

## **Due Diligence Report**

KazAvtoZhol Closed Joint Stock Company  
Committee of Roads of Ministry of Investment and Development  
of Republic of Kazakhstan

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## **ABBREVIATIONS**

ADB	Asian Development Bank
AH	Affected Household
APs	Affected Persons
DDR	Due Diligence Report
EA	Executing Agency
GRC	Grievance Redress Commission
GoK	Government of Kazakhstan
GRM	Grievance Redress Mechanism
IsDB	Islamic Development Bank
JSC	Joint-stock Company
LAR	Land Acquisition and Resettlement
LLC	Limited Liability Company
COR	Committee of Roads
NGO	Non-Governmental Organization
PIU	Project Implementation Unit
ROW	Right of Way
SSMR	Social Safeguards Monitoring Report
SPS	Safeguards Policy Statement
NCJSC	Non-commercial joint-stock company

## EXECUTIVE SUMMARY

1. Government of Kazakhstan (GoK) decided to rehabilitate Aktobe-Makat road (11-160km), which will improve national and regional connectivity. It was initially considered for financing by Islamic Development Bank (IsDB). Upon loan negotiations cancelation in August/September 2018, GOK decided to finance reconstruction of 100-160km of Aktobe Makat road from its state funds and approached ADB for financing of the rest 11-100km of this road (Aktobe - Kandyagash Road Reconstruction Project (the Project)). Final detailed design for Aktobe- Kandyagash Road has been prepared and finalized in 2015 by the consultants "Engineering Center Astana" LLP, "Gazdorproject" LLP and «Kustanaidorproject» LLP.
2. New road will be constructed as per standards for the highway with 4 lanes and 120km/h estimated speed along the highway excluding section passing through settlement area (km 26+391 - km 29+40) where the speed will be 60km/h, additional service road will be constructed. Currently, detailed design of the road has been approved by national state expertise. The design is final and no further changes to the design are anticipated.
3. Social due diligence has been conducted in August-November 2018 for Aktobe – Kandagyash Road section from km11 to km100 proposed for ADB financing and section from km100 to km160 to be financed by GoK as associated facility to screen the Project Right of Way (RoW) for any past, present and future impacts and recommend categorization for the Project for Involuntary Resettlement, access capacity of the Executing Agency (EA) and propose project arrangement for social safeguards.
4. The following activities have been conducted during due diligence process: field visits to the proposed project sites in August and November 2018; face to face meetings with representatives of local authorities (akimats of Aktobe region, Alga and Mugalzhar Districts), Committee of Roads, KazAutoZhol, including Aktobe regional branch, Geoservice-2005 LLP, Aktobe Regional Branch of State Corporation "Government for Citizens" Non-Profit JSC; phone interviews with 14 households out of 15 affected in the past; desk review of documentation provided by different stakeholders, public consultations in the affected communities, colored pegs installed prior to consultations, capacity building for local authorities regarding GRM.
5. Aktobe - Kandyagash Connector Road is located in Aktobe town, Alga and Mugalzhar districts of Aktobe oblast. Most of the Project design goes through semi-desert area. There was no any land use in the Right of Way (RoW) observed during field visits conducted in August-November 2018. Two bypasses have been designed to avoid impact in Alga and Kandyagash towns. Only Beshtamak village (km 26+391 - km 29+40) could not be bypassed due to river on one side and a railroad on the other side of the settlement. The road section in the Beshtamak village is in close proximity to residential buildings, with great number of communications and networks, as well as adjoining secondary roads.
6. While preparing for financing from Islamic Development Bank, Committee of Roads initiated land allocation as well as land acquisition (through purchase and donation) processes for state needs and cleared the site in 2016-2017. All the processes have benn conducting in line with local legislation. In general, 15 households, 3 legal entities and 3 state companies have been affected. 14 households out of 15 have been interviewed. None of the interviewed households is registered in the State Targeted Social Assistance System. There was no any outstanding grievance or complaint on the date of Due Diligence preparation, which was confirmed through interviews with local authorities, EA, 14 interviewed households as well as during public consultation conducted in November 2018.
7. The continuation of the Aktobe-Kandyagash road 100-160 km section will be reconstructed from the state budget. According to the land use plan the road passes through the lands of Mugalzhar and Temir districts of Aktobe Region. According to the Decrees on land allocation for public needs issued by Mugalzhar

