

THE REPUBLIC OF TAJIKISTAN  
STRENGTHENING CRITICAL INFRASTRUCTURE AGAINST NATIONAL  
HAZARDS PROJECT  
P158298

**RESETTLEMENT ACTION PLAN**  
**The social impact of rehabilitation of bridges in GBAO region**  
**(Second Phase)**



Dushanbe, 2019

## Abbreviations

DP	Displaced person
DPR	Detailed project report
FGD	Focus group discussions
CAC	Commission for Conflict Resolution
SCINHP	Strengthening Critical Infrastructure against Natural Hazards Project
PAP	Person affected by the project
HAP	Household affected by the project
PIU	Project Implementation Unit
RAP	Resettlement Action Plan
RFD	Resettlement Framework Document
SIA	Social Impact Assessment
TJS	Somoni (national currency)
WB	World Bank

## **Introduction**

The Government of the Republic of Tajikistan and the World Bank are working closely to ensure the sustainability of critical infrastructure to the natural hazards. In order to accomplish these objectives, the World Bank provides funding for the implementation of development strategy, obtaining expert analysis, and implementing specific projects, such as feasibility study and detailed technical projects, construction of infrastructure to protect from floods, mainly in the areas of GBAO (Gorno-Badakhshan Autonomous region) and Khatlon regions, which were affected by the flood in July 2015.

### **Brief information about the natural disasters**

Floods are the most frequent risk factor and carry a huge threat for Tajikistan, affecting not only mountainous and hilly rural areas, which are sparsely populated, but also large urban areas. Generally, the floods occur in the spring, after heavy rains or during snowmelt in summer time. However, due to the variability of precipitation and climate change, non-seasonal floods are expected to be among the extreme events that the country will face. For example, in July 2015 devastating floods and mudflows occurred throughout Tajikistan, as the result of unusually high temperature, causing increased glacier melting. According to the estimates of the Government of the Republic of Tajikistan, the economic losses due to the floods in July 2015 were in the range of almost 100 million US dollars, which is about 1.1% of Tajikistan's GDP (Gross domestic product).

#### **I. Brief information about the Project / about SCINHP**

1. The Government of the Republic of Tajikistan (RT), with support of the World Bank, has decided to launch SCINHP, aiming to implement long-term disaster risk management program. SCINHP consists of 4 components:
  1. Capacity building in Disaster risk management (DRM) in Tajikistan;
  2. **Ensuring sustainability of critical infrastructure to natural hazards;**

The Component 2 will finance capital works and contingency planning (for example, emergency equipment) for the transport network in GBAO, which was seriously damaged in July 2015, as well as for flood protection infrastructure in Khatlon region which is constantly being damaged. The capital works on the transport network will mainly include the reconstruction and repair of a number of bridges, while the flood protection works will strengthen the damaged existing infrastructure along with appropriate measures to prevent erosion.

### ***Sub-component 2.1. Strengthening of Bridges (first phase – 9 bridges)***

The work to be funded under this component will mainly consist of the reconstruction of bridges in the GBAO districts. The target bridges include bridges in Murghab, Vanj, Rushan and Darvoz districts of GBAO along Dushanbe — Kulyab — Khorog — Kulma (M41) highway and Vanj — Yazgulem, Vanji Bolo and Chihoh — Ravgada, Rushan – Bartang – Basid roads.

### ***Sub-component 2.2. Strengthening of Flood Protection and Riverbank Erosion–Protection Infrastructure***

3. Contingency costs for emergency response;
4. Project management.

Our RAP is being prepared for sub-projects (Sub-component 2.1) on 9 additional bridges (second phase) in GBAO (Vanj and Rushan districts).

## **II. REGULATORY FRAMEWORK**

### **II.1. Applicable law and policy**

This Resettlement Action Plan is based on the legislation of the Republic of Tajikistan, namely: (i) the Constitution of the Republic of Tajikistan, 1994 (amended in 1999, 2003 and 2016); (ii) the Land Code of the Republic of Tajikistan, 1996 (amended in 2016); and (iii) the Civil Code of The Republic of Tajikistan, 1998 (amended in 2007) and the Operational Policy of the World Bank in the field of Involuntary Resettlement (OP 4.12).

### **II.2. Constitution of the Republic of Tajikistan, 1994**

The Constitution is the main legal document guaranteeing the rights of citizens. Article 13 states that “Land, its entrails, water, airspace, flora and fauna, and other natural resources shall be owned by the state, and the state guarantee their effective use in the interests of the people.” Further, Article 12 states, “The economy of Tajikistan shall be based on various forms of ownership. The state shall guarantee freedom of economic activities, entrepreneurship, equality of rights, and the protection of all forms of ownership including private ownership.” The legal basis for the acquisition by the state of private property for public works is covered by Article 32, which states: “...The property of an individual shall be confiscated only on the basis of the law, with the consent of the owner and to meet the requirements of the society by the state on condition of equal compensation.”

