>
Compensation for land	1,066,288	112,957.83
Compensation for loss of crops	41738.73	4421.62
Compensation for trees	810681.00	85879.95
Compensation for buildings and structures	2118937.00	224470.80
Compensation for business losses	42997.20	4554.93
Allowances to severely AHs	82,940.70	8.786.37
Allowances to vulnerable groups	218265.00	23122.03
Home rental allowance for 3 months	22655.28	2400.00
Transport and loaders	13.500.00	1,430.13
Asset registration costs	130292.06	13802.56
<b>(A) Subtotal</b>	<b>4,548,294.96</b>	<b>481,826.22</b>
<b>II. Administrative costs</b>		
(B) Direct LARP admin costs: 5% of (A)	227,414.75	24,091.31
<b>(C) Total: A + B</b>	<b>4,775,709.71</b>	<b>505,917.53</b>
(D) Contingency: 20% of (C)	955,141.94	101,183.51
<b>(E) Total LARP Budget = (C) + (D)</b>	<b>5,730,851.65</b>	<b>607,101.04</b>
The official exchange rate in Somoni (TJS) <a href="http://www.nbt.tj/ru/">http://www.nbt.tj/ru/</a> 1US share, = 9,4397 Somoni May 20, 2019		

## 9 LAND ACQUISITION AND RESETTLEMENT PLAN SCHEDULE

### 9.1 Land Acquisition and Resettlement Plan Schedule

266. This Chapter describes the steps taken to prepare the LARP and the activities required to ensure its successful implementation. For the timeline and implementation schedule please refer to Table 9-1.
267. The Implementing Agency (IA) will begin the implementation of the LARP immediately after its approval by the EBRD and the Government of the Republic of Tajikistan. The following are the particulars of the main LARP preparatory tasks:
- (vii) establishment of the official cut-off date as of 31 August 2018 (Annex 4-2)
  - (viii) extensive consultations with key stakeholders and DPs;
  - (ix) set entitlements and compensation amount based on the agreed entitlement provisions;
  - (x) identification of impacts and number of DPs, conducting the detailed measurement survey;
  - (xi) valuation of affected assets and determination of compensation amount and the LAR budget;
  - (xii) preparation of the LARP document;
  - (xiii) submission of the LARP to the PIURR and the EBRD for comments and approval.
268. As soon as the LARP is approved by the EBRD and the Government of Tajikistan, the IA, with the assistance of local authorities, will distribute draft contracts to DPs. PIURR will sign contracts with DPs 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. IA will give advance notice to the DPs and pay their due compensation based on the eligibility criteria defined in this LARP, 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 LARP. All activities related to LAR (including the EBRD's notice of 'no objection' to the LARP implementation) will be completed prior to the commencement of civil works.
269. A timeline for LARP preparation, implementation and post implementation is summarized in Table 9-1 below. The timeline presented in the following table shows the distinct stages of LARP preparation, finalization and implementation as well as the major milestones in the LAR processes.

**Table 9-1: LARP Finalization and Implementation Schedule**

LARP PREPARATION			
Item	Responsible Entity	Start date	End date
Preparation of the LARP covering the full alignment	TRTA Consultant	01/09/2018	05/12/2018
Submission of the draft LARP for full alignment to PIURR and ADB for comments and approval	TRTA Consultant		05/12/2018
Updating the LARP - Separate LARPs prepared for Section 1 and Section 2	TRTA Consultant	01/05/2019	14/06/2019
EBRD/PIURR comments addressed	PPTA Consultant	10/11/2019	31/12/2019
LARP approval/no objection by MOT and the government (including LAR budget)	MOT/Government of the Republic of Tajikistan	01/01/2020	15/02/2020
Posting approved LARP on EBRD and MOT websites	EBRD and MOT	15/02/2020	17/02/2020
LARP IMPLEMENTATION		01/07/2018	31/10/2018
Preparation of draft contracts	PIURR	18/02/2020	20/02/2020

Draft contracts sent to DPs	PIURR	20/02/2020	22/02/2020
Signing contracts	PIURR/DPs	22/02/2020	25/02/2020
Disbursement of compensation	PIURR/DPs	25/02/2020	02/03/2020
Preparation of LARP Monitoring Report	PMCSC	03/03/2020	16/03/2020
EBRD reviews the LARP Compliance Report	EBRD	16/03/2020	21/03/2020
EBRD approves the LARP Compliance Report	EBRD	21/03/2020	31/03/2020
Handing over of the site to the Contractor	PIURR	(TBC)	(TBC)
Commencement of civil works	Contractor	(TBC)	(TBC)
<b>CONTINUOUS TASKS</b>			
Internal Monitoring: Quarterly monitoring reports	PIURR	(TBC)	(TBC)
Grievances redress	PIURR/Jamoats/Village GRCs	(TBC)	(TBC)

PMCSC – Project Management and Contract Supervision Consultant; TRTA – Transaction Technical Assistance,  
PIURR – Project Implementation Unit for Roads Rehabilitation; DPs – Displaced Persons, EM – External Monitor

## **10 MONITORING AND REPORTING**

### **10.1 Monitoring and Reporting Requirements**

270. 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 LARP will be subjected to internal and external monitoring as the Project will trigger a significant amount of involuntary resettlement. Internal monitoring will be conducted by the PIURR, assisted by the resettlement specialist of the Construction Supervision Consultant and the external monitoring will be done by an external, independent monitoring expert. Monitoring is vital for ensuring that the LARP 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.

### **10.2 Internal Monitoring**

271. The key objective of the internal monitoring is to monitor the process of LARP implementation such as the compensation process, grievance mechanism and effectiveness of LARP implementation procedure. Internal monitoring will be performed routinely by the PIURR. The results will be communicated to the EBRD through the quarterly Project implementation reports. Indicators for the internal monitoring will be those related to the LARP implementation processes, and immediate outputs and results which allow for the assessment of the progress and results of LARP implementation and the adjustment of the work program, if necessary.
272. The PIURR will monitor performance (physical progress of the LARP implementation against milestones set in the LARP), 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 ADB policies, and to the satisfaction of the DPs.
273. The Construction Supervision Consultant shall have a resettlement specialist on board who will assist the PIURR in the internal monitoring of the LARP implementation processes. The CSC resettlement specialist will:
- (i) supervise the community consultations and disclosure of project information;
  - (ii) ensure the replacement cost principles of the EBRD ESP 2014 and PR5 are employed in the valuation of affected assets and compensation is disbursed in accordance with the endorsed LARP;
  - (iii) ensure relocation/reconstruction of affected structures/businesses are completed and set compensation paid before civil works commencement;
  - (iv) monitor the LARP implementation process and provide data and support to PIURR during preparation of quarterly monitoring reports on LARP implementation and monitoring activities;
  - (v) inform the PIURR on issues and challenges during the LARP implementation and monitoring; and provide recommendations and suggestions for a solution;
  - (vi) supervise the implementation of the mitigation measures and temporary land acquisition, advise PIURR on LAR issues and grievance redress, inform PIURR on any non-compliance cases, and suggest appropriate remedies.
274. Specific performance monitoring indicators will be:
- (i) meaningful public consultations held
  - (ii) SES/census surveys and assets inventories studies completed
  - (iii) compensation payments disbursed
  - (iv) replacement lots allocated (if applicable)
  - (v) housing and infrastructure construction completed
  - (vi) relocation of people completed
  - (vii) income restoration and development activities initiated
  - (viii) monitoring and evaluation reports submitted.
275. Impact monitoring will encompass verification of the following indicators:

- (i) whether all physical inputs committed in the LARP have been delivered and all services provided;
- (ii) whether the mitigation actions prescribed in the LARP have provided the desired effects;
- (iii) the socioeconomic status of the affected population and host population measured against the baseline conditions before the displacement.

276. Impact monitoring will be supplemented by the assessment of the DPs satisfaction with the resettlement initiatives and the adequacy of measures applied for restoration of DPs' livelihoods. This will be done through direct consultations with the affected population and face-to-face meetings with the DPs.
277. As the Project triggers a significant impact on vulnerable households, the internal and external monitors will conduct a separate monitoring focused on these households during the LARP implementation processes, relocation, rebuilding their homes and settling in, and check if their livelihoods does not worse off. The internal and external monitoring reports will have a section which specifically reports the situation of these vulnerable households.

### **10.3 External Monitoring**

278. For projects with significant involuntary resettlement, (category 'A' projects), external monitoring should be carried out in parallel with the implementation of the LARP and its internal monitoring. The main goal of external monitoring is to assess the relevance, efficiency, effectiveness and impact of the LAR processes and to suggest any corrective measures, if necessary. The External Monitoring Consultant (EMC) will monitor and verify LARP implementation to determine if the resettlement goals have been achieved, livelihood and living standards have been restored and to provide recommendation for improvement, if needed. External monitoring entails two types of activity: a) short term-monitoring and evaluation of LARP implementation and compensation delivery and b) a long-term evaluation of the rehabilitation effects of the LARP program. EMC will be appointed to externally monitor the implementation of the LARP; this will be undertaken in accordance with a separate documented monitoring implementation plan which will be agreed with EBRD, ABD and MOT before commencement, and should include monitoring measures such as monthly meetings of PIURR with independent consultants, site visits every three months for the duration of the LARP.

### **10.4 Short-Term Monitoring**

279. This task will be carried out in parallel with the implementation of the LARP and will require regular field visits and communication with DPs and the EA. The task will result in a final Compliance Report indicating whether the compensation program has been carried out based on the agreed provisions and EBRD ESP 2014 and PR5 requirements. The Compliance Report will be communicated to the PIURR and EBRD. Approval of the Compliance Report by the EBRD will be a condition to start civil works. The Compliance Report will include the following:
- (i) a verification of the schedules and the achievement of targets related to land acquisition and resettlement activities;
  - (ii) a verification for whether the resettlement has been implemented in accordance with the approved final LARP;
  - (iii) a verification that the unit compensation rates used in the valuation reports, contracts and agreements are in accordance with the LARP provisions;
  - (iv) a verification that compensation and the amounts defined in the LARP were delivered to all AHs;
  - (v) an assessment of the compensation distribution procedure, its timing in relation with LARP provisions;
  - (vi) a review of the GRM and grievance cases including an assessment of whether grievance resolution was carried out in accordance with LARP provisions;
  - (vii) training of the GRG at the local and central level;
  - (viii) an assessment of public consultation;
  - (ix) an assessment of the delivery of allowances to severely affected, vulnerable and resettled DPs;

- (x) a final assessment of satisfactory implementation of the LARP and if necessary, details of the required corrective measures.

## **10.5 Long-term Monitoring and Evaluation**

280. This task will be carried out 2 years after the end of LARP implementation to find out if the LARP rehabilitation objectives have been attained or not. The SES data included in this LARP will provide the benchmarks to compare pre, and post project conditions. The study will detail:
- (i) socio-economic conditions of the DPs in the post-resettlement period;
  - (ii) changes in housing and income levels;
  - (iii) changes in value of properties;
  - (iv) condition for business activities;
  - (v) grievance procedures;
  - (vi) level of changes in AHs living conditions
  - (vii) satisfaction of DPs in the post resettlement period.
281. EBRDs ESP 2014 requires monitoring and measuring the progress of implementation of the land acquisition and resettlement plan. At a minimum, monitoring requirements and commitments will include reviewing Annual Environmental and Social Reports on projects prepared by clients. EBRD may also periodically verify the monitoring information prepared by clients through site visits to projects by the Bank's environmental and social specialists and/or independent experts. If the client fails to comply with its social and environmental commitments, as set out in the legal agreements, EBRD may agree with the client remedial measures to be taken by the client to achieve compliance. If the client fails to comply with the agreed remedial measures, the Bank may take such action and/or exercise such remedies contained in the financing agreements that it deems appropriate. EBRD will also review with the client any performance improvement opportunities related to projects.
282. The extent of the EBRD's monitoring and supervision activities will correspond to the project's risks and impacts. EBRDs PR1 outlines the responsibilities of the client in the process of assessing the potential environmental and social impacts and issues associated with the project, and developing and implementing procedures for managing and monitoring these impacts and issues. Monitoring and supervising of social and environmental requirements is integrated into the project performance management system. The EBRD will monitor the project on an ongoing basis. The following monitoring actions are required by the EBRD (PR1) to supervise project implementation:
- a. The client will monitor the environmental and social performance of the project. This monitoring is intended: (i) to determine whether the project is being implemented in accordance with the PRs and (ii) to learn lessons, allocate resources and identify opportunities for continuous improvement.
  - b. Monitoring requirements will be proportional to the nature of the project and its environmental and social impacts and issues. Monitoring will address:
    - Any significant environmental and social impacts and issues identified during the environmental and social assessment process;
    - Relevant parts of the PRs as identified during project assessment process and subsequent monitoring as appropriate;
    - Actions specified in the ESMP or ESAP, where relevant;
    - Grievances received from workers and external stakeholders, and how they were resolved;
    - Any regulatory monitoring and reporting requirements; and
    - Any monitoring/reporting required by other parties (for example, off-takers, financiers; certification bodies).
  - c. The client will ensure that adequate systems, resources and personnel are in place to carry out monitoring. The client should review the results of monitoring and initiate corrective actions as necessary. In addition, the client may use third parties, such as independent experts, local communities or civil society organisations, to complement or verify its own monitoring information. Where relevant authorities or other third party have responsibility for managing

specific impacts and issues and associated mitigation measures, the client will collaborate with the relevant authorities or other third parties in establishing and monitoring such mitigation measures.

- d. The client will provide regular reports to EBRD on the environmental and social performance of the project, including compliance with the PRs and implementation of the ESMS, ESMP, ESAP and Stakeholder Engagement Plan where appropriate. Based on the monitoring results the client will identify and reflect any necessary corrective and preventive actions in an amended ESMP or ESAP, as agreed with EBRD. The client will implement agreed corrective and preventive actions, and follow up on these actions to enhance their performance.
- e. The client must promptly notify EBRD of any environmental or social incident or accident relating to the client or the project which has, or is likely to have, a significant adverse effect.
- f. The client must promptly notify EBRD of any changes to the project's scope, design or operation that is likely to materially change its environmental or social impacts and issues. The client will carry out any additional assessment and stakeholder engagement in accordance with the PRs and amend the ESMP or ESAP in accordance with the findings, as agreed with EBRD.
- g. For projects that could have significant adverse environmental and social impacts and issues, the client may be required to engage relevant external experts to perform periodic independent reviews of the project, or to carry out monitoring of specific environmental or social issues. The scope of this work and follow-up actions will be determined on case-by-case basis.

283. In accordance with the requirements under EBRDs PR10 Information disclosure, EBRD shall post on its website the draft, final and updated LARP and the resettlement monitoring reports, upon receipt by the EBRD.

## **10.6 LARP Implementation Compliance Report**

284. The completion of the LARP implementation will result in the preparation of a Compliance Report which will indicate 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 DPs. The Compliance Report will be submitted to EA and EBRD. Approval of the Compliance Report by EBRD is a condition for the commencement of the civil works. The Compliance Report will be based on the following monitoring indicators:

- (i) the number of AHs with legal ownership;
- (ii) the number of AHs without legal status;
- (iii) ratio of the affected/remaining part of the land;
- (iv) affected buildings, structures, businesses;
- (v) loss of income and employment;
- (vi) allowances for severity and vulnerability;
- (vii) full compensation paid on time;
- (viii) relocation of movable assets;
- (ix) the GRC Logbook entries;
- (x) number, nature and substance of complains;
- (xi) number of grievances resolved at the Project level;
- (xii) number of grievances forwarded/resolved at other grievance resolution levels;
- (xiii) number, type of consultations with DPs/host communities and other relevant stakeholders held;
- (xiv) public consultations activities documented and included in draft LARP;
- (xv) selection and distribution of replacement land areas;
- (xvi) preparation of resettlement sites, including civic amenities, infrastructures
- (xvii) income restoration activities.