and Temir districts in 2015 respectively 204.7 ha and 361.53 ha of land have been allocated for the road and there has been no any private land plot or structure on the allocated lands. Prior to the decree, 5 leased land plots have been donated/returned to the state. According to the local authorities and the EA there is no any outstanding complaint in that area as of November 2018.

8. Public hearings regarding the proposed Project were carried out during preliminary design preparation in August 2015 in Aktobe and Atyrau Oblasts to provide key information on proposed Project with a special focus on land acquisition impacts and issues. Additional meaningful Public Consultation has been conducted in 4 communities on 8-9 November 2018.

9. Two-level Grievance Redress Mechanism (GRM) has been designed for the project. It will be fully operational prior to the Project implementation. Capacity building activities regarding Grievance redress mechanism have been conducted with local authorities by the due diligence team in November 2018. GRM has been presented in details during public consultations conducted in November 2018 and disclosed to the local authorities and community members in public information brochure.

10. KazAvtoZhol CJSC (KazAvtoZhol) will be the Executing Agency (EA) of the project with overall responsibility for implementation of the Project. Central KazAvtoZhol currently has safeguards specialist that conducts overall activities of KazAvtoZhol in transport projects financed by ADB. KazAvtoZhol will organize project implementation unit (PIU) and appoint one social safeguards specialist designated specifically for this project at the PIU. Construction Supervision Consultant will ensure continuous capacity building for KazAvtoZhol safeguards specialists as well as for PIU and contractor's social safeguards specialists on social safeguards, including GRM.

11. KazAvtoZhol with assistance of local authorities, supervision consultants and contractor, will be preparing semi-annual social safeguards monitoring reports and submit for review and no objection to ADB by 31 July and January 31 each year during project implementation stage. Corrective measures presented in the reports if any will be disclosed to the concerned people and communities.

12. Based on the information provided by the EA and local authorities as well as public consultation with road nearby communities and interviews with people affected in 2016-2017, absence of any grievances the Project has been recommended to be categorized as C with the following additional measures to be ensured by KazAutoZhol:

- (i) To ensure public awareness on the road project design, clearly visible pegs will be installed along the ROW in Bestamak village prior to additional meaningful public consultations and further discussed during the consultations;
- (ii) Public Consultations should be conducted by the Contractor and Supervision Consultant prior to construction works;
- (iii) Special condition provisions on safeguards will be added in bidding documents, where applicable;
- (iv) A full time social safeguards specialist at KazAvtoZhol has to be onboard prior to Project implementation;
- (v) Training on social safeguards of staff of KazAvtoZhol and Contractor has to be conducted prior to the start of civil works;
- (vi) Strong Grievance Redress Mechanism effective during all project stages;
- (vii) Regular and close monitoring of the Project activities stating from project implementation with semiannual reporting to ADB and implementation of corrective measures if any;

13. It is assumed that legal framework/amendment to host country agreement on safeguards will be in place in 2019.

# 1. INTRODUCTION

14. Providing road access to national and regional connectivity is a priority for Government of Kazakhstan (GoK). GoK approached ADB to finance Aktobe - Kandyagash Road Reconstruction Project (the Project) which will improve national and regional connectivity by rehabilitating an estimated 93 kilometers (km) of Aktobe Kandyagash road sections (11-100km). The rehabilitation of the road aims to: (i) reduce the cost of passenger and cargo transportation; (ii) provide a better connectivity of Kazakhstan to international corridors, and (iii) help to stimulate regional trade.

15. Aktobe-Makat Road from 11-160 km was initially considered for financing by Islamic Development Bank (IsDB). Upon loan negotiations cancelation in August/September 2018, GOK decided to finance reconstruction of 100-160km of Aktobe Makat road from its state funds and approached ADB for financing of the rest 11-100km of this road (the Project) in September 2018.