### **II.3. Land Code of the Republic of Tajikistan, 1996**

The Land Code is the main legal document regarding the acquisition of land. It has been updated several times, the latest update is made in 2016. Article 2 of the LC of the RT states that “Land in the Republic of Tajikistan is an exclusive ownership of the state... [but]... The state guarantees its effective use in the interests of its citizens. Article 2<sup>1</sup> States that “**No one shall be deprived of the right to use a land plot except on the grounds provided for in this Code**”. Nevertheless, in Articles 10-14, the LC of the RT highlights the right to land use as a long-term, short-term and inherited right.

Article 24 of the LC of the RT describes the assignment of non-agricultural land and ensures that when choosing a suitable location of such land plots, preference is given to land that is not suitable for agricultural use. Article 37 provides for the seizure of land for state and public needs.

Article 38 sets out the procedure for the seizure of land, if necessary, for state needs, including “transport infrastructure: roads, streets, bridges, tunnels, overpasses, and other transport engineering facilities, communication facilities”.

Compensation for the seizure of land and other impacts on the evidence of projects of public interest is also regulated by other legislative acts with regard to the seizure of land, the allocation of land and compensation for the impact of projects in favor of citizens – the Land Code of the Republic of Tajikistan (LC of the RT), the Civil Code of the Republic of Tajikistan (CC of the RT), and various normative legal acts. On the basis of these laws, the seizure/allocation of land and resettlement of the population are based on the following principles: (a) land users have the right to compensation for damage/loss due to deprivation of the right to land use in favor of the state and public needs (Articles 41 the LC of the RT); (b) upon termination of property rights, the latter is estimated on the basis of market value (Article 265 of the CC of the RT); (c) the land user or the holder of other registered rights related to land shall be entitled to receive a written notification of the seizure of land from the local public authority in charge of land issues not later than one year before the forthcoming procedure for the seizure of land (Article 40, LC of the RT); (d) In case international agreements recognized by the Republic of Tajikistan establishes other rules, than those foreseen/fixed by the Land Code of the Republic of Tajikistan, the rules of the international agreement are applied (Article 105, LC of the RT).

Article 37 of the LC of the RT indicates that the acquisition of land for non-agricultural use in favor of public needs provides for the payment of compensation. Article 19 of the LC declares the rights of land users, including articles allowing the holder of the right to land use to claim, “voluntary waiver of rights to use the land plot” or “indemnification [compensation] for damage/loss”, as mentioned in Article 41 of the LC of the RT.

In the case of this project, this can be interpreted as compensation for permanent damage to land use and crops, and in accordance with paragraphs (b) and (c) above, the need for compensation for temporary use of land and intervention in crop rotation policies for construction purposes.

The guarantee of the rights of land users is also enshrined in Article 41, which States that “Cancellation of the right of use of the land plot with the right of alienation of the right of use for the state or public needs can be made after allocation to the land user of the equivalent land plot with the right of alienation and compensation of other losses provided by part one of this article.”

The LC of the RT requires that the entities interested in acquiring land apply to the competent state bodies. Before making a decision on such a request, the state body considers social, economic, environmental conditions, planning conditions.

The calculation of compensation for the acquisition of land is contained in Articles 43 and 44, which state that “actual prices on equipment and materials, as well as prices on construction assembling and other works existing either at the moment of confiscation of a land plot and drafting of the report shall be applied. When calculating losses of agricultural production and forestry, standard costs of cultivation of virgin lands and improvement of existing lands with the purpose to produce agricultural products in the volume not less than one got from sequestered lands or earlier until the decreasing of their quality shall be applied. Disputes about the amount

of compensation for damages caused and losses of agricultural production and forestry shall be settled in court.”

The LC of the RT requires that the entities interested in acquiring land apply to the competent state bodies. Before making a decision on such a request, the state body considers social, economic, environmental conditions, urban planning conditions, and other conditions, prospects for the use of this land and its entrails.

The document on compensation of land users for damage/loss and loss of agricultural products, approved by the Resolution of the Government of the Republic of Tajikistan No. 515 dated December 30, 2000, establishes a specific and detailed procedure for compensation of damage to land users. The main provisions concerning the involuntary resettlement of the population specified in the LC are as follows:

- The acquisition of land plots for state and public purposes should be made after the provision of equivalent land plots;
- New housing, commercial and other buildings equivalent to the confiscated objects shall be constructed on the new land plot in accordance with the procedure established by law;
- Losses that occurred during the acquisition of land must be compensated in full, including lost profits, and the damage/loss must be calculated at market value;
- Construction of buildings and compensation for damage are carried out by the institutions and organizations in whose favor the land is withdrawn (beneficiaries of the project);
- Under normal circumstances, the land acquisition process should take no more than one calendar year;
- Allocation of new land, construction of buildings, compensation for all types of losses, including lost income, must be made before the official acquisition of land from land users.

The amount of compensation is determined by an effectively selected group (Commission) of persons appointed by the mayor, which consists of representatives of the relevant departments applying for land and land users. Determination of losses of land users during acquisition of agricultural lands is made on the basis of the relevant documents provided by the land user. If no agreement can be reached on the amount of compensation for losses and the amount of damage, the land user can apply to the court for full compensation for damage caused during the acquisition of land.