285. The above information will be collected by the PIURR which is responsible for monitoring the day-to-day resettlement activities of the Project through one or more of the following instruments:

- (i) review of census information for all AHs;
- (ii) consultations and informal interviews with DPs;
- (iii) sample survey of AHs;



- (iv) face-to-face discussion with DPs;
- (v) community consultation meetings.

286. The following table outlines possible monitoring indicators which the PIURR may use during the LARP implementation monitoring. Templates for other monitoring tools are given in Annex 10-1.

**Table 10-1: LARP Implementation Monitoring Indicators**

Monitoring Aspects	Potential Indicators
<b>Delivery of Entitlements</b>	<ul style="list-style-type: none"> <li>• Entitlements disbursed, compared with number and category of losses set out in the entitlement matrix.</li> <li>• Disbursements against timelines.</li> <li>• Identification of the displaced persons losing land temporarily, e.g. through soil disposal, borrow pits, contractors' camps</li> <li>• Timely disbursements of the agreed transport and relocation costs, income substitution support and any other resettlement allowances according to the schedule.</li> <li>• Provision of replacement land plots.</li> <li>• Quality of new plots and issuance of land titles.</li> <li>• Restoration of social infrastructure and services.</li> <li>• Progress on income and livelihood restoration activities being implemented as set out in the income restoration plan, such as commencement of production, number of displaced persons trained in employment with jobs, microcredit disbursed, number of income generating activities assisted, etc.</li> <li>• Affected businesses receiving entitlements, including transfer and payments for net losses resulting from loss of a business.</li> </ul>
<b>Consultation and Participation</b>	<ul style="list-style-type: none"> <li>• Consultations organized as scheduled including meetings, groups and community activities.</li> <li>• Knowledge of entitlements by the displaced persons.</li> <li>• Number of general meetings (for both men and women).</li> <li>• Percentage of women participated at consultations.</li> <li>• Number of meetings held exclusively with vulnerable groups.</li> <li>• Level of participation in meetings (of women, men and vulnerable groups).</li> <li>• Level of information communicated – adequate or inadequate.</li> <li>• Information accessibility and disclosure (translation of information in the local languages).</li> <li>• Implementation of special measures for Indigenous Peoples.</li> </ul>
<b>Effectiveness of the GRM</b>	<ul style="list-style-type: none"> <li>• Uses of the grievance redress mechanism by the displaced persons.</li> <li>• Information on the resolution of the grievances.</li> <li>• Number of DPs used the GRM.</li> <li>• Number of cases resolved at project level.</li> <li>• Number of cases transferred to other GRC levels.</li> </ul>

Monitoring Aspects	Potential Indicators
	<ul style="list-style-type: none"> <li>• Number of DPs' requests rejected.</li> </ul>
<b>Budget and Time Frame</b>	<ul style="list-style-type: none"> <li>• Land acquisition and resettlement staff appointed and mobilized on schedule for the field and office work.</li> <li>• Capacity building and training activities completed on schedule.</li> <li>• Achieving resettlement implementation activities against the agreed implementation plan.</li> <li>• Timely allocation of funds to resettlement implementation agencies.</li> <li>• Funds disbursement according to the resettlement plan.</li> <li>• Land acquisition and clearance in time for implementation.</li> </ul>
<b>Livelihood and Income Restoration</b>	<ul style="list-style-type: none"> <li>• Gender and vulnerability segregated data on displaced persons under the rehabilitation programs.</li> <li>• Types of vocational trainings and number of participants (women and men).</li> <li>• Number of displaced persons who have restored their income and livelihood patterns (women, men and vulnerable groups).</li> <li>• Number of new employment activities.</li> <li>• Degree of satisfaction with support received for livelihood programs.</li> <li>• Percentage of displaced persons who improved their income and standard of living (women, men and vulnerable groups).</li> </ul>

**<<Once monitoring responsibilities have been determined and assigned to a responsible person, these should be disclosed as a matrix within the document in this section>>**

## **ANNEXES**

## ANNEX 2-1: RESIDENTIAL AHs REQUIRING A NEW LAND PLOT

№ п/п	Km/Road side Км/ Дорожной стороны L/R			District / Район	Jamoat/ Джамоат	Village/ Село	Affected Assets/ Что попадает	No of people in the AHs/ Кол-во членов в хоз-ве	Type of land Тип земель	No of land plots required including additional land plots for grown AHs children and their families
8	330+00, 00 340+00	330+63, 10 341+30	R	Нуробод	Мучихар ф	Чепак	Fence, shed, trees, land/ забор, навес, дерева и земля	15	Residential/ Приусадебный	2
9	339+15, 10	339+87, 00	L	Нуробод	Мучихар ф	Чепак	Home/ ДОМ	11	Residential/ Приусадебный	1
13	723+63, 00	724+17, 00	R	Нуробод	Сафедча шма	Гулмон	Home/ ДОМ	23	Residential/ Приусадебный	5
15	754+67, 12	755+00, 00	R	Нуробод	Дарбанд	7-ой мкрн	Home/ ДОМ	5	Residential/ Приусадебный	1
								<b>54</b>		<b>9</b>

\* Names, IDs numbers and telephone numbers of DPs' are removed for the protection of DPs' privacy

# **ANNEX 3-1: QUESTIONNAIRE FOR THE SOCIOECONOMIC SURVEY OF THE AFFECTED HOUSEHOLDS**

Questionnaire No..... Date: .....

Name of the Road: Dushanbe – Kurgonteppa

Name of Interviewer:.....

## **1. GENERAL IDENTIFICATION**

### **Code**

1.1 Road side: 1. Left 2. Right ☐

1.2 Chainage km: .....

1.3 Rayon: ..... Jamoat: ..... Village .....

1.4 Location: 1. Rural; 2. Semi-Urban; 3. 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	Family members	Sex 1.Male 2.Female	Age (years)  Enter the whole number	Marital status 1. Married 2. Unmarried 3. Widow 4. Widower 5. Divorced 5. Minor	Education 1. Illiterate 2. Primary 3. Secondary 4. College 5. University 6. Other (specify)	Occupation 1.Pensioner 2.Civil servant 3.Private sector employee 4.Business owner 5.Work in agriculture 6.Land owner 7.Other labour 8.Housewife 9.School/ Study 10. Unemployed
1.	Head of HH					
2.	Spouse					
3.						
4.						
5.						

6.						
7.						
8.						
9.						
10.						
11.						
12.						
Number of disabled family members, if any. .... Number of members receiving help under the government scheme:.....						

*Note: Insert additional column if family members exceed more than 10*

### 3. HOUSEHOLD ASSETS

3.1 Please list houses and structures in your household;

No	Type of building/ structures

3.2 Landownership & uses (All lands situated anywhere and under the land-use ownership of the household). **Please write the corresponding code.**

Land type	Total area (ha)	1=Irrigated 2=Dry land	Presently used by the owner (Yes=1 No=2)	Type of land-use ownership (see the codes)
Residential				
Agricultural				
Grazing				
Commercial				
Dekhan farm				
Others(specify)				

**Code:**

1= Life-long inheritable use: This right is assigned to physical persons or collectives and applies to land-shares used to organize Dekhan farms as well as for household plots.

2= Continuous use: This right 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.

.3= Limited or fixed-term use: This right may be granted to legal or physical persons for either a short-term (up to 3 years) or long-term (3–20 years).

### 3.3

Cultivated (ha)/	Pasture (ha)	Uncultivated (ha)	Total land area (ha)

### 3.4 Cropping Pattern

No	Type of crops	Total cultivated land (ha)	Total yield (tone/year)
<b>Total</b>			

### 3.5 Livestock

Cattle	Number	Poultry	Number
Bull		Chicken	
Cow			
Calf			
Sheep			
Goat			
Horse			
Donkey			
Others (specify)		Others (specify)	

### 3.6 Household's Assets & Amenities

Items	Yes=1, No=2
In-house flush toilet	
Latrine	
Hot water system	
Television set	
Satellite dish	
Computer	
Internet	

Mobile phone	
Refrigerator	
Washing machine	
Air conditioner	
Electric stove	
Motorbike	
Car	
Mini bus	
Agriculture machinery (specify)	
Other (specify)	

#### 4. HOUSEHOLDS' MONTHLY INCOME

4.1 Please include the income of all household's members;

No	Source	Self-reported income (TJS)
1.	Agriculture	
2.	Employment	
3.	Business	
4.	Labour	
5.	Remittances	
6.	Other (specify)	
<b>Grand total</b>		

4.2 Please assess monthly expenditure on different items:

No	Items	Self-reported monthly expenses (TJS)
A	Food	
B	1. Clothing	
	2. Health	
	3. Education	
	4. Communication	
	5. Social functions/obligations	



	6. Agriculture (such as seeds, hiring of farm implements, fodder etc.)	
	7. Water	
	8. Electricity bills	
	9. Land tax	
	10. Credit repayment	
	11. Others (specify)	
<b>Grand total (A+B)</b>		

## 5. INDEBTEDNESS

5.1 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)			
<b>Total</b>				

## 6. HEALTH STATUS

6.1 Was any member of your family affected by any illness during the last one year?

☐

1. Yes 2. No

6.2 If "Yes", please indicate the details.

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

## 7. MIGRATION/COMMUTING

- 7.1 Does anyone from your family work outside the Rayon/Country? 1. Yes 2. No ☐
- 7.2 What kind of job do they have? ☐  
1. Agricultural labour; 2. Non-agricultural labour; 3. Trade & business;  
4. Others (specify).....
- 7.3 How much do they earn per month? TJS..... ☐
- 7.4 How often do you and your family members travel out from the village/city?  
1. Daily; 2. Two-three times/week; 3. Less than three times a week 4. Other (specify) ☐
- 7.5 Where do you/they travel? ☐  
1. Work 2. Health facilities; 3. Social network; 4. School/university; 5. All
- 7.6 Which mode of travel do you/they use? 1. Private car; 2. Taxi; 3. Mini bus; ☐  
4. Other (specify)
- 7.7 How much do you usually pay per trip?.....

## 8 WOMEN STATUS

- 8.1 Please give us information on activities the household women are engaged in:

No	Economic / Non-economic activities	Engagement in activities 1 = Yes 2 = No
1.	Cultivation	
2.	Livestock	
3.	Sale of household's products	
4.	Trade & business	
5.	Agricultural labour	
6.	Non-agricultural labour	
7.	Handmade products	
8.	Household work	
9.	Other (specify).....	

If engaged in economic activities, total income of the year: TJS.....

- 8.2 In which of the following household's matters women are asked for their opinions?

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 marriages		
7.	Other (specify)		

## **9 Opinion about the Project**

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

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

## **10 Any other opinion, suggestion, question?**

**Interviewer's observation notes:**

Please write any observation you have.

**ANNEX 4-1: CONSULTATIONS WITH COMMUNITIES**

## Consultations with communities

**Rayon:** Nurobod  
**Jamoat:** Mujiharfi  
**Village:** Mujiharfi Kalon  
**Date:** 03.09.2018  
**Time:** 2:00 - 3:30 PM  
**Participants:** **22 men and 1 woman** from Mujiharfi Kalon and Chepak villages, raisi mahale, raisi Jamoata  
**Information shared:** Project brochure, GRM information, Entitlements, Government Decree on Cut-off-Date

### Consultations conducted by:

Sulayman Tavarov, MoT\_PIURR– Social Safeguard Specialist  
Dragica Veselinovic, International Resettlement Specialist, Consultant, ADB TRTA  
Mirzoev Nasim, Avtostrada Social Safeguard Specialist  
Farridun Nazarov, Avtostarda Topographer  
Fozil Fozilov, DMS/SES Specialist  
Holokov Mahmad, DMS/SES Specialist

Prior the consultations with communities, a consultation with the officials from the Mujaharf Jamoat were conducted. Consultations with communities were conducted in the community center in Mujiharfi Kalon village. There were 22 men and 1 woman present. A focus group discussion with women were organized separately. The participants expressed their full support for the Project and pledged their cooperation. The Project information brochure with entitlement matrix was given to each participant. After the consultations, a number of SES questionnaires were completed.

### The main information shared with the participants:

- Information on the Cut-off Date;
- Information about the Project, related activities and socioeconomic and other studies required;
- Process of preparation and implementation of the Land Acquisition and Resettlement Plan;
- ADB SPS 2009 and Tajik law compensation requirements;
- Entitlements for land, buildings, structures; business owners and renters, and workers;
- Allowances for severely affected and vulnerable groups;
- GRM mechanism;

### The main questions and suggestions at these consultations were as follows:

No	Questions/Discussions	Answers
1	When will the construction start?	We expect that construction will start in the first quarter of 2019.
2	What would happen if something is damaged during construction?	If your property is damaged during the construction, the procedure for compensation based on replacement cost applies.
3	What should we do if the contractor deposits soil surplus on our properties? You see how steep it is here, and the contractor may just dump soil toward our land-plots.	The Contractor will have to arrange and agree with local authorities about locations where any surplus material will be deposited. The contractor will not be allowed to dispose of any surplus material on private properties without an agreement with the local authorities and the property owner.
4	If we have a complaint about the Contractor, to whom should we complain.	You'll have a GRC established at the Jamoat's level and you may lodge your

		complaint there. Also, there will be a construction supervision company and you may complain to the site engineer.
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TA-9530 TAL: CAREC Corridors 2, 3, and 5 (Obigarm-Nurobod) Road Project			
Район: Nurobod			
Дисциплина: Mujiharfi			
Мушариф: Mujiharfi Kalon			
Дата: 03.09.2018			
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TA-9530 TAL: CAREC Corridors 2, 3, and 5 (Obigarm-Nurobod) Road Project			
Район: Nurobod			
Дисциплина: Mujiharfi			
Мушариф: Mujiharfi Kalon			
Дата: 03.09.2018			
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\*Personal data removed

## Female Focus Group Discussion

**Rayon:** Nurobod  
**Jamoat:** Mujiharfi  
**Villages:** Mujiharfi Kalon and Chepak  
**Date:** 03.09.2018  
**Time:** 4:00 - 6:00 PM  
**Participants:** 8 women from Mujiharfi Kalon and Chepak villages  
**Information shared:** Project brochure, GRM information, Entitlements, Government Decree on Cut-off-Date

### Consultations conducted by:

Dragica Veselinovic, International Resettlement Specialist, Consultant, ADB TRTA  
 Farridun Nazarov, Interpreter

The focus group discussion (FGD) with women was conducted in the private home in the Mujiharfi Kalon village. During the consultations with men, we requested a meeting with women. The local clerics and village chief (raisi mahale) gave their permission. There were 8 women present. With their permission, a male interpreter (for our field team) interpreted from Russian to Tajik language as most of women did not understand Russian. Women were very happy to participate. The discussion went on in a friendly, relaxed atmosphere. Women whose husbands were in Russia during the consultations, had to call husbands and ask for a

permission to participate. When asked for a permission to take a photograph, a few women stated that their husbands would not allow them to be photographed and left.

The project, the SPS 2009, methodology for valuation, allowances and the GRM were explained to women. The questions women asked were related to compensation, timing for demolition of buildings and structures and compensation for unexpected damages during the construction time.

Women stated that they are looking forward to the beginning of the project as their life in the village is very difficult. One of women stated the following: "We are very happy for this project and we thank Allah and the Bank for it. When we get the road, our relatives can come more often to visit us. Now, they come once and for a year they keep repairing a car because of our road. They do not come, and we do not get to see them often".