**Figure 1: Road Network of Aktobe Oblast with International Road Corridor and Connector Roads**



16. The road is a part of Trans-Caspian Sea Transit Corridor Baku-Astrakhan-Atyrau-Aktobe-Aktau-Turkmen Border, which connects Kazakhstan with Azerbaijan and Europe in the West, with Russia in the North, and with Turkmenistan in the South. It also connects Corridors 1b and 6b of the Central Asian Regional Economic Cooperation (CAREC) in Aktobe, providing further access to the China and Southeast Asia. The Project road is a part of Aktobe – Makat road section of the Aktobe-Atyrau-border of the Russian Federation (to Astrakhan) (A-27). The road A-27 is classified<sup>1</sup> as an international highway, which can be accessed from the other roads only through interchanges on different levels.

<sup>1</sup> According to Appendix A of Table 1, SNiP RK 3.03.09-2006\*

17. The Project road was 2-lane road built in 1960-70s in accordance with the parameters of III/IV category road which will be upgraded to four-lane road (category I-B).

18. Detailed design for Aktobe- Kandyagash Road has been prepared and finalized in 2015 by the consultants "Engineering Center Astana" LLP, "Gazdorproject" LLP and «Kustanaidorproject» LLP.

19. The Project is located in Aktobe town, Alga and Mugalzhar districts of Aktobe oblast. Most of the Project design goes through semi-desert area. Several design alternatives have been considered aimed to minimize impact on livelihood of nearby communities at design preparation stage, particularly, 2 bypasses have been designed to avoid impact in Alga and Kandyagash towns. Only Beshtamak village (km 26+391 - km 29+40) could not be bypassed due to river on one side and a railroad on the other side of the settlement. The road section in the Beshtamak village is in close proximity to residential buildings, with great number of communications and networks, as well as adjoining secondary roads. Spontaneous exits are natural for villages near roads. Special technical standards have been applied to the road in that particular section, particularly, low speed (Details are presented in Table 1). Upon completion of the road, shoulders will be built on both sides with a width of 0.5 meters, then guardrails, noise screens, and lighting poles. According to information provided during this due diligence, sidewalks shall be located at least 2 meters away from the household fences.

**Table 1. Main Technical Standards for the Aktobe-Kandyagash Road (11-100) Design for the Highway and for the Highway Passing through Settlement Area**