#### **II.4. Operational Policy of the World Bank OP 4.12 in the field of Involuntary Resettlement (July 2013)**

The objectives of the World Bank's policy on Involuntary Resettlement are as follows: (a) whenever possible, involuntary resettlement should be avoided or minimized by examining all possible alternatives to the project; (b) if it is not possible to avoid resettlement, the resettlement activities should be considered and implemented as long-term development program, providing sufficient investment resources so that persons displaced by the project, could also benefit from the project, and PAPs should be effectively consulted and have an opportunity to participate in the planning and implementation of programs for the resettlement of the population; and (c) PAPs should be assisted in their efforts to find a livelihood and raise the standard of living, or at

least to restore the previous level, in real terms, to reach the pre-resettlement level or to the levels prevailing before the start of the project, whichever is higher.

## **II.5. Comparison of legislation of the Republic of Tajikistan and World Bank Policy**

The LC of the RT does not determine the status of persons who have the right of easement for confiscated land plots (they do not pay official rent). The LC RT establishes that in the absence of the right of easement, the land user has no rights in respect of the land. Thus, the use of land without state registration of the right of easement does not establish legal rights. This article ensures that the owner (state) has no obligation to compensate persons who do not have the right of easement on the land.

However, in the WB Operational Policy 4.12, this status is clearly defined. Under this policy, people who occupy public land and are not recognized land users are entitled to assistance, taking into account the investment they have made in public land, their labour and lost assets, but not for ownership of land, as in the case of the titled land user.

Since WB OP 4.12 takes precedence over national legislation for activities financed by the World Bank, as in this project, the following provisions apply: a person who has built a structure on illegal land, before the declared date of change of legal status, will not receive compensation for land, but will receive compensation for the structure (i.e. investment in land and on land) at replacement cost.

In general, the legislation of the Republic of Tajikistan and the Policy of the World Bank adhere to the goal of providing compensation for the replacement cost, but the legislation of the Republic of Tajikistan does not provide for the restoration of livelihoods, and in practice the solution of this issue remains for *special measures* taken by persons defending the interests of certain projects to meet the requirements of international donors. In order to clarify these issues and agree on potential differences between the legislation of the Republic of Tajikistan and the Policy of the World Bank, this Resettlement Framework Document has been developed for this Project. The RAP provides compensation for damage at the replacement cost of all items, assistance to non-titled persons and informal migrants/settlers, and provides assistance and lifting allowances for the PAP who may need resettlement, who are deprived of business, lost their jobs, or fall into the category of vulnerable persons. Any RAP prepared for the project includes all costs associated with measures to restore and/or restore livelihoods.

The main provisions that coordinate the differences between the legislation of the Republic of Tajikistan and the Policy of the World Bank include:

- PAP, regardless of title (registered land user or not), is entitled to compensation (for objects, crops and trees) and restoration measures within the project. This includes landless people using land and squatters [unauthorized land users];
- The PAP and the HAP (communities affected by the project) will be consulted on possible options and impacts in land acquisition and involuntary resettlement, before, during and after the involuntary resettlement;

- If “land for land” compensation is not feasible, technically or socially, the compensation is paid in cash, at full replacement cost<sup>1</sup>, at current market value;
- Compensation for other affected items/assets (structures, agricultural crops and trees, as well as loss of business/income) is based on the entitlement matrix. Vulnerable PAP with disabilities are entitled to additional measures relevant to the case (one-time benefit, priority in employment related to the project, etc.); gender issues are also addressed in parallel;
- Recovery assistance is offered for temporary loss of land/assets, temporary restriction of access to land/assets or temporary deprivation of sources of income;
- Restoration of existing or reconstruction of damaged facilities will avoid or minimize, to the extent possible, the need for land acquisition and resettlement; and
- The Resettlement Framework Document provides guidelines for the development of appropriate mitigation measures and compensatory measures for impacts from land acquisition caused by project work, the exact location has already been identified and requires that the RAP of sub-projects include all costs associated with implementation, including compensation.

In case of discrepancy between the laws of the Republic of Tajikistan and the requirements of the WB Policy in the field of Involuntary Resettlement (OP 4.12), the principles and policies of the WB are applied. This provision will be considered binding on the parties concerned once, both the Government and the Bank have approved the RAP.

### III. POPULATION CENSUS

**Objective.** The aim of the census was to determine social impact of reconstruction of nine bridges (second phase) to the households, housing, ancillary buildings, fences and private businesses, in terms of their potential resettlement. The census showed that during the reconstruction of 9 bridges, there will be an impact in one of them. Therefore, the research was conducted with households, living in the location of the bridge – 16, Bartang jamoat of Rushan district. Objective – preparation of information for the Resettlement Plan, according to the Project Resettlement Framework Document.

The main tasks were:

- Socio-demographic characteristics of households and private business, affected by bridge rehabilitation;
- Identification of main sources of household income;
- Identification of awareness level of households about the bridge reconstruction project;
- Determination by the head of households, of the preliminary amount of damage from the bridge reconstruction impact;
- Determination of impact on the living standards of households from the bridge reconstruction;

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<sup>1</sup> Value based on the prevailing market value in a given locality for the acquisition of an equivalent piece of land in the same locality. In addition, the compensation must include any costs associated with the acquisition of land, that is, taxes, registration fees.