One of the question discussed, was the access to the medical services. There is one around 5 km away. However, for example, if a woman in labour have any problem and needs to get to the doctor, it would be extremely difficult to get her to the medical station. If someone has a heart attack, women commented: "the cemetery is closer than medical help".

There is a four-grade-school in the village. For higher classes, children walk around 4 km to the school. During the winter, families make a narrow trail through the snow, so children can reach the school.

When asked if they worry about acquisition of land and houses, all of them said that they do not worry and that would be the best if all village is acquired and they go somewhere else to live.

Women talked about life in the village. A day for women starts at 5:00 AM, waking their husbands and brothers to go to the prayer and women pray at home. Then, women milk the cows and goats, prepare dairy products, prepare breakfast and wake up children to go to school. Washing cleaning, gardening and preparing lunch for the family. Mostly one women from the households cooks the meals. Women usually go to bed around 9:00 in the evening. During the nights when the Turkish serial is on, all of them watch TV. There is no much time for resting. Sometimes, they get an hour after lunch, so they use to rest a bit before the next chores.

Husbands and other male relatives have their 'male' work to do – taking the livestock to shepherds, cutting wood and do some heavier garden work. The division of work is gender based. However, when husbands come from Russia, women do not expect them to do any work. As in their words, "our husbands work hard and long hours in Russia. When they come home, they deserve to relax and rest. They come thin as they do not eat properly, and they save money for the family. So, we cook all what they like to eat and let them play with children and rest. We do not want them to do any work at home".

Although the communities from this region are traditional, and division of work is apparent a gender, the decision making is usually a joined decision. Most of women stated that husbands talk with them about all family matters. If they do not agree, the husband makes decision as he finds appropriate. One of the younger women stated that her husband makes all decision alone and does not discuss it with her. Even if it is something for the kitchen, husband would go, purchase and bring it to his wife.

The discussion lasted for two hours. Women wanted to stay longer as obviously, the time spent at FG was a rare opportunity to rest, have tea and talk.

The Project information brochure with entitlement matrix was given to each participant.

#### **The main information shared with the participants:**

- Information on the Cut-off Date;
- Information about the Project, related activities and socioeconomic and other studies required;
- Process of preparation and implementation of the Land Acquisition and Resettlement Plan;
- ADB SPS 2009 and Tajik law compensation requirements;
- Entitlements for land, buildings, structures; business owners and renters, and workers;
- Allowances for severely affected and vulnerable groups;
- GRM mechanism;

#### **The main questions and suggestions at these consultations were as follows:**

No	Questions/ Discussions	Answers
----	------------------------	---------

1	We are very happy that you came. We do not believe that the road will be constructed. We have been hearing about that road for years!	The road will be constructed. We expect construction to start in the first quarter of 2019.
2	You are acquiring my son's house. He will not have enough land to make a new house. When you pay compensation, will he be able to purchase an apartment in Dushanbe?	The Jamoat will replace your land. The valuator will calculate a replacement cost for a new house and other structures and assets affected. In addition, you will receive an allowance for seriously affected persons, transport of the household's belongings, three months' accommodation cost while you build your new home and any other applicable allowances as per the entitlement matrix enclosed here with the project information brochure. However, I am not sure if for the compensation amount your son could purchase an apartment in Dushanbe.
3	There will be a lot of dust during the construction. You can see we have so much dust even without construction.	The Contractor will be obliged to sprinkle water during the construction and thus, minimize the effects of dust.
4	If the contractor does not sprinkle water, what should we do? We saw on some other project how much dust they make.	You'll have a GRC established at the Jamoat level and you can lodge your complaint there with your Rais or any other designated grievance redress committee member. In addition, there will be a construction supervision company and you may complain to the site engineer.



WOMEN'S FGD

TO: RESIDENTIAL CARE Candidates 2, 3, and 5 (ON/garm-Mashhad) Road Project

Район: АХРРОДИ Деяноват: МУЗІНКАР Мушавир: МУЗІНКАР 8010 Дата: 25.9.2018

№	Исм	Дарго	Телефон	Подпись
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\*Personal data removed

## Consultations with communities



**Rayon:** Nurobod  
**Jamoat:** Komsomolobod  
**Villages:** Deagi, Tuhtor, Bulbuldara, Tegermi and Pandovchi  
**Date:** 04.09.2018  
**Time:** 17:00 - 18:30 PM  
**Participants:** **16 men from Villages:** Deagi, Tuhtor, Bulbuldara, Tegermi and Pandovchi villages, raisi mahale, raisi Jamoata  
**Information shared:** Project brochure, GRM information, Entitlements, Government Decree on Cut-off-Date

#### Consultations conducted by:

Sulayman Tavarov, MoT\_PIUURR– Social Safeguard Specialist  
 Dragica Veselinovic, International Resettlement Specialist, Consultant, ADB TRTA  
 Mirzoev Nasim, Avtostrada Social Safeguard Specialist  
 Farridun Nazarov, Avtostarda Topographer  
 Fozil Fozilov, DMS/SES Specialist  
 Holokov Mahmad, DMS/SES Specialist

A consultation with the local authorities from Komsomolobod Jamoat, was conducted prior to the consultations with the community. Two of the Jamoat's officials were briefed with the Project, ADB SPS 2009 and its requirements for establishment of the GRM, the Cut-off-date, valuation and other LAR processes. Consultations with the community members were conducted in the local chaihona (a place where men gather) in Tegermi village. There were 16 men present. The participants expressed their full support for the Project and pledged their cooperation. The Project information brochure with entitlement matrix was given to each participant. After the consultations, a number of SES questionnaires were completed.

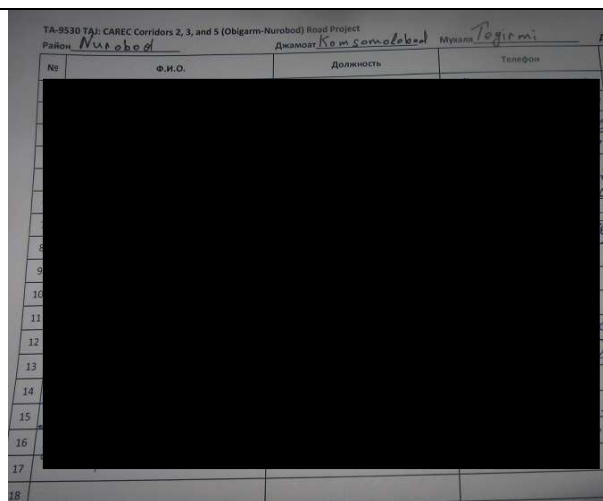
#### The main information shared with the participants:

- Information on the Cut-off Date;
- Information about the Project, related activities and socioeconomic and other studies required;
- Process of preparation and implementation of the Land Acquisition and Resettlement Plan;
- ADB SPS 2009 and Tajik law compensation requirements;
- Entitlements for land, buildings, structures; business owners and renters, and workers;
- Allowances for severely affected and vulnerable groups;
- GRM mechanism;

#### The main questions and suggestions at these consultations were as follows:

No	Questions/Discussions	Answers
1	There were people before you. They came, asked the same questions and measured our properties.	Yes, you had a resettlement specialist from the design company. They made a general list of displaced persons and their assets. This team will measure exactly everything that is going to be affected by the project. You will be with us when we measure affected land, structures, count affected trees, etc. A valuation will be done and compensation calculated based on our inventory of losses,
2	Some people that are affected are not on your list and some people who are on your list, do not live in our village.	We have a topographer with us and we will determine what is going to be affected. Affected assets of those DPs who are not on the list will be documented and the DPs will be added to the list of displaced persons.

3	Will everything that is affected, be paid for?	Yes, except unauthorized use of land. However, any structure, land improvement or fruit trees on such land, will be compensated for.
4	If we have a complaint should we go to the Raisi Jamoata?	There will be a grievance redress committee at the Jamoat level and Raisi Jamoata, as well as Raisi Mahale. You may lodge your complaint to the GRC focal person or any other GRC member.



\*Personal data removed

## Consultations with communities

**Rayon:** Nurobod  
**Jamoat:** Safedcheshma  
**Village:** Tag  
**Date:** 06.09.2018  
**Time:** 15:00 - 16:30 PM  
**Participants:** 20 men from village Tag, raisi mahale, raisi Jamoata  
**Information shared:** Project brochure, GRM information, Entitlements, Government Decree on Cut-off-Date

### Consultations conducted by:

Sulayman Tavarov, MoT\_PIURR– Social Safeguard Specialist  
 Mirzoev Nasim, Avtostrada Social Safeguard Specialist

Farridun Nazarov, Avtostarda Topographer  
Fozil Fozilov, DMS/SES Specialist  
Holokov Mahmad, DMS/SES Specialist

The local authorities' representatives, raisi Jamoat and the Jamoats office secretary, were briefed about the proposed Project, the GRM, cut-off-date, LAR processes, requirements for consultations and the social safeguards studies. The Jamoats officials organized the consultations with communities which were conducted in the local mosque in Tag village. There were 20 men present. The Project information brochure with entitlement matrix was given to each participant. After the consultations, a number of SES questionnaires were completed.

**The main information shared with the participants:**

- Information on the Cut-off Date;
- Information about the Project, related activities and socioeconomic and other studies required;
- Process of preparation and implementation of the Land Acquisition and Resettlement Plan;
- ADB SPS 2009 and Tajik law compensation requirements;
- Entitlements for land, buildings, structures; business owners and renters, and workers;
- Allowances for severely affected and vulnerable groups;
- GRM mechanism;

**The main questions and suggestions at these consultations were as follows:**

No	Questions/Discussions	Answers
1	During the SES and the DMS, who will be present?	Social safeguards specialists, raisi mahale and the Jamoat's representatives will be present.
2	How will you pay for the fruit trees?	All affected fruit trees will be compensated. Compensation will reflect income replacement. Cash compensation for productive trees is based on the net market value of 1 year of income multiplied by the number of years needed to grow a tree to a similar level of productivity, plus the purchase price of saplings and starting materials. The DP will keep the tree.
3	If the water pipes are affected during the construction, who will pay for the damages?	During the construction, a plan for relocation of all pipes, communication cables, electricity poles etc, will be prepared. All these amenities will be relocated where necessary. The contractor will repair any damage resulting from the construction activities.



## Consultations with communities

**Rayon:** Nurobod  
**Jamoat :** Darband  
**Village:** 7<sup>th</sup> Microrayon  
**Date:** 30.10.2018  
**Time:** 13:00 - 14:00 PM  
**Participants:** 17 men from 7<sup>th</sup> Microrayon village, raisi mahale, raisi Jamoata, other regional officials  
**Information shared:** Project brochure, GRM information, Entitlements, Government Decree on Cut-off-Date

### Consultations conducted by:

Sulayman Tavarov, MoT\_PIURR– Social Safeguard Specialist  
 Mirzoev Nasim, Avtostrada Social Safeguard Specialist  
 Farridun Nazarov, Avtostarda Topographer

A consultation with two officials from Darband Jamoats were conducted prior to the consultations with communities. The Jamoats officials were briefed about the Project, Cut-off-date, SES and DMS studies and other LAR processes. The Jamoat's officials organized consultations with communities and assisted in the SES and DMS studies. The consultations with communities were conducted in Darband Jamoat offices. There were 17 men present. The participants expressed their full support for the Project and pledged their cooperation. They did not have many questions except about compensation timing and the start of the road construction. The Project information brochure with entitlement matrix was given to each participant. After the consultations, a number of SES questionnaires were completed.

### The main information shared with the participants:

- Information on the Cut-off Date;
- Information about the Project, related activities and socioeconomic and other studies required;
- Process of preparation and implementation of the Land Acquisition and Resettlement Plan;
- ADB SPS 2009 and Tajik law compensation requirements;
- Entitlements for land, buildings, structures; business owners and renters, and workers;
- Allowances for severely affected and vulnerable groups;
- GRM mechanism;

**The main questions and suggestions at these consultations were as follows:**



No	Questions/ Discussions	Answers
1	When will the road construction start?	We expect the works start around mid of 2019.
2	When will you pay us for our affected assets?	All compensation will be paid before the Contractor starts the works.
3	Will there be some opportunities for women to work as cooks, bread bakers, cleaners etc during the road construction?	Yes. We will inform you about positions which will be needed by the Contractor.



TA-9530 TAJ: CAREC Corridors 2, 3, and 5 (Obigarm-Nurobod) Road Project				
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## Female Focus Group Discussion

**Rayon:** Nurobod  
**Jamoat:** Darband  
**Village:** 7<sup>th</sup> Microrayon  
**Date:** 30.10.2018  
**Time:** 2:00 - 3:00 PM  
**Participants:** 7 women from 7<sup>th</sup> Microrayon, raisi mahale, raisi Jamoata, other regional officials  
**Information shared:** Project brochure, GRM information, Entitlements, Government Decree on Cut-off-

### Consultations conducted by:

Sulayman Tavarov, MoT\_PIUURR– Social Safeguard Specialist  
Mirzoev Nasim, Avtostrada Social Safeguard Specialist  
Farridun Nazarov, Avtostarda Topographer

The consultations with women were conducted in Darband Jamoat offices. There were 7 women present. They are supportive of the Project and were pleased that they received full information about the Project, compensation and grievances. They did not have many questions except about compensation timing and the start of the road construction. In addition to few questions, women stated that the new road will bring employment opportunities during the construction (they can work as cleaners, cooks, sell home -made bread and other home-made products, but also after the road is completed for those who may decide to open a small shop, kiosk etc.

This area is a newly settled area and there is no school, medical station, mosques or other social services. The locations for these services are assigned and they hope that these services will be constructed in the close future. Women think that the road will be a bit more dangerous for their school children who walk around 4 km to school. There is no public transport established as yet. They suggested that road safety for children, should be incorporated into the Project.

The negative aspect of the Project is resettlement. The population at this Microrayon are resettled people from the Rogun hydropower project. They constructed new homes, some not yet completed, but will be affected by the Project. Women stated that there will no problem to resettle, providing a just compensation is paid, reasonable location for new land plots assigned to them and that the land plot development should include piped water and electricity. At current location, these services are available, so they expect to have the same at new locations.

The Project information brochure with entitlement matrix was given to each participant. After the consultations, a number of SES questionnaires were completed.

### The main information shared with the participants:

- Information on the Cut-off Date;
- Information about the Project, related activities and socioeconomic and other studies required;
- Process of preparation and implementation of the Land Acquisition and Resettlement Plan;
- ADB SPS 2009 and Tajik law compensation requirements;
- Entitlements for land, buildings, structures; business owners and renters, and workers;
- Allowances for severely affected and vulnerable groups;
- GRM mechanism;

### The main questions and suggestions at these consultations were as follows:

No	Questions/ Discussions	Answers
1	When will the road construction start?	We expect the works start around mid of 2019.
2	Will there be some opportunities for women to work as cooks, bread bakers, cleaners etc during the road construction?	Yes. We will inform you about positions which will be needed by the Contractor.