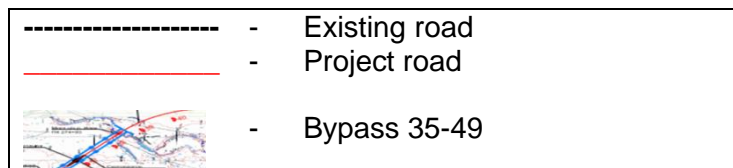
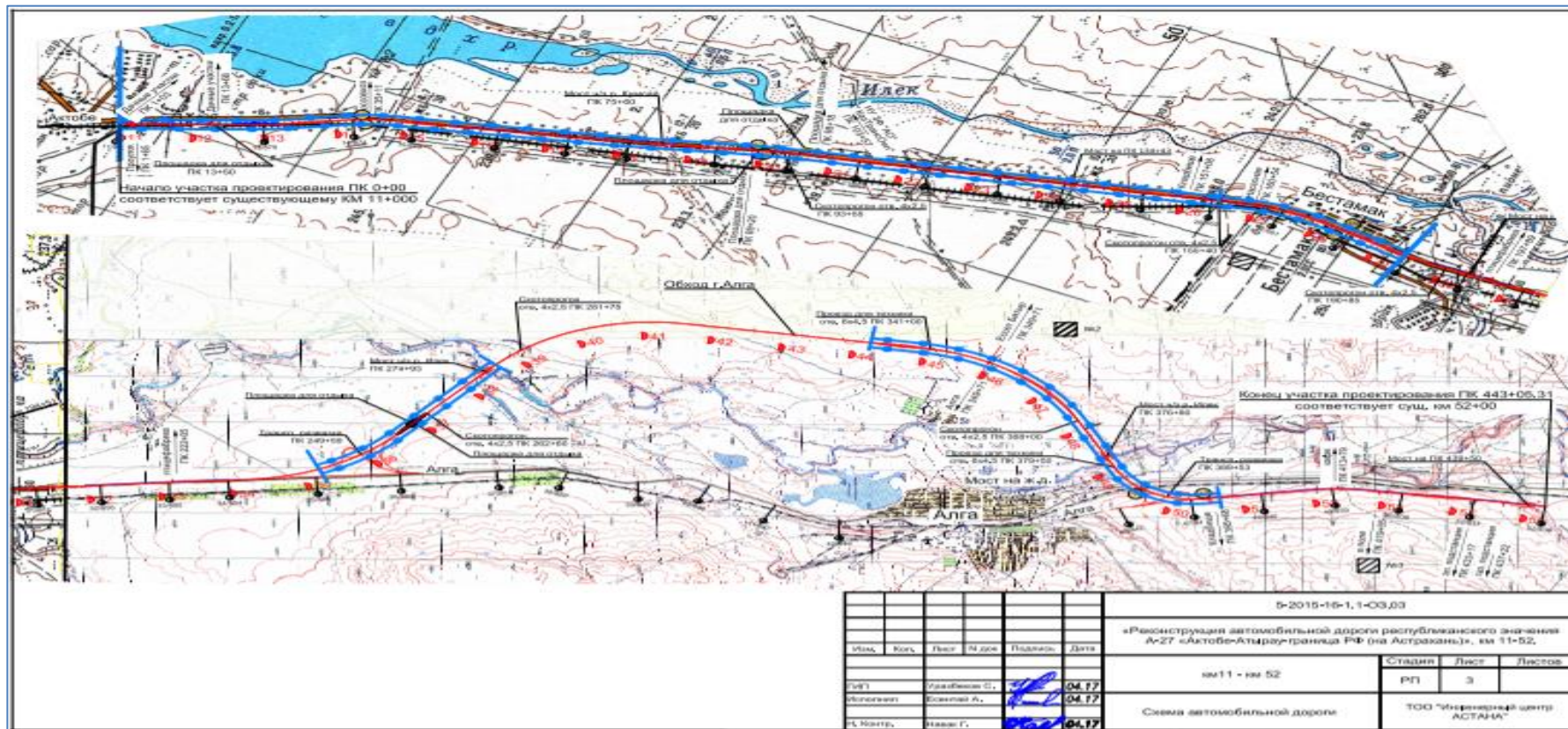
	<b>Standards for Highway*</b>	<b>Standards for Highway Passing Through Settlement Area</b>
Location	Km 11+00- km 26+391; km 29+40-km 100+00	km 26+391 - km 29+40
Road Category	I-B	I-B
Estimated Speed	120 km/h	60 km / h
Number of Lanes	4	4
Lane Width	3.75 m	3.75 m
Carriageway Width	15 m	15 m
*In accordance with the norms and regulations of SNiP RK 3.03-09-2006		

20. 20 junctions are included in the design, as well as 3 intersections with traffic light regulation; 9 bridges, 4 overpasses, 2 underpasses have been designed for the movement of cattle, 18 bus stops with pavilions, 8 rest areas.