**Methodology.** During the research, semi – structural interviews with elements of both qualitative and quantitative research were used. Semi – structural interviews were conducted with 14 respondents, who are affected by the reconstruction of bridges.

**a) Socio-demographic characteristics of respondents, affected by the reconstruction of bridges (Bridge No.16, Darjomch village, Bartang jamoat of Rushan district)**

Table 1

No.	Name of respondent	Gender	Relation to the head of households	Number of members of households	Number of working	Socially vulnerable (pensioners, disabled people)	Assessment of level of life	Type of activity
1	Odinaev Ilchibek	Male	Head	6	1	-	Middle	Agriculture
2	Niyozbekov Niyozbek	Male	Head	8	2	-	Low	Agriculture
3	Surobova Arkiya	Female	Head	1	-	1	Low	Agriculture
4	Oshurmamadov Sodatqadam	Male	Head	7	1	-	Low	Agriculture
5	Yoghbekov Sa'don	Male	Head	5	1	-	Low	Agriculture
6	Ruzadorov Sultonbek	Male	Head	6	1	-	Low	Agriculture
7	Hudoberdiev Islom	Male	Head	5	1	-	Middle	Agriculture
8	Ruzadorov Azizbek	Male	Head	6	1	-	Low	Agriculture
9	Ne'matulloev Ismoil	Male	Member	6	1	1	Middle	Agriculture

The action plan for the resettlement of the population in accordance with the Resettlement framework document is prepared based on the facts of the population census, socio-economic research and consultations. It contains the facts of PAP census and their legal status for damages/losses, socio-economic characteristics of PAP, organizational mechanisms and schedules of implementation activities, budgets. Also the assessment of practical mechanisms for the restoration of sources of income, allocation of land plots from the land Fund and the issuance of certificates to land users. The development of new places of settlement and resettlement, the mechanism of complaints, coordination of implementation activities with the purchase construction works, the construction schedule, and current control mechanism. RAP is structured in accordance with provisions of the Resettlement framework document, and is developed, as appropriate, depending on the size and nature of the impact of the Projects.

A total of 9 household respondents were interviewed during the research, who may be affected by the project during the reconstruction of bridges. Of the total number of respondents, 1 was a woman and 8 were men. 8 persons at the moment of the survey were heads of household, one was the son of the head of the household. Average amount of household

members is 5,5 persons, the working members of household generating income is 1<sup>2</sup> and the most vulnerable members of household, pensioners and invalids are 0.2. 3 respondents rated their standard of living as middle, 6 as below the middle. The main activity of majority of households are working in dehkan farms.

### **b) The level of awareness about the reconstruction of the bridges.**

The level of awareness about the bridge reconstruction Project is very high. Out of 9 respondents – 7 persons (1 of them women) participated in meetings and assemblies held in jamoats with local state authorities, Project Implementation Unit specialists and members of the Resettlement Commission.

It should be noted that in order to solve the issues related to resettlement, a census (registration) of Persons Affected by the Project (acts are attached) was conducted by the established commission, from representatives of district's Hukumat services, jamoats, PIU MoF and PIG MT representatives.

Project consultants have met directly with the representatives of households and conducted explanatory work on the goals and objectives of the Project, in particular, that the construction of the bridges will require the road expansion and will affect part of the buildings belonging to them.

### **c) Main sources of household income**

The main sources of household income affected by the construction of bridges (Bridge No. 16, Darjomch village, Rushan district) depend on the type of activity of able-bodied family members. It should be noted that the Bartang valley, where the Bridges No. 16-18 are located, distinguishes by climatic conditions. Here you can only grow vegetables and or other crops once a year. On the land, taking into account climatic conditions and the needs of the household, potatoes, beans, barley and alfalfa are mainly grown. One household has just started to create a garden. He planted 11 pieces of apple seedlings.



### **d) Impacts on households**

In accordance with Resettlement Framework Document, sub-projects are selected by PIU in terms of social impact, based on envisaged Detailed Project and sub-project components. The scale of land acquisition and the impact on private and public structures will be determined

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<sup>2</sup>In total, there were 9 working members in 9 households, an average of 1. Similarly, socially vulnerable members of the household, pensioners and invalids in total 2 persons, an average of 0.2.

during the selection process, and, accordingly, the possibilities of suitable modification of projects to minimize social impact will be explored. On the basis of selection and any modifications to minimize consequences, if it becomes apparent that sub-projects include forced resettlement, a population census and socio-economic survey is needed.

Resettlement Action Plan (RAP) satisfies the principles, indicated in this Resettlement Framework Document, adapted to the Project. RAP of the Project is reviewed and approved by the World Bank and endorsed by the PIU, prior to the invitations to bid reconstruction works. The allocation of land, compensation payments and granting legal status are carried out prior to resettlement and to transfer of land to contractors.