TA-9530 TAJ: CAREC Corridors 2, 3, and 5 (Obigarm-Nurobod) Road Project

Район Нуробод Директор Ғарбонг Мухли З-ул мари Дата 30.10.2018

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## ANNEX 4-2: CUT-OFF-DATE LETTER AND ANNOUNCEMENT

Н. Арабюда



## **ANNEX 4-3: PROJECT INFORMATION BROCHURE**

**REPUBLIC OF TAJIKISTAN  
MINISTRY OF TRANSPORT  
PROJECT INFORMATION BROCHURE FOR ROAD PROJECT VAHDAT-RASHT-JIRGATAL-  
KIRGIZSTAN BORDER**

**(Section from km 72 km to km 158)**

**Project Implementation Unit for Roads Rehabilitation**

**Dushanbe, August 2018**

### **A. The proposed Project**

ADB is providing a technical assistance grant to the government of Tajikistan (the government) for the preparation of the CAREC corridors 2, 3, and 5 (Obigarm–Nurobod) Road Project. The project road, approximately 75 km long, will replace a section of the existing M41 road that will be inundated due to the construction of the Rogun Hydropower (HPP) project. The project road passes through mountainous terrain and includes 3 tunnels of total length about 6 km, 13 medium size bridges and a high level 700 m long bridge over the future hydropower reservoir just before the road rejoins the M41.

- The technical category of road established on Terms of Reference for project development is a category **III**;
- The road will be a two-lane road (one lane in each direction) with one additional lane for slow moving traffic on a particularly steep road sections;
- The starting point was taken from km 72 of the existing road of Vahdat-Rasht-Jirgital-Kyrgyzstan border and ends where it joins back to the existing road at km 158 near Nurobod Village.

The executing agency for implementing the project is the Ministry of Transport (MOT), represented by its Project Implementation Unit for Roads Rehabilitation (PIURR). The detailed design of the road has been completed by a national design consultant appointed by MOT.

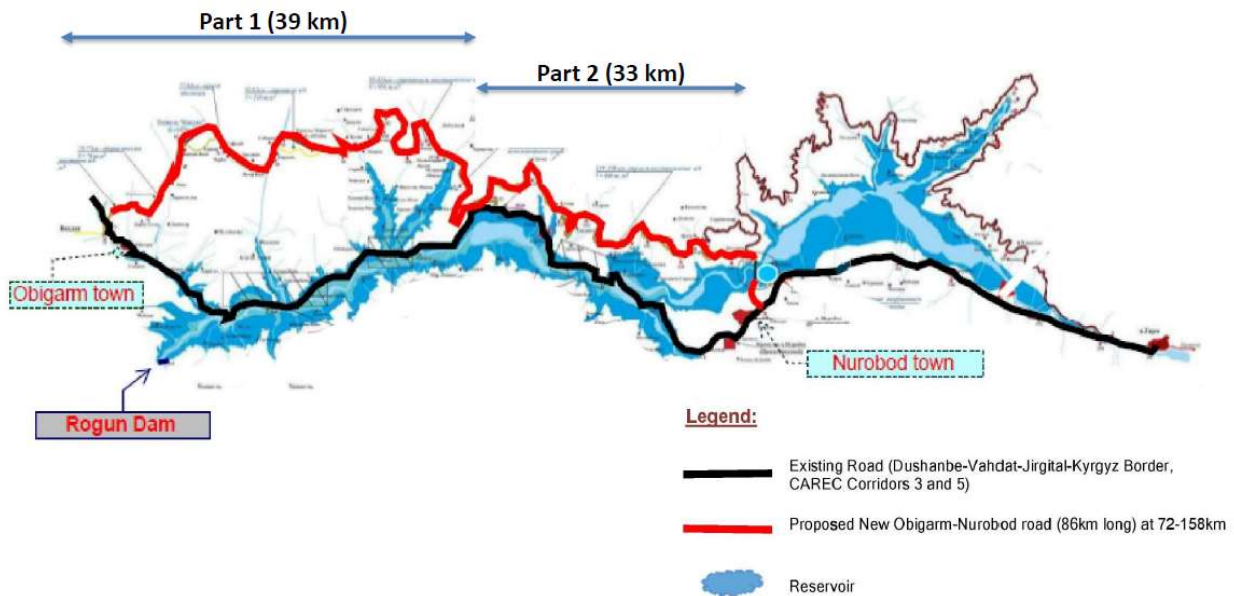
The proposed project will restore and improve connectivity between Dushanbe, the northeast region of Tajikistan and the Kyrgyz Republic via the M41 road, which is located on Central Asia Regional Economic Cooperation (CAREC) corridors 2, 3, and 5. The proposed project will also serve about 16 villages and communities that presently rely on the existing M41 road for access to economic opportunities and social services.

The Obigarm–Nurobod road section located on the CAREC corridors 2, 3, and 5 will be inundated once the HPP reservoir has filled to operating levels. A bypass road will be completed and opened to traffic by latest November 2023, the date by which the rising water in the hydropower project reservoir will have inundated several critical sections of the existing M41 road.

The objective of this Information Brochure is to summarize and disclose information related to the Project, to the benefits of displaced persons (DPs) and the Grievance Redress Mechanism available to them.

The route of Obigarm-Nurobod road section to be rehabilitated as a part of the Project is shown on the map of the project area presented in the Figure 1 below.

**Figure 1. Obigarm-Nurobod road**



## **B. Property acquisition principles adopted for the project**

Civil works in Obigarm-Nurobod road will require acquisition of land and properties. As a part of the ADB SPS (2009) requirements, a land acquisition and resettlement plan (LARP), based on the available design data and the inventory of affected assets, will be prepared. The LARP will be disclosed in English and Russian languages. Efforts will be made during design stage to minimize possible adverse impacts on the land plots and existing structures. For unavoidable impacts, measures will be made to ensure that wellbeing of displaced persons (DPs) will not get worse and will be improved to the extent possible. To achieve these, legislative norms of the Republic of Tajikistan will be applied, along with the requirements set in the ADB's Safeguard Policy Statement 2009 (SPS 2009).

The following core principles will be followed during the rehabilitation of Obigarm-Nurobod road:

- Land acquisition, and other involuntary resettlement impacts will be avoided or minimized by exploring all viable alternative project designs;
- Compensation at replacement cost for houses, structures and fruit trees, will be provided to DPs;
- Land will be compensated either by the provision of a replacement plot or in cash. For agricultural land, replacement cost will be based on the production value of the affected plot (net income for 5 years generated from the affected land area at market rate at a time of taking).
- For residential or commercial land (a type of land that does not have fundamental productive value) replacement cost will be based on the current annual lease rate multiplied by 25 times since in Tajikistan there are no official land markets established as yet.
- DPs without legal rights to land will be compensated for non-land assets;
- DPs will be assisted to restore their livelihood;
- Persons who will need to relocate will be provided with transportation allowance sufficient to cover transport expenses, communal and site preparation cost for alternative land plot (including connection to power grid, water supply system, installation of latrine), as well as with livelihood rehabilitation allowance;
- Vulnerable DPs will be provided with special allowances;
- Appropriate redress mechanisms to address DPs grievances will be established;
- Census and socio-economic surveys and consultation with DPs, will be conducted;

- A LARP based on the census and socio-economic surveys, valuation, and consultation with DPs will be prepared and submitted to ADB as a condition for Loan appraisal. The LARP will be disclosed to DPs in a language and form that is understandable to them and posted on the MoT and ADB webs for general public disclosure;
- Compensation payments will be initiated **only after ADB has approved the LARP**.
- Civil works will commence only after the completion of LARP implementation.

### C. Census, socioeconomic survey and the cut-off date

The cut-off-date for this Project is set on **August 31, 2018**, announced in each Hukumat, published in the local newspaper and the national television program. DPs moved in after the cut-off date will not be eligible for compensation. See **Appendix 1** – the official announcement of cut-off-date in the national newspaper.

### D. Eligibility for compensation and entitlements

The following groups of DPs are included in the LARP for rehabilitation of Obigarm-Nurobod road:

- All DPs losing land either with legal title, lease holding land rights or without legal status;
- Owners of buildings, crops, fruit trees and other objects attached to the land; and
- DPs losing business, income and salaries whether temporarily or permanently.

Compensation and rehabilitation assistance to be provided to DPs will be provided according to the entitlement and compensation matrix presented in the Table 1 below.

**Table 1. Entitlements matrix**

No	Type of Impact	Category of Displaced Person	Compensation Entitlements
Permanent Loss			
1	Permanent loss of agricultural land (all losses irrespective of severity)	Individual land-use rights holders	<p>Cash allowance for loss of land use rights equal to net income in the last 5 years generated from the affected land area, at market rate, at the time of taking;</p> <p>• OR</p> <p>Provision of alternative land plot of equal value/productivity to the lost plot. If the remaining portion of the plot to be taken is too small to use, the whole plot is compensated or exchanged.</p>
		Collective land-use rights holders	<p>Cash allowance for loss of land use rights equal to net income for the last 5 years generated from the affected land area at market rate at time of revocation;</p> <p>OR</p> <p>Provision of alternative land plot of equal value/productivity to the lost plot. If the remaining part of the plot to be taken is too small to use, the whole plot is compensated or exchanged.</p> <p>Agriculture leaseholders will be compensated for 1 year of lost crops from the affected area and will be allowed to harvest any usable crops prior to land take.</p>

No	Type of Impact	Category of Displaced Person	Compensation Entitlements
		Renters and leaseholders	<p>Rental allowance in accordance with the conditions of the rent agreement, but not less than the cost of rent for 3 months;</p> <p>OR</p> <p>Continuation of rental agreement on alternative land plot and three months advance notification of the leaseholder to move. Support in search for alternative land plots including assistance for legal costs and transportation for moving to new location;</p> <p>OR</p> <p>Cash allowance for the lost income equivalent to 1 year of average crop productivity.</p>
		Informal (if any) <sup>1</sup>	<p>Provision of opportunity to lease a plot on state land; and</p> <p>Relocation allowances; and</p> <p>Cash compensation for loss of assets (crops, irrigation infrastructure and other upgrades on the land) at replacement value.</p>
2	Permanent loss of residential and commercial land	Owners	<p>Cash allowance for loss of land use rights in cash equal to current annual land lease rates at the time of acquisition multiplied by 25;</p> <p>OR</p> <p>Provision of alternative land plot of equal value/productivity (similar conditions and facilities) to plot lost). If the residual portion of the plot to be taken is too small to use, the whole plot is compensated or exchanged.</p>
		Renters	<p>Three months advance notification of the leaseholder to move; and</p> <p>Rental allowance in accordance with the conditions of the rental agreement, but no less than the cost of rent for 3 months; and</p> <p>Support in search for alternative land plots including assistance for legal costs and transportation for moving to new location;</p> <p>OR</p> <p>Continuation of the rental agreement on an alternative land plot; and</p> <p>Relocation assistance.</p>
		Informal (if any)	<p>Provision of opportunity to lease a plot on state land; and</p> <p>Relocation assistance; and</p> <p>Cash compensation for loss of assets (irrigation infrastructure and other upgrades on the land) at replacement value. No compensation for land will be paid.</p>

<sup>1</sup>Landless DPs without rights to use land, living on income from the informally used land plot. DPs owning land adjacent to the informally used parcel will be compensated for losses from the informally used part as per the entitlement matrix.

No	Type of Impact	Category of Displaced Person	Compensation Entitlements
3	Permanent loss of non-residential structures (main business structures, auxiliary business structures, fences, sheds, etc.) and infrastructure - Business no longer profitable and viable at location	Owners of structures including "informal" and encroaching	Cash compensation at full replacement cost for affected structure/other fixed assets (without deduction of depreciation, taxes, costs for salvageable materials and other transaction costs). All buildings and structures will be compensated in their entirety; and Payment for movable property or relocation assistance;  OR  If requested by the DP, and if feasible, a building for building/structure for structure exchange of equal or better characteristics; and Payment for movable property or relocation assistance
		Renters	Three months advance notification of the leaseholder to move; and Rental allowance in accordance with the conditions of the rental agreement, but not less than cost of rent for 3 months; and Support in search for affordable properties including assistance for legal costs and transportation for moving to new location  OR  Continuation of the rental agreement for an alternative building/structure; and Payment for movable property or relocation assistance
4	Loss of Annual and Perennial Crops	All DPs, including "informal" and encroaching	Cash compensation equal to gross income generated on the affected land area for 1 year at market rate at time of revocation. Right to harvest any remaining crops prior to Contractor's entry into land plot.
5	Trees/ Orchards	All DPs, including "informal" and encroaching	Compensation reflecting income replacement. Cash compensation for productive trees based on the net market value of 1 year of income multiplied by the number of years needed to grow a tree to a similar level of productivity, plus purchase of saplings and starting materials, while the cut trees remain with their owner. 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; and Right to pick fruits, vegetables, etc. prior to Contractor's entry into land plot.
6.	Permanent and/or temporary loss of working place and/or sources of livelihood (economic displacement)	All DPs (including workers of affected businesses)	Owners of shops / commercial establishments: In case of permanent loss, compensation equal to one year's net income (lost profits) plus cost of lost certificates/licenses/ patents. The income is based on the official tax declaration, or (if tax declaration is unavailable) it is accepted as the official monthly average wage <sup>2</sup> multiplied by 12.

<sup>2</sup> Tajikistan average monthly wage for Dec 2018 is 1,455.10 TJS/month and reported within macroeconomic indicators by the Agency on Statistics under President of the Republic of Tajikistan. Available via: <http://stat.tj/en/macroeconomic-indicators/> and <http://www.tradingeconomics.com/tajikistan/wages>

No	Type of Impact	Category of Displaced Person	Compensation Entitlements
			<p>In case of the temporary loss of a business, compensation equal to the net income for the period of disruption (&lt;1 year). The income is based on the tax declaration, or it is calculated based on Tajikistan average monthly wage multiplied by the number of months since the operation was disrupted (less than 12 months).</p> <p>Workers indemnity for lost wages equal to 3 months' income; and</p> <p>Assistance in restoring livelihoods such as</p> <ul style="list-style-type: none"> <li>• Provision of professional training;</li> <li>• Support in finding alternative employment;</li> <li>• Access to micro finance.</li> </ul> <p>For temporary loss of employment, indemnity for lost wages for the duration of impact if less than 3 months.</p>
7.	Permanent loss of residential structures – physical displacement	Physically displaced households regardless of type of impact	<p>Cash compensation at full replacement cost (without deduction of depreciation, taxes, costs for materials suitable for disposal and other transaction costs). All buildings and structures will be compensated in their entirety, including auxiliary structures (sheds, garages, summer kitchens, etc.); and</p> <p>Payment for movable property or relocation assistance</p> <ul style="list-style-type: none"> <li>• OR</li> </ul> <p>Provision of replacement residential structure of similar or better value including costs associated with registration and tax payments; and</p> <p>Payment for movable property or relocation assistance; and</p> <p>Communal and site preparation cost for the alternative residential structure (including connection to power grid, water supply system, installation of latrine etc.).</p>
8	Severely affected households	DPs losing more than 10% of agricultural land/ income resources, DPs needed to physically relocate due to loss of home or business.	In addition to entitlement under Item 1,2, 3 or 7 7, severity/livelihood rehabilitation allowance in the form of cash compensation equal to Tajikistan average monthly wage for 3 months per household.
9.	Vulnerable households	DPs receiving government assistance for poor, single women-headed HH below poverty line, elderly households, households with no means of living, households headed by disabled person or other HH members.	<p>Allowance equivalent to Tajikistan average monthly wage for 3 months per household;</p> <p>Enrolment in Government social assistance, if not yet enrolled;</p> <p>Priority in project-related employment for members of vulnerable households (if at legal working age).</p>
10.	Public / common assets	Community	<p>Rehabilitation/substitution in kind or in cash at replacement cost of affected items and rehabilitation of their functions.</p> <p>Alternative service supplied, if cut off temporarily.</p>
<b>Temporary Loss</b>			
11.	Temporary impacts (loss of access or	All relevant DPs	The Contractor will be required to set up and maintain appropriate access. In case this is not

No	Type of Impact	Category of Displaced Person	Compensation Entitlements
	temporary land take for construction purposes)		possible, appropriate compensation shall be determined on a case-by-case basis in accordance with the principles and objectives of this LARP. The Contractor should give priority to vacant lands not used for agricultural /residential purposes. In case this is not feasible, the payment for rented land during construction will be based on the market price under negotiated agreement between the DP and Contractor. After discontinuation of land use, the Contractor must restore land to the original status, or as per the agreement with the land rights holder <sup>3</sup> .
<b>Unanticipated impacts</b>			
12.	Other unanticipated assets loss or impact on livelihood	All DPs residing in the project corridor before the cut-off date of 31 August 2018.	Any undefined impact shall be mitigated in accordance with the principles and objectives of this LARP. In case of discrepancies between national law and EBRD Policy in a particular case, the provision more favourable for the affected owner/user shall prevail.