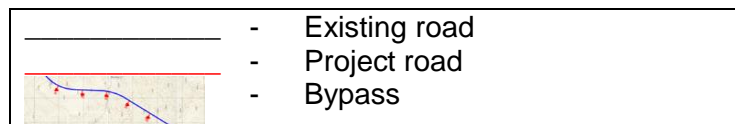
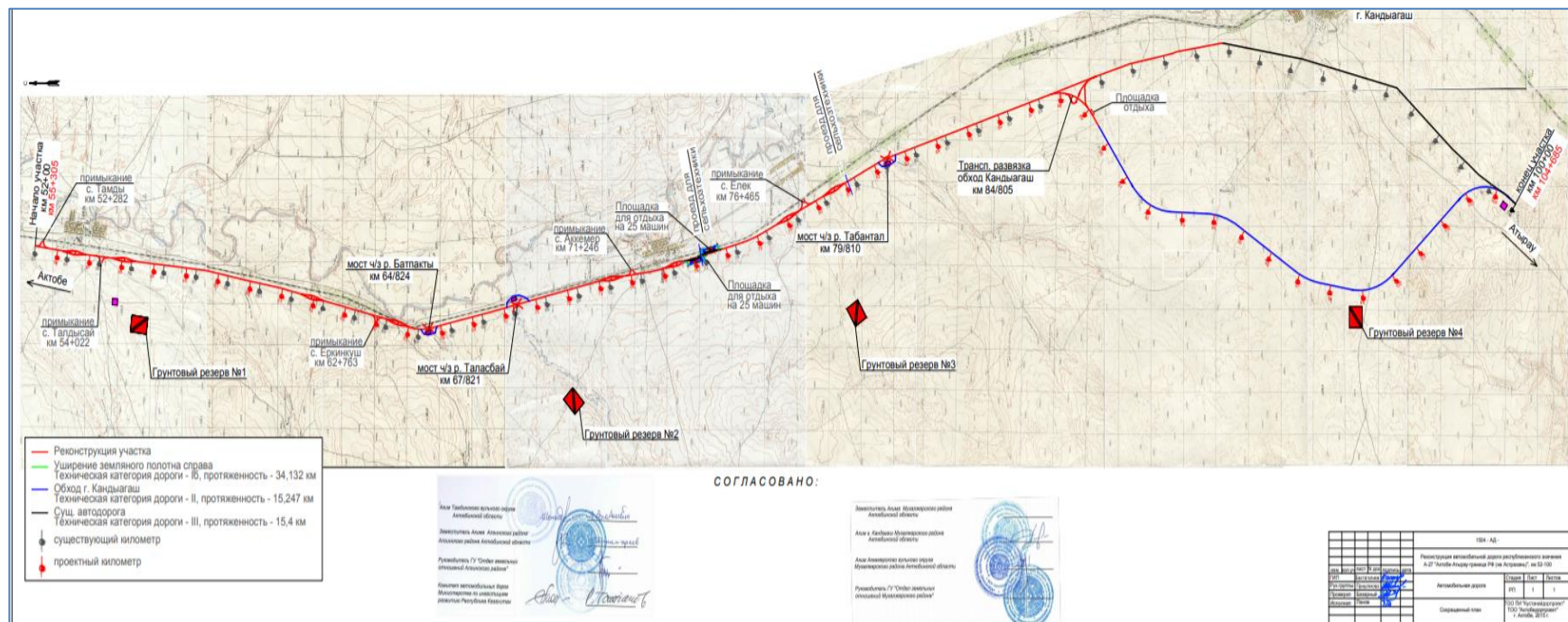
21. The design has been consulted with the communities through several rounds of public consultations and focus group discussions in 2015. Currently, detailed design of the road has been approved by national state expertise to confirm compliance of the detailed design with national road construction standard requirements. The design is final and no further changes to the design are anticipated.



Figure 2: Project Aktobe-Kandyagash Road with Bypasses (11-52 km)



**Figure 3: Project Aktobe-KandyagashRoad with Bypasses (52-100km)**



## **2. SCOPE AND OBJECTIVES OF THE REPORT**

22. This report covers main findings and recommendations from social due diligence process conducted in August-November 2018 for Aktobe – Kandagyash Road section from km11 to km100 proposed for ADB financing and section from km100 to km160 to be financed by GoK.

23. The main objectives of the due diligence are to:

- (i) Screen the Project for past, present and future involuntary resettlement impacts;
- (ii) Recommend categorization of the project for involuntary resettlement in accordance with ADB SPS 2009;
- (iii) Assess capacity of EA in knowledge and understanding of Involuntary Resettlement Safeguards of ADB SPS 2009;
- (iv) Propose project arrangements for social safeguards;
- (v) Screen the associated facility road section to be financed by GoK (km100-160) for past, present and future impacts.