Compensation for all land and assets in kind or in cash, as indicated in the Matrix to grant the rights, required for the following:

- Land;
- Residential buildings, facilities and structures;
- Cultivated crops (cash and food crops) and trees;

In addition, benefits are provided for causing inconvenience, storage of foods, the replacement of lost services and other assistance. However, this only serves to guide, and it is important that during the detailed preparation of the RAP current market prices and replacement costs are applied to establish the actual compensation. Furthermore, additional benefits may be provided, for example, additional support to vulnerable families, allowances for anxiety, etc. All monetary amounts are adjusted to reflect economic changes and the purchasing power of the currency from the date of the preparation of this Resettlement framework document (RFD). PIU of “Strengthening critical infrastructure against natural hazards project” (SCINHP) assesses the amount of compensation, and ensure that they reflect the real market and includes them into the Resettlement Action Plan (RAP).

The survey was conducted in accordance with the Framework Document, among those respondents who may be directly affected by the construction of existing bridges, with the help of related issues of resettlement, compensation for damage, in terms of both production and agricultural products, as well as residential and ancillary buildings, fences and private business buildings. The following tables provide an analysis of the information coming from households located in the area of each bridge separately, as well as the assessment of the independent expert.

Table 2

**Affected lands on the sites under the project**  
**“Strengthening Critical Infrastructure against Natural Hazards Project”**

Bridge No.16, in Darjomch village of Rushan district

(in somoni)

No.	Name of head of household	Affected objects			
		Total land area, m <sup>2</sup>	Main crops	The sum of cultivation costs	Average amount of income (per year)
1.	Ne'matulloev I.	196 m <sup>2</sup> , irrigated	Grass (Hay)	900	1800
2.	Oshurmamadov S.	152 m <sup>2</sup> , irrigated	Barley, Grass	300 200	1400
3.	Khudoyberdiev I.	64 m <sup>2</sup> , irrigated	Alfalfa	500	1200

4.	Yogibekov S.	267 m <sup>2</sup> , irrigated	Barley, Potatoes, Carrots, Grass	200 350 150 200	2000
5.	Ruzadorov S.	352 m <sup>2</sup> , irrigated	Barley	550	1700
6.	Surobova Arkiya	68 m <sup>2</sup> , irrigated	Barley	150	550
7.	Odinaev I.	152 m <sup>2</sup> , irrigated	Alfalfa seedlings 11 pcs.	230 250	3000
8.	Niyozbekov N.	364 m <sup>2</sup> , irrigated	Barley	520-550	1700
9.	Ruzadorov A.	250 m <sup>2</sup> , irrigated	Barley	450	1800

As we see, 9 households are affected by the works on the Bridge No. 16, in Darjomch village, Bartang jamoat of Rushan district. The average land area under the impact of Project ranges from<sup>3</sup> 64 to 364 m<sup>2</sup>. Crops are grown in these lands. Land plots are mainly located far from residential buildings.

As it was revealed, the reconstruction of the bridge does not affect the living conditions of households and, accordingly there are no issues related to the resettlement to new places in the area.

#### **e) The impact of bridge reconstruction on population living standard**

The rehabilitation of old bridges will have a positive impact on the population living standard. For example, the rehabilitation of the Bridge No.16 is of great importance for the residents of Bartang and Basid jamoats. Since passenger and cargo transportation of road transport will improve, it will reduce the impact of natural disasters, as the new bridge will be built more reliable than the existing bridge.



***Photo: Current condition of Bridge No.16 in Bartang jamoat of Rushan district***

<sup>3</sup> Usually households estimate their farmland in a hundred square. 1 hundredth parts (of a hectare) =10 m<sup>2</sup>

Heavy trucks cannot drive through this bridge because it is not in a good condition and the width of the bridge does not allow them to pass freely. Due to the expenditures on transportation, product cost increases. The construction of the modern bridge will remove all these problems and reduce the cost of the production.

### **INVENTORY AND ASSESSMENT OF PAP'S PROPERTIES**

Before conducting the inventory and assessment of the PAP's property, according to the Resolution of Rushan district's Chairman the Working Committee was created.

(Resolution attached)

PIU MoF hired a special state appraiser to assess the assets of the PAP and in the presence of the district Commission and representatives of the PIU MoF, PIG MT (Implementing Agency) conducted an inventory and assessment of the PAP's assets.

The valuation methodology used in the assessment of affected structures and trees is based on the requirements of the legislation of the Republic of Tajikistan, as well as the principles of Social Safeguards of the World Bank as set out in the entitlement matrix. The assessment results are used to determine the market value of certain affected assets.

During the assessment, the information provided was used, including certificates for the right to use the land and other documents used for the assessment of objects. In addition, a table of entitlements was used, detailing the types of compensation and payments.

In determining the market value of the objects, the following factors were taken into account:

1. The actual state of the objects of assessment;
2. The possibility of further use of the object.

According to the Terms of Reference, the appraiser received from the Client and in accordance with the World Bank Policy standards, did not apply depreciation of objects.

In this case, only land was assessed. The calculation of the cost of trees was also made in accordance with the attached table in the Terms of Reference.

During the work, the appraiser used market prices in the Central market of Khorog and Rushan districts.