#### **E. Valuation and Compensation Payment**

Estimation and calculation of compensation amounts and rehabilitation assistance will be based on (i) the formal valuation to be conducted by a licensed valuator following standard procedures prescribed by the law and following the policy principles relevant to the project, (ii) supporting documents provided by the owner or land user, (iii) data from census and socioeconomic survey; (iv) information provided by concerned agencies. Computations / valuation done for this LARP will serve as a basis for negotiating compensation.

Expenses related to processing of compensation payments, registration (re-registration) of the land plot / property use rights, and documentation requirements shall be covered by Government of Tajikistan (entity authorized by the Government of Tajikistan).

#### **F. Grievance redress mechanism**

Persons or entities displaced by the Project have the right to file complaints and/or queries on any aspect of land acquisition compensation, and resettlement. In order to ensure that grievances and complaints are addressed in a timely and satisfactory manner and that all possible avenues are available to DPs to voice their grievances, the following mechanism for grievances will be set up:

- 1) First, complaints resolution will be attempted at the Grievance Redress Committee at the village/Jamoat's offices, where resolution will be attempted with the involvement of grievance redress committee members (GRC), relevant Jamoat's officers and in presence of the complaining party. If the issue cannot be resolved within two weeks, the complaint will be passed to the GRC at the PIURR/Ministry of Transport;
- 2) Second, complaints resolution will be attempted at the level of Ministry of Transport/PIURR with the involvement of the complaining parties and GRC members. Other relevant stakeholders, including valuation specialist, engineers, district authorities and informal mediators (such as representatives of the civil societies) may be involved. Within two weeks, the Ministry of Transport will discuss the case and recommend the resolution.
- 3) If the case remains unsolved, the complaint can be lodged to the court; The DP has the right to submit the grievance to the court at any stage of the grievance resolution process.
- 4) To comply with the Accountability Mechanism of the Asian Development Bank, inquiries may also be submitted to the Tajikistan Resident Mission National Resettlement Specialist.

<sup>3</sup> In the case that the Contractor and Land-use rights holder both agree in writing to leave the land area in a state precisely described in the agreement.


DPs or other concerned individuals may visit, call or send a letter or fax to the designated representatives at Jamoat, Hukumat and Project Implementation Unit for Road Rehabilitation to register complaints related to the land acquisition, resettlement, environmental issues or other aspects of the Project. Designated representatives will receive, help to resolve, report or forward complaints received from DPs and the general public. Designated representatives will maintain a record-book to register the complaints and keep the track of their status. Complaint forms will be available at these levels to facilitate recording of complaints.

The following contacts at the Projects Implementation Unit for Roads Rehabilitation can be contacted for inquiries:

<b>ABDUVOHIDZODA, ERAJ</b>	<b>TEMURZODA, SHERALI</b>	<b>TAVAROV, SULAYMON</b>
Deputy Executive Director, Project Implementation Unit for Roads Rehabilitation 14 Ayni Street, 4 <sup>th</sup> Floor, Dushanbe. Tajikistan  Tel: +992 90 555 6060 Email:pirrr@tojikiston.com	Chief Specialist for Resettlement, Project Implementation Unit for Roads Rehabilitation 14 Ayni Street, 4 <sup>th</sup> Floor, Dushanbe. Tajikistan  Tel: +992 907 82 84 85 Email:pirrr@tojikiston.com	Chief Specialist for Resettlement, Project Implementation Unit for Roads Rehabilitation 14 Ayni Street, 4 <sup>th</sup> Floor, Dushanbe. Tajikistan  Tel: +992 904 22 4711 Email:pirrr@tojikiston.com
<b>MAHMUDJON KHOLIKOV</b>	<b>IBROHIM KURBONAL</b>	<b>SAFARMAD YORMATOV</b>
Tel: 987 131001	Chief Environmental Specialist.  Tel: 901 20 00 23	Chief Specialist on Social and Environment  Tel: 902 20 32 09



## ANNEX 5-1: PIURR LETTER REQUIRING ESTABLISHMENT OF THE GRC

ҶУМҲУРИИ ТОҶИКИСТОН МАРКАЗИ ТАТБИҚИ ЛОИҲАҲОИ ТАҶДИДИ РОҲХО		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: <a href="mailto:piurr@bk.ru">piurr@bk.ru</a>	14 Ayni str., Dushanbe Tel/Fax: (992 37) 222 20 73 E-mail: <a href="mailto:piurr@bk.ru">piurr@bk.ru</a>	ш. Душанбе, улица Айни 14 Тел/Факс: (992 37) 222 20 73 E-mail: <a href="mailto:piurr@bk.ru">piurr@bk.ru</a>

27 08 18 № 872

Ба мақомоти иҷроияи ҳокимияти  
давлатии шаҳри Рогун


Маркази татбиқи лоиҳаҳои таҷдиди роҳҳо ба маълумоти Шумо мерасонад, ки тибқи Ёрии техникӣ (ЁТ) байни Ҳукумати Ҷумҳурии Тоҷикистон ва Бонки Осиёгии Рушд (БОР) татбиқи лоиҳаи роҳи Душанбе сарҳади Қирғизистон (км 72-158), китъаи Обигарм Нуробод (гузаргоҳи минтақаи зеробшавандаи НБО "Рогун") Ҳамкории Иқтисодии Минтақавии Осиёи Марказӣ (ҲИМОМ) долонҳои 2, 3 ва 5 оғоз гардидааст.

Ҳамзамон иттилоъ медиҳем, ки дар доираи лоиҳаи мазкур татбиқи Нақшаи ҷудо намудани замин ва қўчонидани аҳоли низ, оғоз гардида, айни замон муайян намудани шахсони таъсирдида, бахисобгирии ҳаҷми бинову иншоотҳо ва китъаҳои заминҳои зери лоиҳа қароргиранда шурӯъ гардидааст.

Зикр намудан ба маврид аст, ки нақшаи номбурда дар асоси Сיעсати Бонки Осиёгии Рушд (БОР) оид ба қаролатҳои иҷтимоӣ (соли 2009) амалӣ карда мешавад. Тибқи талаботҳои Сיעсати БОР оид ба қаролатҳои иҷтимоӣ дар доираи Нақшаи ҷудо намудани замин ва қўчонидани аҳоли на танҳо ҷудо намудани замин ва қўчонидани бинову иншоотҳои зери лоиҳа қароргирифта амалӣ карда мешавад, балки, бо мақсади баррасии арзу шикоятҳои аҳолии ҳамшафати роҳ, Кумитаи баррасии арзу шикоятҳо дар доираи лоиҳа таъсис дода мешавад. Кумитаи мазкур ҳам аз ҳисоби намояндагони лоиҳа Фармоишгар, Машваратчӣ, Пудратчӣ ва ҳам аз ҳисоби намояндагони мақомоти маҳаллӣ низ, таъсис дода мешавад.

Бинобар ин, эҳтиромона, хоҳиш менамоем, ки барои таъсис додани Кумитаи баррасии арзу шикоятҳо аз ҳисоби намояндагони мақомот (муовини соҳавӣ-раисӣ комиссия), Кумитаи идораи замин, шӯъба/бахши меъморӣ, шӯъба/бахши ҳифзи муҳити зистӣ нӯҳия ва раисону мутахассис-заминсозони ҷамоатҳо муроҷиат намоед.

Эзоҳ: рӯйхати намояндагон бо кайди ному насаб, номи идора/раёсат/шӯъба, вазифаи ишғолнамуда, рақами телефони дастиву қорӣ ва суроғаи электронӣ пешниҳод карда шавад.

Бо эҳтиром,  
Директори иҷроия  Н. Арабзода

Иҷрокунанда:  
Э. Абдувоҳидзода  
муовини Директори иҷроия

From: Projects Implementation Unit for Roads Rehabilitation

**To: Nurobod District Administration**

The Projects Implementation Unit for Roads Rehabilitation is pleased to inform You that the construction of the CAREC Corridors 2, 3 and 5 Obigarm – Nurobod (the road section, which will be under water of the Rogun HPS reservoir will be relocated to other area) under the Dushanbe – Kyrgyz Border (72-158 km) Road Construction Project has been started in accordance with the Technical Assistance agreed between the Government of the Republic of Tajikistan and the Asian Development Bank.

Furthermore, we would like to bring to Your notice that the Plan for relocation of population and allocation of land plots has also been launched under this project. Currently, the work on identifying the affected people, calculating the dimensions of houses, structures and land plots, which will be covered by the project, is underway.

It is worth to note that this Plan will be implemented in accordance with the ADB policy for social guarantees (2009). The ADB's policy stipulates for not only the social guarantees under the Plan, but also for reviewing the requests and complaints from the population who reside adjacent to the road. In view of this, the Committee for reviewing the requests and complaints will be established. This Committee will be compiled of representatives of the project stakeholders, i.e. the Customer, the Consultant and the Contractor, as well as representatives from the local governments.

Therefore, we would like to ask for Your assistance in establishing the Committee for reviewing the requests and complaints with involvement into its membership the representatives of the agencies (sectoral deputy heads, head of the commission), such as the Land Management Committee, the Architectural Department/Unit, the Environment Protection Department/Unit (district level), as well as the heads and land development specialists (community level).

**P.S.** The List of the nominees with their full names, organizations/department/unit, assigned duties, telephone numbers (home, mobile), e-mail will be submitted later.

**From: Projects Implementation Unit for Roads Rehabilitation**

**To: Rogun City Administration**

The Projects Implementation Unit for Roads Rehabilitation is pleased to inform You that the construction of the CAREC Corridors 2, 3 and 5 Obigarm – Nurobod (the road section, which will be under water of the Rogun HPS reservoir will be relocated to other area) under the Dushanbe – Kyrgyz Border (72-158 km) Road Construction Project has been started in accordance with the Technical Assistance agreed between the Government of the Republic of Tajikistan and the Asian Development Bank.

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**P.S.** The List of the nominees with their full names, organizations/department/unit, assigned duties, telephone numbers (home, mobile), e-mail will be submitted later.

## ANNEX 5-2: GRIEVANCE REGISTRATION LOG BOOK: ISSUES AND GRIEVANCES

**Project Name:**

### Abbreviations:

**EA** Executing Agency

**PIU** Project Implementation Unit

**PMC** Project Management Consultant

**IR** Involuntary Resettlement

**ENV** Environment

### Types of Applications:

**A** Inquiry, clarification, suggestion, request

**B** Complaint regarding alleged breach of the SPS 2009 or Public Communication Policy 2011

**C** Allegation of fraud or corruption

[illegible]

## ANNEX 5-3: GRIEVANCE REGISTRATION FORM

1. Geographical location where the grievance was reported.....
2. Project name.....
3. Background information on the aggrieved person(s)

Number of aggrieved persons: .....; if there is more than one aggrieved person, please use a separate sheet of paper to register their personal information (name, primary occupation, tel. no., and signature)

- i) Full name:.....  
☐ I wish to raise my grievance anonymously  
☐ I request not to disclose my identity without my consent
- ii) Residential address:.....
- iii) Primary occupation: ..... Tel.: .....
- iv) Preferred language for communication  
☐ Tajik  
☐ Russian

4. The cause and particulars of the grievance (What happened? Where did it happen? Who did it happen to? What is the result of the problem?)

5. Redress sought by the affected person (what would you like to see happen to resolve the problem?)

6. List of submissions in support of the grievance (if any)

- 1) .....
- 2) .....
- 3) .....

**Note:** I hereby confirm that the information provided above is truthful and complete, to the best of my knowledge. I realize that the any miss-represented, intentionally omitted, or twisted facts provided in this form may impede the impartial processing and lead to the delay in resolving the grievance.

Name of the aggrieved person:

Signature: .....

Date: .....

### For official use only:

1. Name and position of the staff: ..... (GRC member) who registered the Grievance Form in the Complaints Log of the project:

2. Type of Application / Grievance: Type A (....); Type B (....); Type C (....);

*(Please tick the required type based on the content of the application)*

3. Grievance number (.....); Issue: Involuntary Resettlement (...); Environment (...);

*(Please tick the required type based on the content of the application)*

4. Remarks:

Received date: .....

Signature: .....

.....  
(Certification of acceptance should be handed over to the aggrieved person) (Cutting line)

**Certification of acceptance of the grievance**

This is to acknowledge that the grievance No. (.....), dated: ..... submitted by  
..... was registered  
with the Jamoat: ..... Rayon: .....  
by (name and position of the staff) ..... a responsible GRC member  
.....

(Signature)

(Date)

The alleged grievance will be given due consideration and processed within 15 working days starting from the date when the complaint form was registered. The weekends and public holidays are not counted towards 15 days allowed to process the complaint. The response will be directed to the aggrieved person who has submitted the complaint using the contact address provided in the Grievance Form.

**Updated information on the status of the grievance application No.: ( )**

**Outcomes of the GRC meetings on resolution of the grievance (remarks / date):**

.....  
.....

**List of other documents, protocols in support of the decision/resolution of GRC.**

- 1) .....
- 2) .....
- 3) .....
- 4) .....

The aggrieved person has received a copy of the resolution of GRC on his/her grievance case and has been  
..... (satisfied / not satisfied) with the decision of GRC.

GRC Chairperson: ....., position: .....  
.....

(Signature)

(Date)

#### **Certification of DPs satisfaction**

This is to acknowledge that the grievance No. (.....), dated: ..... submitted by the aggrieved person ..... has been given due consideration and resolved to the benefit of the affected person(s) the resident of Jamoat: ..... Rayon: ..... DP is satisfied with the decision of the GRC of the project and has no further issues or comments regarding this concrete grievance case.

.....  
.....

(Signature of the DP)

(Date)

In case of disagreement with the GRC resolution or a failure of the project specific GRM to address the grievance, the aggrieved person may lodge his/her complaint to ADB Resident Mission in Tajikistan, or to the local court, in person or through a nominated representative. The response will be directed to the person who has submitted the complaint using the contact address provided in the Grievance Form.

#### **ANNEX 5-4: PROJECT GRIEVANCE SUMMARY**

**PROJECT GRIEVANCES SUMMARY (TEMPLATE)**

[illegible]

## ANNEX 5-5: VILLAGE LEVEL CONTACTS FOR PROJECT RELATED INQUIRIES/ GRIEVANCES

There are one woman and one DP's representative in each GRG. The persons at village level responsible for Project-related inquiries and grievances for Section 2 are shown below. The woman representative for each village is highlighted in bold and italic.