## **3. METHODOLOGY OF DUE DILIGENCE PROCESS**

24. The following activities have been conducted during due diligence process:

- (i) Review of project information, including detailed design provided by Committee of Roads (CoR) of Ministry of Investment and Development and KazaAvtoZhol;
- (ii) Conducting field visit to the proposed project sites in August and November 2018;
- (iii) Face to face meetings with representatives of local authorities (akimats of Aktobe region, Alga and Mugalzhar Districts), CoR, KazAutoZhol, including Aktobe regional branch, Geoservice-2005 LLP, Aktobe Regional Branch of State Corporation “Government for Citizens” Non-Profit JSC (list of people met is attached to the Annex 1);
- (iv) Phone interviews with 14 households out of 15 affected in the past;
- (v) Desk review of documentation, particularly, decrees of the akimats on permanent acquisition of land plots for the project, statements from owners (leaseholders) on land return to the state reserve fund, rental agreements between the akimats, leaseholders for the remaining lands, decisions of courts to acquire land plots for public needs and pay compensation, compensation payment documents, compensation agreements for land acquisition for public needs, valuation reports, decrees of the akimats on changes in rental agreements (list of documents is attached to the Annex 1);
- (vi) Public Consultations in the affected communities, colored pegs installed prior to consultations in Bestamak community to demonstrate the RoW.

25. Additional due diligence has been conducted for 100-160km section through meetings with local authorities and desk review of documentation.

## 4. DUE DILIGENCE FINDINGS OF THE ROAD SECTION PROPOSED FOR ADB FINANCE

26. Aktobe - Kandyagash Connector Road is located in Aktobe town, Alga and Mugalzhar districts of Aktobe oblast. Most of the Project design goes through semi-desert area. There was no any land use in the Right of Way (RoW) observed during field visits conducted in August-November 2018. This was achieved due to consideration of several design alternatives aimed to minimize impact on livelihood of nearby communities. Two bypasses were designed to avoid impact in Alga and Kandyagash towns. Only Beshtamak village could not be bypassed due to river on one side and a railroad on the other side of the settlement.

27. While preparing for financing from IsDB, local authorities initiated land allocation as well as land acquisition (through purchase and donation) processes for public needs and cleared the site in 2016-2017. In general, 15 households, 3 legal entities and 3 state companies have been affected. 14 households out of 15 have been interviewed. Site clearance have been conducted in line with local legislation.

28. Local authorities acquired 4 land plots from 4 households.

- (i) 3 households experienced permanent loss of business as their kiosks (small grocery shops) have been located in the RoW. Following the court decision all affected households received cash compensations based on market value for 3 structures and 2 lands. One land was not compensated as it was used without any registration.
- (ii) 1 household (owner of the PC "Bastau") experienced permanent loss of 67% of leased pastureland and received as reimbursement the rest parcel into private ownership for commercial purpose to construct camping along the project road.

29. Details on the acquired lands are presented in the table below.

**Table 2. Land plots and structures Acquired for the Project per Land Type and Right to the Property**

Right to the Land		Affected Pastures			Affected Commercial Land					Total				
		Land		AH	Land		AH	Structure		Land		AH	Structure	
		N	ha	N	N	Ha	N	M²	N	N	ha	N	M²	N
Private		-	-	-	2	0.06	2	179.40	2	2	0.06	2	179.40	2
State	Long-term temporary use	1	0.21	1	-	-	-	-	-	1	0.21	1	-	-
	Used without Registration	-	-	-	1	0.01	1	15.10	1	1	0.01	1	15.10	1
Total		1	0.21	1	3	0.07	3	194.50	3	4	0.28	4	194.50	3

30. Land plots have been donated for state needs from 8 households, 3 legal entities and 3 state companies. All the owners/leaseholders followed procedures envisaged under the national legislation. Particularly, after Land Use Plan was prepared and affected land plots identified, potential impacts were confirmed/ consulted with the owners/leaseholders, who then applied to local authorities for donation of the portion of the possessed land plot. Based on the application, local authorities issued a decree for land right acquisition.