## RUSHAN DISTRICT

Bridge No.16, Darjomch village, Bartang jamoat

### Citizen Ne'matulloev Ismoil

Table 1. Irrigated land

Name	Total Area m <sup>2</sup>	What is grown	Average yield per year	Market price per 1 kg of grass	Number of harvest per year	Compensation for loss of income (per year)	Total cost (in somoni)
Irrigated land	196	Grass	315 kg	3	2	945*2	1890
<b>Total</b>							<b>1890</b>

### Citizen Oshurmamadov Sodatqadam

Table 2. Irrigated land

Name	Total Area m <sup>2</sup>	What is grown	Average yield per year	Market price per 1 kg of grass	Number of harvest per year	Compensation for loss of income (per year)	Total cost (in somoni)
Irrigated land	152	Barley	245 kg	3	1	735*1	735
Irrigated land		Grass	245 kg	3	1	735*1	735
<b>Total</b>							<b>1470</b>

### Citizen Khudoberdiyev Islom

Table 3 Irrigated land

Name	Total Area m <sup>2</sup>	What is grown	Average yield per year	Market price per 1 kg of grass	Number of harvest per year	Compensation for loss of income (per year)	Total cost (in somoni)
Irrigated land	64	Alfalfa	105 kg	3	4	315*4	1260
<b>Total</b>							<b>1260</b>

### Citizen Yogibekov Sa'donsho

Table 4. Irrigated land

Name	Total Area m <sup>2</sup>	What is grown	Average yield per year	Market price per 1 kg of grass	Number of harvest per year	Compensation for loss of income (per year)	Total cost (in somoni)
Irrigated land	267	Barley	200 kg	3	1	600*1	600
		Potato	320 kg	3	1	960*1	960
		Carrot	160 kg	2	1	320*1	320
		Grass	100 kg	3	1	300*1	300
<b>Total</b>							<b>2180</b>

### Citizen Ruzadorov Sultonbek

Table 5. Irrigated land

Name	Total Area m <sup>2</sup>	What is grown	Average yield per year	Market price per 1 kg of grass	Number of harvest per year	Compensation for loss of income (per year)	Total cost (in somon)
Irrigated land	352	Barley	585 kg	3	1	1755*1	1755
<b>Total</b>							<b>1755</b>

### Citizen Surobova Arkiya

Table 6. Irrigated land

Name	Total Area m <sup>2</sup>	What is grown	Average yield per year	Market price per 1 kg of grass	Number of harvest per year	Compensation for loss of income (per year)	Total cost (in somon i)
Irrigated land	68	Barley	200 kg	3	1	600*1	600
<b>Total</b>							<b>600</b>

### Citizen Odinaev Ilchibek

Table 7. Irrigated land

Name	Total Area m <sup>2</sup>	What is grown	Average yield per year	Market price per 1 kg of grass	Number of harvest per year	Compensation for loss of income (per year)	Total cost (in somon i)
Irrigated land	150	Alfalfa	240 kg	3	4	720*4	2880



<b>Total</b>									<b>2880</b>
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Table 8. Assessment of fruit – bearing trees

Type of fruit – bearing tree	Number	Cost of 1 seedling	Other costs (e.g. labour, etc.) per 1 seedling	Total costs of seedlings	Age of trees	Average yield per year	Market price per 1 kg of harvest	Compensation for loss of income from fruit trees (per year)	Total cost (in somoni)
	a	b	c	d	e	f	g	h	i
Apple (seedling)	11	10	10	20	1-2	0		0	220
<b>Total</b>		<b>10</b>	<b>10</b>	<b>20</b>					<b>220</b>

### Citizen Niyozbekov Niyozbek

Table 9. Irrigated land

Name	Total Area a m <sup>2</sup>	What is grown	Average yield per year	Market price per 1 kg of grass	Number of harvest per year	Compensation for loss of income (per year)	Total cost (in somoni)
Irrigated land	364	Barley	585 kg	3	1	1755*1	1755
<b>Total</b>							<b>1755</b>

## Citizen Ruzadorov Azizbek

Table 10. Irrigated land

Name	Total Area m <sup>2</sup>	What is grown	Average yield per year	Market price per 1 kg of grass	Number of harvest per year	Compensation for loss of income (per year)	Total cost (in somoni)
Irrigated land	250	Barley	400 kg	3	1	1200*1	1200
<b>Total</b>							<b>1200</b>

**The total amount of damage/compensation is – 15210 somoni**

After assessing the assets of the PAP, it was found that all of 9 households will receive compensation for the lost property. They have very small plots of land, so they do not require land in return, because they know that there are no other lands in the village and they can not even find on the territory of the jamoat.

### **AGREED RESETTLEMENT MEASURES**

After assessment of citizens' property, PIU MoF and PIG MT consultants have conducted public hearings on the territory of Bridge No.16. In addition to PAPs and other citizens, they were attended by members of the district Commission and representatives of the jamoat. At the seminars and meetings, the following issues were discussed:

1. Social impact of bridge rehabilitation of the “Strengthening Critical Infrastructure against Natural Hazards Project”;
2. Grievance Redress Mechanism and suggestions of citizens;
3. Discussion of environmental issues on this Project;

The participants of the meetings said that they understood the goals and objectives of the Project and asked to start rehabilitation faster.