### Grievance Redress Committee, Chepak Village, Mujiharf Jamoat, Nurobod District

No	Name	Position	Address	Telephone
1	Roziev Zinatullo	Head of jamoat	Mujiharf	985 51 52 57
2	Aliev Karamatullo	Agricultural unit jamoat	Mujiharf	988 19 66 61
3	<b><i>Makhsudova Maksad</i></b>	<b><i>Teacher</i></b>	<b><i>Mujiharf</i></b>	<b><i>987 487 359</i></b>
4	Hakimov Soleh	Head of Chepak village	Mujiharf	918 85 54 18
5	Ghaniev Davlatsho	Chepak village resident	Mujiharf	900 09 73 57

### Grievance Redress Committee, Mujiharfi Kalon Village, Nurobod District

No	Name	Position	Address	Telephone
1	Roziev Zinatullo	Head of jamoat	Mujiharf	985 51 52 57
2	Abdulhaev Izomiddin	Sarhatib	Mujiharf	918 84 54 13
3	Habibov Rahmonali	Teacher	Mujiharf	918 55 75 15
4	Saiumarov Manzar	Head of village	Mujiharf	901 40 70 13
5	<b><i>Yunosova Sadbarg</i></b>	<b><i>Village resident</i></b>	<b><i>Mujiharf</i></b>	<b><i>981 07 37 05</i></b>

### Grievance Redress Committee, Degavillage, Kamsamolobod Jamoat, Nurobod District

No	Name	Position	Address	Telephone
1	Jalilov Mahmadsidik	Head of jamoat	Komsomolodod	987 14 62 69
2	Abduloev Muhiddin	Jamoat's secretary	Komsomolodod	988 08 63 20
3	Zaidov Samariddin	Jamoat land surveyor	Komsomolodod	918 23 64 14
4	Jobirov Dodarjon	Head of Degai village	Komsomolodod	934 88 89 83
5	<b><i>Imonova Sumbul</i></b>	<b><i>Resident of Degai village</i></b>	<b><i>Komsomolodod</i></b>	<b><i>985 27 36 35</i></b>

### Grievance Redress Committee, Tutkhor Village, Mujiharf Jamoat, Nurobod District

No	Name	Position	Address	Telephone
1	Jalilov Mahmadsidik	Head of jamoat	Komsomolodod	987 14 62 69
2	Abduloev Muhiddin	Jamoat's secretary	Komsomolodod	988 08 63 20
3	Teshaev Asadullo	Resident of Tutkhor village	Komsomolodod	987 14 57 83
4	Masudov Saimahmud	Head of Tutkhor village	Komsomolodod	918 81 98 29



5	<b>Kalandarova Mehrinigor</b>	<b>Resident of Tutkhor village</b>	<b>Komsomolodod</b>	<b>987 96 56 57</b>
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**Grievance Redress Committee, Tegermi Village, Kamsamolobod Jamoat, Nurobod District**

No	Name	Position	Address	Telephone
1	Jalilov Mahmadsidik	Head of jamoat	Komsomolodod	987 14 62 69
2	Abduloev Muhiddin	Jamoat's secretary	Komsomolodod	988 08 63 20
3	<b>Kayumova Idimo</b>	<b>Resident of Tegermi village</b>	<b>Komsomolodod</b>	<b>981 05 07 08</b>
4	Ghayratov Kishvar	Head of Tegermi village	Komsomolodod	918 61 35 66
5	Burov Muhiddin	Resident of Tegermi village	Komsomolodod	985 12 30 90

**Grievance Redress Committee, Pandovchi Village, Kamsamolobod Jamoat, Nurobod District**

No	Name	Position	Address	Telephone
1	Jalilov Mahmasidik	Head of Jamoat	Komsomolodod	987 14 62 69
2	Abduloev Muhidin	Jamoat's secretary	Komsomolodod	988 08 63 20
3	<b>Kurbonova Mahina</b>	<b>Resident of Pavdonchi village</b>	<b>Komsomolodod</b>	<b>918 52 81 88</b>
4	Isroilov Nazrihuja	Head of Pavdonchi village	Komsomolodod	918 09 85 32
5	Uzbekov Ilhomiddin	Resident of Pavdonchi village	Komsomolodod	985 03 36 23

**Grievance Redress Committee, Dehi Tag Village, Safedchashma Jamoat, Nurobod District**

No	Name	Position	Address	Telephone
1	<b>Nosirova Malika</b>	<b>Head of Jamoat</b>	<b>Dehi tag</b>	<b>985 77 69 77</b>
2	Mahmadhojaev Kadamjon	Jamoat's land surveyor	Dehi tag	981 08 07 19
3	Amonatov Karimbek	Head of Dehi tag village	Dehi tag	918 18 72 62
4	<b>Yatimova Munira</b>	<b>Resident of Dehi tag village</b>	<b>Dehi tag</b>	<b>918 38 79 54</b>
5	Eshonov Dodarjon	Resident of Dehi tag village	Dehi tag	918 53 40 37

**Grievance Redress Committee, Ulfatobob Village, Safedchashma Jamoat, Nurobod District**

No	Name	Position	Address	Telephone
1	<b>Nosirova Malika</b>	<b>Head of Jamoat</b>	<b>Ulfatobob</b>	<b>985 77 69 77</b>
2	Mahmadhojaev Kadamjon	Jamoat's land surveyor	Ulfatobob	981 08 07 19
3	<b>Holmatova Sobira</b>	<b>Resident of Siyahgulak village</b>	<b>Ulfatobob</b>	<b>918 38 57 50</b>
4	Mirzoev Sharifhoja	Head of Ulfatobod village	Ulfatobob	918 90 80 44
5	Mahmadov Khurshed	Resident of Ulfatobod village	Ulfatobob	985 27 24 90

**Grievance Redress Committee, Gulmon Village, Safedchashma Jamoat, Nurobod District**

No	Name	Position	Address	Telephone
1	<b>Nosirova Malika</b>	<b>Head of Jamoat</b>	<b>Gulmon</b>	<b>985 77 69 77</b>
2	Mahmadhojaev Kadamjon	Jamoat's land surveyor	Gulmon	981 08 07 19
3	<b>Hasanova Nazokat</b>	<b>Resident of Gulmon village</b>	<b>Gulmon</b>	<b>918 24 31 18</b>
4	Hasanov Shomahmad	Head of Gulmon village	Gulmon	93 882 27 67
5	Safiev Shamsiddin	Resident of Gulmon village	Gulmon	918 55 91 84

**Grievance Redress Committee, 7<sup>th</sup> Microrayon of Darband Jamoat, Nurobod District**

No	Name	Position	Address	Telephone
1	Bobiev Kumuddin	Head of Jamoat	Darband city	918 85 54 38
2	Pudinaev Jamshed	Jamoat's secretary	Darband city	985 31 13 51
3	Loikov Dodarjon	Head of village	Darband city	981 04 64 50
4	Jomiev Sudur	Village resident	Darband city	985 32 13 72
5	<b>Hakimova Sojida</b>	<b>Village resident</b>	<b>Darband city</b>	<b>988 66 20 47</b>

# ANNEX 8-1: HUKUMAT INFORMATION ON AVERAGE YIELD AND PRICES

**ҶУМҲУРИИ ТОҶИКИСТОН**  
**ШУЪБАИ КИШОВАРЗИИ НОҲИЯИ НУРОБОД**

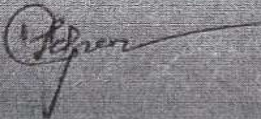
735420, ноҳияи Нурубод, шаҳраки Дарбанд, кӯчаи Исмоили Сомонӣ-21, тел. (83133) 3-00-32

№ 124 аз «27» 11 соли 2018

**Маълумотнома**


Дода шуд аз тарафи шуъбаи кишоварзи оид ба номгуи зироатҳои кишоварзӣ дар ноҳияи Нурубод.

р/т	Номгуи зироатҳо	сентинер	Гекта р	кг	Сомони
1	Гандум	20	1	1	3
2	Чав	21	1	1	2,5
3	Чуворимака	3000	1	1	4
4	Лубиёгиро	2500	1	1	14
5	Нахуд	2400	1	1	10
6	Луби	25	1	1	14
7	Ва дигар намуди лубиёгиро	26	1	1	14
8	Загер	12	1	1	7
9	Офтобпараст	12	1	1	15
10	Картошка	240	1	1	3
11	Пилёз	280	1	1	3
12	Сабзи	270	1	1	4
13	Карам	265	1	1	4
14	Помидор	150	1	1	6
15	Каду	200	1	1	4
16	Алафҳои бисёрсола	51	1	1	1,7
17	Мевагиро	200(тонна)	1	1	10

Мудир:  Азамзода.Р



## ANNEX 8-2: COST OF VARIOUS ASSETS REGISTRATIONS AND CERTIFICATES



**Ҷумҳурии Тоҷикистон**  
**Корхонаи фаръии корхонаи воҳиди давлатии «Лоихакаш»-и дар**  
**ноҳияи Нуробод**

---

735420, н. Нуробод, ш. Дарбанд, кӯчаи Исмоили Сомонӣ    тел: 30-1-05    тел: 985-02-61-48

№ 24 аз 26.11.2018


Маълумотнома

Ба маълумоти Шумо мерасонем, ки барои қорҳои лоихакашӣ дар сохтмон мувофиқи маҷмуаи нархҳои базавӣ МНБ-2018 қисми 39 Нархи қорқард барои ҳуҷҷатҳои лоихавӣ-ҳаҷномавӣ

Хонаҳои истиқоматии яқошёна 2736 сомони ва биноҳои хизматрасони ва маишӣ 9284 сомониро таъкил медиҳад.

Қудо намудани қитъаи замин барои сохтмони биноҳои маскунии инфиродӣ ва интиқоли тарҳи маҳал ба асл 187 сомони.

Қудо намудани қитъаи замин барои сохтмони биноҳои ҷамъияти ва интиқоли тарҳи маҳал ба асл 1154 сомони.

Директори ҚФ ҚВД  
«Лоихакаш»-и дар ноҳияи Нуробод  С. Халилов

## ANNEX 10-1: 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 to be paid TJS	Amount Received by DP TJS	Compensation payment status				Remarks
		Loss of land use rights	Loss of structures	Loss of trees	Loss of crops	Loss of business / employment	Allowances (transition period, vulnerability, impact severity, transportation)			Paid on date	Cheque voucher No.	Amount paid TJS	Remaining amount (if any) TJS	Explain reasons for non-payment
1														
2														
3														
4														
5														
...														
Total														

Tick what is applicable or write 'yes' or 'no'

### Compensation Payments for the Reporting Period

#	Reporting period	Compensation paid			Remaining DPs & balance compensation		Remarks/Comments
		No. of DPs paid	Amount paid (TJS)	Date	Remaining DPs	Balance Amount (TJS)	
1							
2							
3							
4							
<b>Payment Progress till (date)</b>							
<b>% Paid Progress</b>							

### Replacement Land Plots

Category of land	No. of DPs lost land	No. of plots affected	Area of affected land plot (m2)	No of DPs provided with replacement land plots	No. of plots provided to the DPs	Area of the replacement plots (m2)	Remarks/ Comments
Agriculture							
Orchards							
Residential							
Commercial							
Other (specify)							
Total							

### Tracking Temporary Losses / Impacts

#	Type of temporary losses	Total No. of DPs	Total paid DPs	Paid DPs during reporting period	Not paid till reporting date	% paid	% not paid	Remarks/ Comments
1	Soil disposal							
2	Borrow pits							
3	Contractors' camps							
4	Diversion roads							
5	Loss of access							
<b>G. Total</b>								

#### Community Consultations

Type of consultation	No. of consultations	No. of DPs consulted	No. of DPs informed	No. of DPs now aware	%
Meetings					
Focus Group Discussions					
Individual Interviews					
Other (specify)					
<b>Type of disseminated information</b>					
Information on Entitlements					
Use of GRM					
<b>Total</b>					

**Key issues:** eligibility and entitlements, cash compensation or replacement land, choice of housing sites, income replacement options, grievance redress, transition options and provisions, disbursement, etc.

#### Grievance Redress Mechanism

GRM cases	Number	%	Remarks
Complaints registered for the reporting period			
Complaints resolved at the project level			

Complaints submitted to a court			
Complaints resolved by a court			
Issues resolved before it became a grievance			
DPs satisfied with the GRM procedure			
<b>Total complaints resolved</b>			
Issues/complaints registered			
Issues/complaints resolved			
<b>Total</b>			

#### LARP information disclosure

<b>Resettlement Information Booklet</b>	
To DPs	
Date:	
No. of DPs:	
<b>Resettlement Plan</b>	
To Government institutions	
Date:	
No.:	
<b>Disclosed on EBRD website</b>	
Date:	
Disclosed on EA website	
Date:	
Other types of disclosure (specify)	
Date:	

#### DPs Relocation Form (Sample)

					<b>Infrastructure development</b>	
--	--	--	--	--	-----------------------------------	--



Relocation sites	Total No. DPs to be	No. of DPs relocated	No. of DPs not	Relocation allowances	Roads	Water	Electricity	Comments
<b>Total:</b>								

### LAR Activities Progress Monitoring Checklist (Template)

<b>Date:</b>	<b>Project:</b>				
<b>Project site:</b>	<b>Total no. of DPs:</b>				
LAR Activity	Task (✓) Completed	No of DPs			Comments
		Total	Completed to date	%	
<b>Disclosing endorsed Final Implementation-ready LARP to DPs and publishing it on EBRD website</b>					
<b>LAR Implementation processes</b>					
Reached agreements with DPs on their entitlements and compensations					
Transferring LARP funds to the LARP implementation agency		N/A			
DPs notified on disbursement and LARP implementation schedule					
Cash compensation payments disbursed					
Relocation strategy implemented					
Income restoration strategy in place					
Land and structures acquired					
<b>Commencement of civil works after implementation of the LARP provisions</b>					

Compliance Monitoring From on the Provision of Entitlements (Template)
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[illegible]

[illegible]

[illegible]



**ANNEX 11: PRELIMINARY IMPACT ASSESSMENT FOR VILLAGE ACCESS ROADS  
COMPONENT**

## A. BACKGROUND

### Project Description

1. The proposed project “Obigarm - Nurobod Road Project” aims to construct an approximately 75 km alternative alignment (the “Project road”) for the existing M41 road connecting the northeast region of Tajikistan and the Kyrgyz Republic between Obigarm (72 km) and Nurobod (158 km), which will be inundated by the reservoir of the Rogun Hydropower Project (HPP), that is now under construction.
2. The Project road is divided into three sections:
  - the Obigarm-Tagikamar section is about 30 km long and includes 2 tunnels of 1.6 km and 1.7 km and local access roads of circa 30 km (Section 1);
  - the Tagikamar-Nurobod is about 44 km long and includes 1 tunnel of 2.6 km, 1 long temporary bridge and local access roads of circa 40 km (Section 2); and
  - Section 3 includes a bridge that is about 760 m long and its approaches. These sections correspond to three contract packages that will be procured separately through open competitive bidding.
3. Package 1 will be financed by a USD 110 million grant from Asian Development Bank (ADB) and USD 40 million loan from OPEC Fund for International Development (OFID). Package 1 consists of the following sections of the Road: Section 1 - Javoni – Kandak; Section 2 - Gazakyon – Sebnok (Lugur); and Section 3 - Hakimi – Siyohgulak; including Bridge No 1 through Bridge No 6 and Tunnel No 1 (Kandak Tunnel) and Tunnel No 2 (Karagach Tunnel) ending short of the south portal of Tunnel No 3 (Tagikamar Tunnel).
4. Package 2 will be financed by a USD 150 million loan from European Bank for Reconstruction and Development (EBRD). Package 2 consists of the following sections of the Road from 33km: Section 4- Mudzhiharv-Alihodzha, Section 5 - Alihodzha – Tuthor; Section 6 - Tuthor – Kabudiyon (Samsolik); Section 7 - Kaboudiyon – Humdon, including Bridge No 7 through Bridge No 13, Tunnel No 3 (Tagikamar Tunnel) and the temporary bridge over the Rogun HPP Reservoir at Darband over the Surkhkhob River.
5. Package 3 will be financed by a USD 40 million loan from Asian Infrastructure Investment Bank (AIIB) and covers the long permanent bridge (760 m) over the Rogun HPP Reservoir at Darband over the Surkhkhob River.
6. Additionally, two types of road providing access to the alignment will be developed. These are:
  - Village access roads – these will be permanent access roads, connecting villages to the alignment, and works will comprise rehabilitation of existing access road alignments.
  - Site construction access routes - these will be temporary access roads to the alignment for use by construction traffic during the construction period.
7. It is planned to rehabilitate village access roads. This report presents the findings of a preliminary social impact assessment (PIA), which was carried out to determine if the existing village access roads are adequate to accommodate heavy machinery and transportation of construction materials to the construction sites. This report should be read in conjunction with the Preliminary Environmental and Social Assessment Reports on Village Access Road Rehabilitation Works<sup>3435</sup>.
8. A land acquisition and resettlement plan (LARP), based on the detailed design data and an inventory of affected assets, was prepared in accordance with ADB SPS (2009) requirements and EBRD 2014 ESP and the national laws and regulations for the Project road. This preliminary impact assessment

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<sup>34</sup> Central Asia Regional Economic Cooperation Corridors 2, 3, and 5 (Obigarm-Nurobod) Road Project Section 2 and Section 3 – Preliminary Environmental Assessment Village Access Roads Rehabilitation Works, January 2020

<sup>35</sup> Central Asia Regional Economic Cooperation Corridors 2, 3, and 5 (Obigarm-Nurobod) Road Project Section 2 and Section 3 – Preliminary Social Assessment Village Access Roads Rehabilitation Works, January 2020



(PIA) has been conducted as a supplement to the LARP to incorporate potential impacts associated with the village access road rehabilitation works.