- (i) 2 households donated strips of residential (personal subsidiary plots) adjusted to the residential house next to the road, which amounts to 0.76% and 7.67% of their residential land. There have been no any improvements, trees or crops on that land parcel.

- (ii) One household donated a part of private pastureland, which amounts to 4% of their total lands.
- (iii) 8 families donated in average 1.7% of their leased pasturelands used as farms (with max 5.37% and min 0.02%).
- (iv) 2 legal entities have been donated portion of their leased pastures for state needs.
- (v) Energosystems LLC a provider of electricity in the nearby communities donated leased land plot used for electricity poles, which will be replaced by the project on a new land already provided by local authorities on the nearby street.
- (vi) 3 state companies donated leased lands used as public pasture, railway and oil pipeline which will not affect their functionality.

**Table 3. Land plots Donated for the Project per Land Type and Right to the Property**

Type of right to the property	Pasture		Infrastructure				Residential			Total		
							(Personal Subsidiary Plot)					
	Land		AH	Land		AH	Land		AH	Land		AH
	N	Ha	N	N	Ha	N	N	Ha	N	N	ha	N
Private land	1	0.93	1	-	-	-	2	0.0066	2	3	0.9366	3
State land in long-term temporary use (leased)	10	88.35	8	1	0.03	-	-	-	-	11	88.38	8
State land in state companies' use	1	29	-	2	2.74	-	-	-	-	3	31.74	-
Total	12	118.28	9	3	2.77	-	2	0.0066	2	17	121.06	11

- 31. None of the households is registered in the State Targeted Social Assistance System.
- 32. There was no any outstanding grievance or complaint of the date of Due Diligence preparation, which was confirmed through interviews with local authorities, EA, 14 interviewed households as well as during public consultation conducted in November 2018.
- 33. Detailed findings of the Due Diligence process are presented in the Annex 1.

## 5. DUE DILIGENCE FINDINGS OF THE ROAD SECTION FINANCED BY THE GOVERNMENT

- 34. The continuation of the Aktobe-Kandyagash road 100-160 km section will be reconstructed from the state budget. The existing road is 2-4 technical category, which will become 2 category road with 20 meters road lane. It goes through the existing road, without any bypasses or diversions from the current alignment. 6 junctions will be constructed in the following locations: Basshily (km-107), Temir-Kopir (km-120), Taldysay (km-124), Sagashily (km-125), Kenkiyak (km-130), Kalmaktykyrgan (km-151). All the settlements are located in at least 1 km from the road section.
- 35. According to the land use plan the road passes through the lands of Mugalzhar district (km-100-140), Temir district (km-140-160) of Aktobe Region. According to the Decrees on land allocation for state needs issued by Mugalzhar and Temir districts in 2015 respectively 204.7 ha and 361.53 ha of land have been allocated for the road. According to the decrees, there has been no any private land plot or structure on the allocated lands. Prior to the decree, 5 leased land plots have



been donated/returned to the state. Out of 5 land plots, 4 pasture lands belonged to farms and one commercial land plot belonged to a person. From 0.1% to 0.5% of pastures have been donated. Commercial land plot of 0.15 ha has been fully donated to the state. According to the local authorities and the EA there is no any outstanding complaint in that area as of November 2018.

## 6. CONSULTATION, PARTICIPATION AND DISCLOSURE

36. According to ADB SPS (2009), the affected people must be meaningfully consulted. The Constitution of the Republic of Kazakhstan guarantees the right of the people to access information on activities of state and municipal authorities in the manner prescribed by the Constitution of Republic of Kazakhstan.

37. Following the above requirements, information disclosure, consultation and participation activities were carried out into 2 stages: one at preliminary design stage in 2015 and then during DDR preparation in 2018.

38. Public hearings during preliminary design preparation stage were carried out in August 2015. PCs were conducted in Aktobe and Atyrau Oblasts to provide key information on proposed Project with a special focus on land acquisition impacts and issues. Three public consultations were carried out in Alga, Kandyagash communities on August 24-25, 2015. Overall, more than 250 participants attended three public consultations, including representatives from state entities, owners of lands/properties and businesses located nearby the project road, and civil society. The minutes of Public Consultations are attached (Annex 3).