### **GRIEVANCE REDRESS MECHANISM AND SUGGESTIONS**

Grievance procedures will be required to ensure that the PAPs can file complaints or concerns at no cost and to ensure that the problem is resolved in a timely and satisfactory manner. These procedures also ensure that these rights are effectively transferred to the intended beneficiaries. Stakeholders will be informed of the intention to implement a Grievance Redress Mechanism and the procedure will be announced by the time the RAP is completed.

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

**Overall process:**

- a) In the initial stages of the assessment process, PAPs will receive copies of the Grievance Procedures and suggestions to guide the process of consideration of complaints and suggestions;
- b) Grievance Process begins with the registration of complaints to be examined for reference and to ensure that information on the issues to be addressed can be updated.
- c) The project will use a local mechanism, which includes the Resettlement Commission, colleagues and local leaders of the PAPs. This will ensure fairness in different cases, eliminate inconvenience and satisfy legitimate plaintiffs at a low price.
- d) The response time depends on the problem to be solved, but it should be addressed effectively.
- e) Compensation shall be paid to the individual PAP only after the written consent of the PAP, including both husband and wife.

**Procedure:**

- a) The first step in the Grievances and Proposals Procedure is to contact the local representatives of the jamoats and mahallas and the Social Safeguards Expert of the Project and to consider the complaint. Then, the Local representative contacts the Social Safeguards Expert of PIU SCINHP and/or PIG MT by phone, SMS (with mobile phone number of the employee or by mail, in areas with limited access to telephone communication). PIU SCINHP puts the complaint in the log of complaints and suggestions. If the problem cannot be resolved to the PAP's satisfaction within 5 days, then it is moved to the next level. In the log of complaints and suggestions, a record is made about solving the problem or the decision to move it to the next level.
- b) For complaints that cannot be satisfied by the Social Safeguards Expert of the PIU MoF within 5 days:
  - The PAP submits its complaint relating to the resettlement process or compensation in writing to the PIU SCINHP. The complaint is signed and dated by the affected party. The Social Safeguards Expert of the PIU SCINHP and the PIG MT will act as a contact person, which is a direct channel of communication with the PAP. They work in cooperation with the Acting Director of the PIU SCINHP MoF and PIG MT, and report all complaints and suggestions to the Management Board of the PIU SCINHP during their regular meetings with him. When the PAP is unable to file a written complaint, the local representative of the jamoat/village or the Social Safeguards Expert of the PIU MoF or PIG MT writes a complaint statement on behalf of the affected party. Any informal complaints and suggestions are also documented by the local representative of the jamoat/village or the Social Safeguards Expert of the PIU MoF or PIG MT. The affected party signs or put his/her thumbprint on the statement.

- Social Safeguards Expert of PIU MoF and PIG MT will examine the issues to determine the validity of complaints and suggestions. If they are legal, the Committee shall notify the Complainant and he/she shall be assisted. The response is given within 14 days, during this period, meetings and discussions are held with the affected party and other persons. If the complaint relates to an asset assessment, a second or even a third assessment is carried out until both parties are satisfied. Independent appraisers, in contrast to the person who carried out the initial assessment, conduct these separate assessments. The cost of the additional evaluation will be covered by the funds, allocated for the implementation of the RAP. The Social Safeguards Expert of PIU MoF and/or PIG MT provides assistance to the affected party at all stages to facilitate the satisfaction of its complaints and to provide the best possible way to resolve the problems.
- c) If, after receiving the response from PIU SCINHP, the complaint is not satisfied, the Project uses the Commission on the analysis of conflicts (CAC). The CAC consists of at least 5 members, 2 of whom are staff members of the PIU SCINHP. The other 3 members are independent of the project implementation bodies and the Government of the Republic of Tajikistan. They should be: (i) recognized NGOs/CSOs working in the RT; (ii) respected individuals with an appropriate reputation (e.g. a respected lawyer or professor), if available; (iii) representatives of the participating district; and (iv) a person from the district Council. These professionals are remunerated for the meetings of the Commission and are not staff members of the project bodies. The establishment of the Commission for conflict resolution is approved by the Order of the participating Hukumats. The Commission is initiated by PIU MoF or local Hukumats upon PAP's request. Decisions taken by the Commission and agreed between all parties are legalized in the form of an Order of the participating Hukumats.
  - d) If there is any objection to the decision of the CAC, the case may be referred to the court by the PAP.

### **Grievance and Suggestions Log**

The Social Safeguards Expert of PIU MoF ensures registration of each complaint/proposal under an individual reference number, completeness of support measures and records of the steps taken. The log should also contain records of the person responsible for the specific complaint and the dates of subsequent events:

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

### **Monitoring Complaints**

Social Safeguards Expert is responsible for the following:

- Providing the sub-project Resettlement and Compensation Committee with a weekly report detailing the number and status of complaints.
- Any outstanding issues to be addressed.
- Monthly reports, including analysis of the type of complaints, levels of complaints, and actions to reduce complaints.

### **RAP Implementation Budget (Preliminary)**

The budget for the implementation of the RAP will be finalized after public meetings, where the PAPs will be familiarized with the evaluation methodology and sources of information used during the calculation of unit prices for each type of loss identified during the preparation of the RAP.