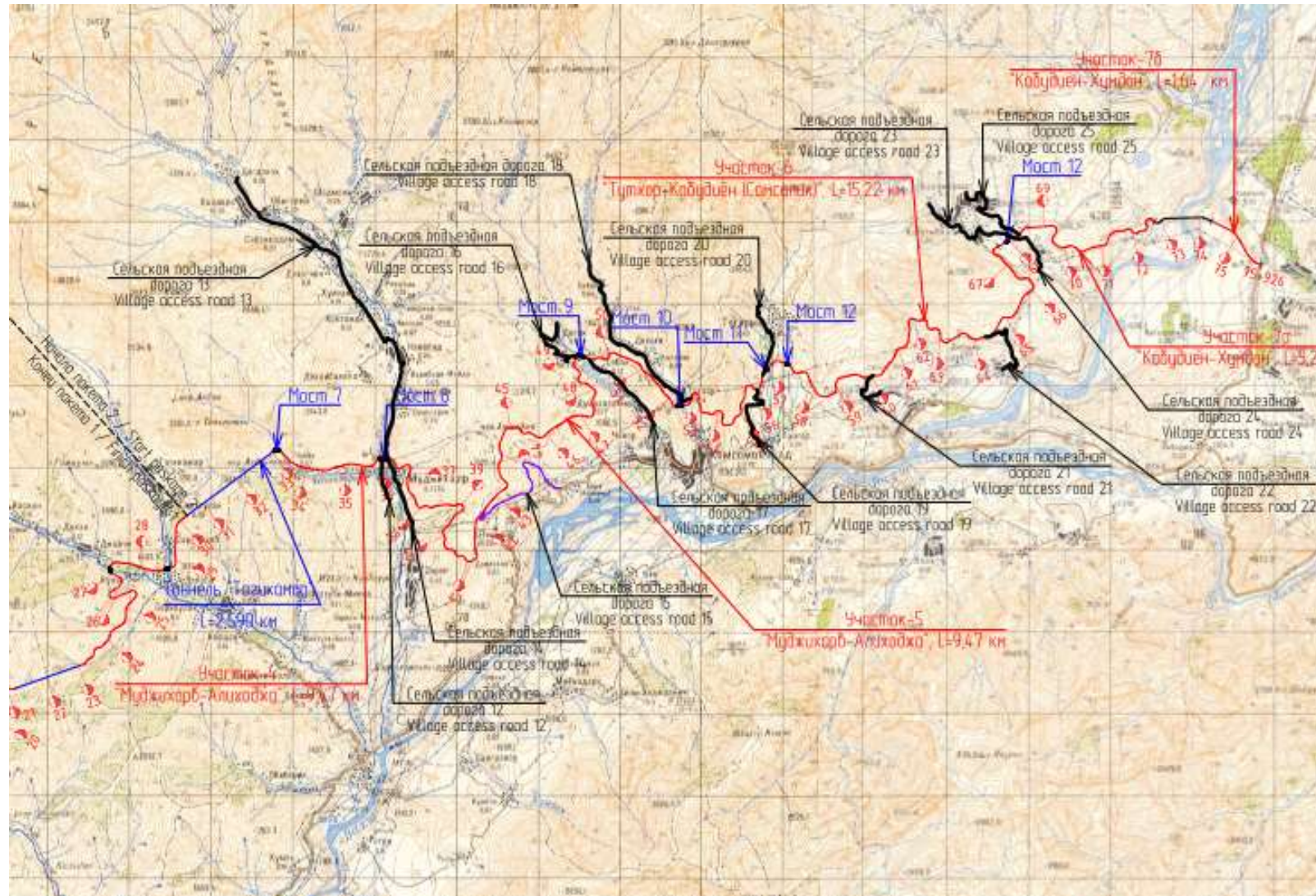
### **Justification of the Rehabilitation of Village Access Roads**

9. The Project aims to provide an efficient and safe road transportation system for the movement of passengers, goods and services in a sustainable manner. The Project will;
  - Improve intra-transport infrastructure of the region;
  - Facilitate connectivity with of the local communities to the Project road as some of the communities will be completely cut down from the connectivity to regional roads. The existing road connecting local communities to districts' administration centres and the region will be flooded and outdated. The Project facilitates for rehabilitation of village access roads and their connectivity to the new diverted project road;
  - Moreover, the proposed works will facilitate regional trade, support poverty reduction while accelerating growth and development in the region and in the country as a whole; and
  - Accelerate social and economic development while raising the living standard of local inhabitants.
10. Considering the importance of the large village access roads and their connectivity to the Project road, the rehabilitation of the roads is considered important in order to improve the social and economic conditions of the people connected to the main project road, and the health service providing institutions in the area.
11. The proposed works will improve the efficiency and quality of transportation of goods and improved access to facilities, economic and social resources. Moreover, rehabilitation of these roads will enhance safety measures and ease access to transportation facilities.
12. Extended benefits will include construction works providing the local population with employment opportunities, leading to short-term socio-economic benefits. To ensure that these benefits are directed to local people, the Contractor will be required to employ as much of his labour force as possible from the local communities particularly within the vicinity of construction sites.

### **B. OBJECTIVES OF PRELIMINARY IMPACT ASSESSMENT**

13. The objective of this preliminary impact assessment (PIA) is to identify envisaged physical and economic impacts arising from the rehabilitation of the village access roads, provision of preventive and mitigation measures to minimize and mitigate the Project impact as well as to describe the institutional arrangements related to the future detailed design, impact screening and resettlement planning as needed.
14. The PIA was conducted to provide an assessment of the social concerns that need to be taken into account in processing and implementation of the rehabilitation of 14 village access roads with total length of 41 km and access of the contractor to the Project road locations. The report is based on preliminary access roads location scheme and preliminary field investigation carried out by social specialists and design engineers as part of the ADB support to identify the socio-economic impacts of the proposed rehabilitation works of the village access roads. The PIA methodology is described in the next section.
15. The PIA provides the results of screening of the area of the existing access roads with the intention of identifying potentially significant and/or minor social & resettlement impacts, determining appropriate mitigation measures, and identifying if any further assessment is required. In addition, this PIA aims to identify the likely social impacts, both positive and adverse and suggests mitigation measures to be taken by the Ministry of Transport (MOT) during the detailed design and rehabilitation of access roads. The basic objective is to ensure that nobody is made worse off as a result of such reconstruction/ rehabilitation activities. In order to achieve this objective all negative impacts have to be mitigated and the costs of doing this included in the financial and economic analysis of the Project.

Figure 1. Village access roads scheme (Section 2)



## C. METHODOLOGY

16. The PIA follows the methodology outlined in the ADB Safeguards Policy Statement (SPS 2009), EBRD Social Safeguards and Framework Laws of the Government of Tajikistan about land acquisition. The experiences of other studies in preparing social due diligence documentation for road sector have also been reviewed. This PIA was conducted based on the preliminary access roads scheme, field investigation, review of secondary data and information acquired from the MOT.
17. This report covers the description of existing social conditions for the proposed access roads corridors, assessment of social impact of the Project components, recommended mitigation measures and social monitoring. The potential social impacts (both positive and negative) have been considered for activities to be carried out during pre-construction, construction and operation phases of the Project.
18. The preliminary access roads design provides the right of way (RoW) of the access roads<sup>36</sup>, which served as a baseline for the impact assessment. This comprises 5-meter roads with carriageway on both sides 4 meters wide, and 0.5 meter road verges.
19. A multidisciplinary team of social and environmental specialists and road and safety engineers were mobilized to conduct the assessment. The team physically observed each proposed village access road jointly with the representatives of local authorities (jamoats). The assessment team conducted an inventory of estimated losses that included the identification, measurement and classification of the following parameters:
  - affected land (residential, commercial, agricultural, moving, public, etc.);
  - affected crops;
  - number and type of affected fruit and wood trees;
  - buildings/structures (business, residential, ancillary structures) if any;
  - affected businesses;
  - loss of employment;
  - number, type and area of affected community/ public assets; and
  - other improvements, if any.
20. There were no discussions and direct consultations with potentially affected persons of the properties envisaged to be impacted, and their land ownership titles were not checked at this stage of preliminary assessment. The information about the potentially affected households (AHs) was obtained from local authorities. Thus, the preliminary impact assessment provides the estimated number of AHs. The estimated total number of displaced persons (DPs) is extrapolated based on number of AHs and average no. of persons per household (as in the Project LARP).
21. The assessment team travelled throughout the Project road alignment and visited all 14 village access roads, which are proposed for rehabilitation under section 2 and 3 of the Project road. Initial information on these access roads was obtained from maps provided by the road Project designers Avtostrada. Construction and safety engineers, and the Project safeguards team physically assessed the intersections and the whole length of each village access road and estimated any need for widening and/or levelling that might be required to ensure standards and safety. Social specialists assessed the estimated required lands in each area and calculated envisaged impact on land, structures, trees, etc. Special attention is given to cases of where impact would be severe such as impact on residential buildings and/or income sources.

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<sup>36</sup> the preliminary access roads scheme/maps provided by Autostrada -local company engaged in the road design process under the project TA.

22. The team also assessed the village roads through which contractor will have access to the Project site during construction, as there is no direct connection from the start of the Project road to the end of the Project road. Requirements for widening, rehabilitation or any other measures to ensure access of heavy machinery and transportation of materials and equipment to the construction sites, were noted and envisaged impacts recorded. Moreover, other community infrastructure such as drains, communications, water systems, etc., were reviewed in order to propose preventive measure against disruption and for ensuring proper functioning of such facilities. Additional safety measures will be developed and implemented as needed during construction, based on the design of each access road and in line with the overall Project Environmental & Safety Management Plan (ESMP).

#### **D. OUTCOMES**

23. The PIA results provide information on the following aspects:
- Envisaged impact on land area by type of use and ownership;
  - Number of affected fruits, shed and decorative trees;
  - Number of affected structures, buildings by type of use, boundary walls, fencing, etc.;
  - Estimated number of affected households and persons, community institutions, etc.;
  - Severe impact cases (number, type, etc. if any);
  - Identified community facilities such as water source (systems), drainage, other communication facilities (volume of impact such as length, number, relocation alternatives, etc.); and
  - Records of any other information on possible impact on communities.
24. Following assessment of the identified impacts, further assessment requirements and mitigation measures are set out.

#### **E. KEY FINDINGS**

##### **1. Impacts on households living adjacent to the Village Access Roads**

25. The results of the study suggest that the proposed village access road rehabilitation works and contractors' access roads to the Project road along these routes will not trigger any severe physical and/or economic impact on communities and government institutions in the Project area. However, a few impacts on the lands, trees and boundary fences of some households are anticipated. Although, planned rehabilitation works involve repairing and rehabilitation of the access roads and not for new constructions, preliminary assessment of the proposed 14 village access roads shows some minor impact on community members who have encroached upon the RoW and planted fruit and shed trees and/or installed boundary metal fences, wood-stick fences or planted bushes. Some outbuildings such as livestock shelters, barns and sheds may also be affected but this will be confirmed after the finalization of design of the access roads.
26. The Project will follow the existing routes of the village roads and thus some of the potential impacts will be avoided since the existing RoW is sufficiently wide. The Project will follow the existing routes of the village access roads and thus some of the potential impacts will be avoided since the existing RoW is sufficiently wide. The proposed roads RoW is MOT administered land and no other registered land and property rights were identified on the land. Where the Project will impact on trees and boundary fences that will be affected by the rehabilitation works, the owners will receive compensation. The affected lands (1 to 2 meters along the community roads, which are informally used by the households adjacent to the access roads) will be further assessed in relation to claims on ownership, when the construction boundaries are established based on the design.
27. Overall, 37 households will have minor impact from the rehabilitation of village access roads. There will be impact on 2,550 square meters of land, 114 fruit trees, 382 shed trees and bushes, 870 meters of wire netting, wooden fencing and metal sheet fencing, and 146 meters of earth, stone and concrete boundary walls. Seven structures such as livestock shelters, barns and sheds were identified that might be affected. There are no crops or other agriculture activities on the affected lands. The affected land is a one to two metre strip of RoW of the village roads, which have been informally fenced and



planted with fruits and shed trees by the households living adjacent to the roads. Table 1 provides more detailed information on the envisaged impact of the village access roads rehabilitation works.

28. Mitigation measures will be taken in accordance with the ADB SPS 2009, EBRD Social Safeguards, and Framework Laws of the Government of Tajikistan about land acquisition, and the ESMP for the Project.

**Table 1: Summary of preliminary impact assessment findings for proposed village access roads**

No.	Location	Project Road side	Village name	Length km	Estimated No. of AHs	Envisaged Impact volumes					
	Land (m <sup>2</sup> )					Fruit trees (no.)	Shed trees and bushes (no.)	Structures (number)	Boundaries (meter)		
									Wire mesh and wood sticks fencing	Earth, stone and concrete walls	
1	35+86	L	Mujikharf	1.35	5	450	16	120	3	121	14
2	36+14	L	Degdonak	9.6	11	1,200	48	100	2	332	85
3	36+14	L	Mujikharf 2	1.85	No impact						
4	42+46	L	Ayni	3.7	No impact						
5	49+14	L	Degae	2.25	4	500	12	98	1	125	35
6	49+40	L	Sebak	2.85	1	-	-	-	-	-	15
7	52+94	L	Tutkhor	4.9	5	210	13	10	1	130	-
8	56+07	L	Sunjit	1.8	No impact						
9	56+79	L	Tegirmee	2	2	-	-	7	-	30	-
10	60+06	L	Saripul	1.85	3	-	9	-	-	25	-
11	64+33	L	Pandovchi	1.95	No impact						
12	68+20	L	Safedchashma	2.89	2	50	2	28	-	32	-
13	68+20	L	Ulfatobod	1.3	No impact						
14	68+44	L	Sherbigiyon	2.75	4	140	15	19	-	75	7
14	Total			41	37	2,550	114	382	7	870	146

29. Affected households and persons: During the PIA study, there were no discussions or direct consultations with potentially affected persons of the envisaged impacted properties, their land ownership titles were not checked at this stage of preliminary assessment, and the information about the potentially affected households (AHs) was obtained from local authorities. Based on these sources, the estimated number of AHs identified as affected by losses is 37 AHs. The estimated total number of displaced persons (DPs) has been extrapolated based on number of AHs and the average number of persons per household (8 people per AH as per the LARP) – this would give 296 DPs. A detailed measurement survey (DMS) and census will be carried out based on the detailed design of access roads which will obtain the land titles, as well as the socio-economic details of AHs and DPs. The vulnerability status of AHs will be verified and entitled AHs will receive vulnerability allowances as per LARP provisions.
30. Affected land: According to PIA results, only 2,550 m<sup>2</sup> of land will be affected as a result of access roads rehabilitation with maximum affected land of 1,200 m<sup>2</sup> in Degdonak village. The affected land is

1 to 2-meter strip of RoW of the community roads which is MOT administered land. Thus, it is expected that there will be no any other registered land or property rights on the land which mostly have been informally fenced and planted with fruits and shed trees by the households living adjacent to the roads. However, during the detailed design and further impact assessment exercise the land ownership titles will be checked and the lands with right to use status will be compensated as per LARP provisions. The LARP contingency is sufficient enough to cover the costs related to implementation of the LARP addendum which will cover impact triggered by the rehabilitation of access roads.