Prior to the implementation of the RAP, the project implementation group will prepare a cash compensation package separately for each affected land plot and a proposal for the PAP to be considered before the signing of the monetary compensation agreement. The table below shows the preliminary budget for the RAP.

No.	Monetary Compensation for	Amount in TJS (somon)	Amount in US dollars
1	Compensation for the land harvest (vegetables, grass, etc.)	<b>14990</b>	
2.	Seedlings	<b>220</b>	
	Contingencies (10 %)	<b>1520</b>	
	<b>Total Amount</b>	<b>16730</b>	1772

The project prepares the resettlement budget and finances this budget through administrative and financial management rules and guidelines, like any other activity to be financially supported by the Project. All responsibility for the implementation of the Resettlement Framework Document, including compensation, provision of other forms of assistance, implementation of the grievance redress mechanism and suggestions, training of personnel and monitoring and evaluation of activities, is covered by State payments of the Ministry of Finance, through the resettlement budget within the funds, allocated to the project.

## **MONITORING AND EVALUATION MEASURES**

### **1. General measures, their scope and content**

The ongoing monitoring measures follow the overall plan for the ongoing monitoring of the entire project; they are implemented through the PIU SCINHP. All RAPs set basic socio-economic goals by which they measure their success. These include: (i) affected persons, households and communities who are able to maintain and even improve the standard of living prior to the implementation of the project; (ii) local communities that remain friendly to the project; and (iii) the absence or prevalence of conflicts. In order to assess the extent to which these objectives have been achieved, the RAP shall indicate the parameters of the current control, provide guidance for the current control and provide the resources necessary to carry out the current control. The PIU MoF creates an administrative reporting system that performs the following functions:

- Provides timely information about all resettlement to the PIU SCINHP as a result of Project activities;
- Identifies complaints and suggestions that remain unanswered and need to be addressed through the involvement of the Commission on the analysis of the conflicts or higher authority;
- Document timely implementation of resettlement project commitments for all permanent and temporary losses;
- Assess the receipt of compensation by the PAP, in accordance with the requirements of the RAP, the existence of a higher standard of living of PAP in comparison with the standard of living of these persons before physical or economic displacement.
- Alert the project authorities on the necessity of land acquisition within the planned activities of the Sub-projects.

The aim is to conduct a final assessment to determine:

- Whether the affected persons received full compensation, and before the start of the Project, which is the cause of resettlement;
- Have PAPs been so affected by the Project, that they have a higher standard of living than before, that they have a previous standard of living, or are poorer than they were before.

### **2. Indicators**

Within each RAP, indicators are established. If necessary, the PIU collects data from communities or collates information from research. Information on these indicators is compared on a regular basis (e.g. quarterly or semi-annually, as the case may be) and compared over time. Information on the population census is most, if not all, of the reference point against which the quality of implementation or work will be monitored. Funds for all these activities are included in the budget for the implementation of the RAP.

### **3. Monitoring of RAP implementation**

The Social Safeguards Expert of the PIU SCINHP, together with the consultant of the PIG MT, in cooperation with local government officials responsible for the implementation of the RAP, resettlement and compensation issues, conduct on a quarterly basis the

compilation and accounting of the basic information of the project on all physical or economic movements.

This staff compiles the following statistics:

- a) Number of activities requiring the preparation of the RAP;
- b) Number of households and individuals physically or economically displaced by each activity;
- c) Length of time from completion of plan development to payment of compensation to PAPs;
- d) Time of issue of compensation in relation to the start of physical works;
- e) Amount of compensation paid to each PAP (if in cash) or the nature of the compensation (if in kind);
- f) Number of people complaining about each specific sub-project (bridge);
- g) Number of unsatisfied complaints.

The PIU SCINHP analyses these statistics to determine whether the resettlement planning measures specified in the RAP are being implemented. Based on the principles of objectivity, it is necessary to ensure that the staff who do this check are not the same staff who prepared the report. They warn the World Bank team if there are any discrepancies. PIU SCINHP maintains financial accounting for the calculation of the final cost of resettlement and the issuance of compensation per individual or household. Statistics are also provided for audit purposes.

PIU SCINHP contains a complete database on every individual affected by the requirements of the Project in the field of land use, including displacement, resettlement and compensation, the impact on the land or damage, and it provides a copy to the state authorities in jamoats/villages. Each time land is used by a Project, the database is updated to determine whether the impact of the project results in the loss of viability by the individual or household and the right to compensation or alternative solutions. Periodic reports on the database are sent to the public authorities in the jamoats/villages and the World Bank. They become part of the official documents of the project.

The impact of resettlement is measured through the collection of follow-up data, six months after the implementation of all sub-projects. This practice determines whether the PAPs are in the same position as they were before the Project, and if not – whether their living conditions have deteriorated as a result of the Project's activities, and what measures may be needed to remedy this situation.

### **Reporting**

During the preparation and implementation of the RAP, the World Bank is regularly provided with monthly reporting by the PIU (PIG) SCINHP, detailing the preparatory activities, emerging issues, progress, etc. This is in addition to the regular progress reports prepared by the PIU.