31. **Affected structures and improvements:** Seven structures such as livestock shelters, barns and sheds were identified that might be affected. All the affected structures will be compensated by replacement cost based on LARP provisions. The replacement cost calculation will be carried out by a professional valuator when the exact volumes of impacts will be identified based on the detailed design of the proposed access roads for rehabilitation.
32. **Affected trees:** Overall, 114 fruit trees and 267 shed trees and 115 bushes (Ligustrum) will be affected by the Project for rehabilitation of village access roads. Table 2 provides information on the types of fruits, shed trees and bushes that are potentially affected by the rehabilitation of access roads and will have to be cut

**Table 2: Types and number of trees effected by the proposed works**

Type of fruit trees	Number	Average age of trees (years)	Type of shed trees and bushes	Number	Average age of trees (years)
Apple	1	5-15	Acacia	17	3-15
Cherry	5	3-12	Willow	213	5-25
Small cherry	40	3-15	Poplar	37	3-15
Walnuts	7	8-50	Bushes	115	3-8
Mulberry	59	7-25			
Apricot	2	8-20			
<b>Total</b>	<b>114</b>		<b>Total</b>	<b>382</b>	

33. All affected fruit trees will be compensated, and households will be provided with the costs of replanting and procurement of saplings to replant the trees. Compensation will be based on an age category and the market value of one year of income times the number of years needed to grow a tree of similar productivity, plus purchase price of seedlings and starting materials as stipulated in the LARP of the Project road and the entitlements matrix. The calculation of losses for fruit trees and saplings will be carried out by a professional valuator when the exact volumes of impacts will be identified based on the detailed design of the proposed access roads for rehabilitation. It will be based on the replacement cost principle which includes the net market value of the typical tree's annual income multiplied by the number of years needed for cultivation of a new tree to its mature age.
34. Wood trees are not commonly compensated in Tajikistan, but AHs keep cut trees. Affected poplar and willows can be used as construction material and remaining will be used as firewood. After trees are cut, most of the branches can be used for growing new trees by planting them in the ground. Bushes can be rooted out and planted at a safer distance from the village roads RoW in collaboration with the Project after marking the roads RoW.
35. **Affected crops:** According to the PIA findings, no crops will be affected by the access road rehabilitation works.

36. Other impacts: No other impacts are anticipated on structures or other improvements on affected land plot, no businesses or employment will be affected as a result of community access roads rehabilitation works. No severe impact (physical relocation or 10% and more impact on productive assets) is anticipated.

## **2. Impact on public facilities and government institutions**

37. The proposed works are unlikely to have negative impacts and consequences on public facilities and local government institutions. Thirty meters of wire netting mesh of a cemetery in Tegirmee village will be affected. Compensation will be provided to local Jamoat for replacement of the fencing. There will not be any land take or relocation of graves in the cemetery.

## **F. INSTITUTIONAL FRAMEWORK**

38. Project Implementation Unit for Road Rehabilitation (PIURR): The Project's management comprises a steering committee, an interagency working group, and a Project Implementation Unit for Road Rehabilitation (PIURR) in the MOT.
39. Executing Agency (EA): The Executing Agency (EA) for the Project is the MOT. The PIURR is responsible for overall technical supervision and execution of the Project. The staffing of PIURR includes expertise in project management, hydrology and highway engineering, institution and finance, safeguards, gender and community development. The mitigation measures that are incorporated into the design will be verified by the PIURR before providing technical approvals. The mitigation measures that form part of the Contract Documents will also be verified by PIURR before getting the contract signed between the Executing Agency and the Contractor.
40. Consultants: Project Management Consultant (PMC) will assist PIURR in overall safeguards implementation, compliance monitoring and reporting. The Construction Supervision Consultant (CSC) will be responsible for the approval of detailed design for the village access roads proposed by the Contractor. The safeguards specialists of PMC will support PIURR and preparation of LARP addendum once the detailed design of village access roads is finalized. The safeguards specialists of PMC will closely coordinate with CSC during the design finalization to ensure the impact minimization to a lowest level.
41. The mitigation measures identified in the PIA report will be incorporated into the Project cycle. An addendum to LARP of the Project Road CAREC Corridor 2, 3 and 5 will be prepared and implemented based on actual adverse impacts on land and other fixed assets that will be found after detailed engineering design of the village access roads. Mitigation measures during the construction stage shall form part of the Contract Documents and will be implemented by the contractor.
42. The responsibilities of the PIURR, with support from the PMC, will include
- construction supervision and management;
  - assessment of works carried out by the contractors; and
  - preparation of monthly and bi-annual reports on the implementation of safeguard documents.
43. More detailed information on managing social safeguards component of the Project is prescribed in the Project LARP of the CAREC Corridor 2, 3 and 5 Obigarm Nurobod Project Road and the Environmental & Social Management Plan (ESMP) developed during the Environmental & Social Impact Assessment (ESIA) for the Project.
44. The contractors will provide the PIURR with monthly reports on the implementation of mitigation measures. The reports prepared by the contractors along with quarterly monitoring reports to be prepared by project consultants will be consolidated and submitted to the PIURR for review.

## **G. MANAGEMENT OF SOCIAL AND RESETTLEMENT IMPACTS**

45. The Land Acquisition and Resettlement Plan (LARP) for the CAREC Corridor 2, 3 and 5 of Obigarm Nurobod Road Project has made provisions to compensate for land acquisition and loss of property,

material goods livelihood during the implementation of the Project. The Project follows the ADB's Safeguards Policy Statement (2009) and Operations Manual (OM) Section F1/BP (2010), EBRD Social Safeguards and Performance Requirements, and the Constitution, the Land Code (LC) and the Civil Code (CC) of Tajikistan.

46. The present report has been prepared by the PIURR/MOT of Tajikistan in close collaboration with the local District Administration, Head of Jamoat, and other stakeholders in the Project area. Findings of the social safeguard studies on the proposed village access roads including potential impacts and mitigation measures were discussed with the various stakeholders. It was discussed that any adverse impacts due to the Project will be mitigated following the ADB SPS 2009, and EBRD Social Safeguards. It is anticipated that no one will be worse off, rather their standard of living will be improved or at least restored to pre-project level. In the event of private land acquisition and displacement, cash allowances and other benefits as per the policy adopted as part of the Project, and stipulated in the LARP, will be paid. Livelihood and income generating activities will be carried out for vulnerable groups, defined by EBRD as "including people who, by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage or social status may be more adversely affected by displacement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits".
47. Proposed village access roads rehabilitation works are in their preliminary stage. 14 village access roads, which ensure local people access to the Project road and the rest of the country were identified and length of each road and type of works were planned. Through some of these 14 village access roads access will be established to other villages who also will lose access to transportation as the existing road will be outdated when Rogun water reservoir is filled by 2023.
48. At the current stage there is no detailed design for the village access roads and the road rehabilitation works impact has been assessed based on preliminary estimation of the required width of the access roads and the rehabilitated roads strictly following the existing route. Therefore, the prescribed impact in this document is preliminary and based on the general assessment, field observations and discussions with local jamoats and community leaders.
49. The assessment team visited each access road and made a preliminary estimation of the impacts. A detailed measurement survey (DMS) will be conducted when the design of the village access roads is complete. The Project social specialists will be involved in the process of design to mitigate and reduce adverse impact of the rehabilitation works on communities' lands and assets.
50. An addendum to the Project Road LARP will be prepared and approved by ADB and EBRD based on final detailed design of the village access roads. The addendum to the LARP will be approved by the Government, funds will be provided from State budget by MOT and fully implemented by MOT before commencement of construction works on the village access roads. The following basic principles of ADB's Policy on Involuntary Resettlement and the EBRD Resettlement Guidance and Good Practice have been and will be used as a guide to the Project's further detailed design, impact assessment and planning activities:
  - Involuntary resettlement should be avoided or minimized by exploring all viable project options;
  - Identification of affected persons and compensation for lost property and income;
  - Assistance in resettlement and restoring the living standards to the level without the Project;
  - The affected people should be fully informed and closely consulted on resettlement and compensation options;
  - The absence of formal legal title should not be a bar to compensation or assistance in rehabilitation of livelihood; and
  - Pay special attention particularly to poor and vulnerable groups.
51. The LARP addendum will be prepared based on provisions envisaged in the LARP prepared for the Project Road. The LARP contingency is sufficient to cover the costs related to implementation of the LARP addendum.



## **H. TEMPORARY IMPACTS DURING CONSTRUCTION**

52. Apart from the envisaged impacts listed, land acquisition of privately used land or displacement of people, whether titled or non-title holders, communities in the Project neighbourhoods may experience temporary impacts during construction, such as dust, noise, movement restriction, etc. The measures for such temporary impacts will be the responsibility of the civil works contractor. To eliminate such impacts the civil works contractors will undertake works in accordance with the controls required by the Project environmental & social management plan (ESMP), including the following measures:
- Informing all local communities about the nature and duration of work well in advance so that they can make necessary preparations;
  - Always keeping clean of construction materials and provide full access to houses, business places, ensure vehicle and pedestrian access is not disturbed all the time;
  - Increasing the workforce and using appropriate equipment to complete the work in a minimum timeframe with least impact on livelihoods and economic resources;
  - Continuing accessibility to all types of facilities including communication lines, water systems, electricity, etc. that are available in the construction zone/project area, should be ensured;
  - If rental land is used, government administered lands allocation prioritization or negotiating with the land owners and users as appropriate on fair terms and conditions in writing, and
  - Use of non-vibratory roller to avoid vibration that may cause crack or damage of the earthen structures found close to the existing right of way. The PIURR and Project Management Consultant will ensure use of non-vibratory roller for compaction of road materials as per category of the roads, during construction.
  - Measures for minimizing dust and noise pollution as per the environmental management plan.
  - If any adverse impacts happened due to the need of the contractor or for their activities during the construction phase the contractor will be responsible to mitigate such impacts.
53. The PIURR and Project Management Consultant will monitor the identification and management of construction related temporary impacts and ensure that grievance redress mechanism (GRM) – see Section I of this report – is fully functional and accessible to the communities for any events of inconveniences to the communities out of civil works construction.
54. To maintain trade and residential access to the premises along the road, construction contracts should include a clause requiring contractors to provide appropriate walkways and vehicle access (diversion roads) to all required sections of the Project apart from the available alternative (diversion) roads in the area. Resettlement and land acquisition impacts associated with the establishment of temporary diversion roads are not anticipated during this period. The result of the study suggests that the proposed village access roads rehabilitation activities will have fewer impact on people and communities' lands, structures and trees as the construction works will be carried out within RoW of the existing road. Mainly these impacts arise from the informal use of the RoW of the existing roads by communities. Moreover, planned construction works comprise only rehabilitation of existing structures and in the process of detailed design, engineers will strictly follow the route of the existing road routes to minimize impact to the level possible. If any impact is identified beyond construction on the right of way during the implementation stage of the Project, the Contractor will be responsible to mitigate in consultation with the client (MOT) and local community. Mitigation measures will be taken following the ADB SPS 2009, EBRD Social Safeguards and Framework Laws of the Government of Tajikistan about land acquisition for smooth implementation of the Project.

## **I. INFORMATION DISCLOSURE, CONSULTATION AND GRIEVANCE REDRESS MECHANISM**

55. Consultations with beneficiary communities and Project affected persons will be carried out during the detailed design, DMS and census surveys. During these activities, the participants will be provided the Project Brochure in Tajik language, Project-specific Entitlement Matrix, the Government Decree on the GRM and information about the cut-off date, in addition to general information about the Project, LAR processes, and expected time for the commencement of the works.

56. After the finalization of the LARP addendum, the following information disclosures are planned:
- distribution of copies of the LARP addendum in the Russian language in the local authorities' offices;
  - posting of the approved LARP addendum in the Russian language on the PIURR website;
  - consultations with DPs and information disclosure to be ensured as per the established LAR consultations procedure; and
  - uploading of the approved LARP addendum on the ADB, EBRD and MOT websites.
57. In order to receive and facilitate the resolution of possibly affected peoples' concerns, complaints, and grievances concerning the Project's performance a Grievance Redress Mechanism (GRM) has been established for the Project road with a focal person in each jamoat who will receive and register community issues and concerns. In addition, the GRM will include a proactive component whereby in the process of preparation of addendum to the Project LARP and prior to commencement of construction of village access roads the communities will be formally advised of project implementation details, so that all necessary project information is communicated effectively to the community and their immediate concerns can be addressed. This proactive approach with communities will be pursued throughout the implementation of the Project.
58. The Project road established GRM will address Project affected people's concerns and complaints proactively and promptly, using an understandable, communicated and transparent process that is gender sensitive, culturally appropriate and readily accessible to all community members at no costs and without retribution. There should also be the facility for anonymous complaints to be submitted. The mechanism will not impede access to the Country's judicial or administrative remedies. For more detailed information on GRM, please refer to the chapter 5 of LARP on Grievance Redress Mechanism.

## **J. CONCLUSIONS**

59. The results of this PIA conclude that, rehabilitation of village access roads will likely have minor impact on households' lands, trees and fences. Other public facilities and government institutions will incur minor impact on trees and fencings. No severe impact (physical relocation or 10% and more impact on agricultural productive assets) due to rehabilitation of village access roads is anticipated.
60. Land acquisition and resettlement actions will be implemented within the laws of Tajikistan and in compliance with ADB SPS 2009 and EBRD Social Safeguards through finalization of the addendum to the Project LARP that will be enacted, as required and appropriate prior to commencement of civil works under rehabilitation of village access roads.
61. The PIURR will have sufficient support from the consultants (CSC, PMC) to ensure the safeguards implementation, monitoring and reporting in compliance with LARP provision and requirements of ADB SPS 2009 and EBRD Social Safeguards.
62. Contractor machinery and equipment access to the construction sites will be organized through existing communities' road at several sections of the Project road, which do not require land acquisition and resettlement. These roads are included in the list of proposed village access roads for rehabilitation, which recover any damage that will occur to the roads. The access roads will be rehabilitated after approval, implementation and compliance monitoring of addendum to LARP for the Project Road.
63. Project affected persons will be continually consulted during the Project implementation. In case any claims or complaints are submitted during the construction period, an effective and efficient Grievance Redress Committee being already in place, will enhance provision of timely and sensible hearings and facilitate solutions.