39. Later, during DDR preparation 4 PCs have been organized on 8 and 9 November, 2018 in places assessable for the community members (for details refer to Table 4). Public consultations have been announced two weeks before conducting the meetings through local authorities and a week before the meetings through announcement in the local paper "Aktyubinskiy Vestnik", as of 2 November 2018, announcement on the TV Channel "Aktobe-Kazakhstan", Aktobe community group in the What's App. To ensure, that villagers of Bestamak community have clear understanding of the road RoW prior to the consultations and can be meaningfully consulted regarding all the questions and concerns they could have, 3 pares of pegs have been installed in Bestamak community in the most narrow locations on 7 November, 2018 by KazAutoZhol. From 23 to 52 people participated during the public consultations in 4 communities with 53% to 67% ofparicipation from women side.

**Table 4. Gender Disaggregated Number of Participant in the Public Consultations with Date and Location per Community**

Location	Date	Participants in Public Consultations		
		Men	Women	Total
Aktobe city, School N 71	8 Nov, 2018	6	17	23
Bestamak village, House of culture	8 Nov, 2018	24	28	52
Alga city, School N 2	9 Nov, 2018	13	23	36
Kandyagash city, Hall of State Oil Company	9 Nov, 2018	9	23	32
<b>Total</b>		<b>52</b>	<b>91</b>	<b>143</b>
<b>Note:</b> In addition to the participations mentioned in the table 4 specialist and consultants of ADB as well as 3 representative of KazAutozhol have participated in the PCs				

40. PC participants have been informed about the project design, implementation timelines, environment mitigation measures, findings of social due diligence process and Grievance Redress Mechanism (GRM). Drawings, road cross-section in the inhabited areas have been presented on the maps and screens in a visible format. Director of Aktobe Regional Branch of NC KazAutoZhol JSC presented the project and the design, ADB Regional Environment Consultant presented environment and ADB National Resettlement consultant in Kazakhstan presented social safeguards and GRM. Respective representatives of local authorities attended and opened the PCs in each community in Kazakh and Russian (Details are presented in the Annex 4). Information brochures with project description main findings and GRM in Russian and Kazakh have been distributed during consultations.

41. Discussions with local community members have been encouraged after the presentations to hear and collect proposals, questions and concerns of beneficiary communities. In all the communities participants have been interested with the timelines for project implementation as the road will be very beneficiary for all community members.

**Table 5. Summary of Concerns/Questions Raised during the PCs per Community**

<b>Community</b>	<b>Summary of Concerns and Questions</b>
Aktobe	Participants have been interested in the approaches of calculation for emissions, possibilities of employment during construction works, general issues the ADB financed projects met in terms of land acquisition ADB in Kazakhstan, possible payments for water use and pits.
Bestamak	Participants were more interested in the design peculiarities and distances between secondary road and sidewalk, sidewalk and existing fences and structures, they clarified if the pegs installed on the road are marking the sidewalk or main road, assesses to the houses located next to the road, particularly for cars and agricultural machinery.
Alga	PC participants city were interested why it was decided to bypass the Alga city and not to cross it, in the timelines of the project implementation. One of the participants was interested in the RoW for the road and if her land plot outside of the city would be affected by the project. She was informed, that according to the existing data, there was no any affected land plot in the nearby area. However, if she would face any impacts, she should contact the project implementers through contact information provided at the end of the presentation and information brochures.
Kandyagash	Participant of the PC in Kandyagash community asked what would be with the road inside the community, in light that a new bypass was planed to be constructed. It was explained that the old road will be renovated under the project and will serve for community. Participants have been interested in the project implementation timelines. Female drivers expressed their interest in the project as they had tangible expenses on the cars renovation due to road conditions.

42. Project information will be provided on information sheets of local authorities of Aktobe and Kandyagsh cities, Beshtamak and Alga villages, and Alga and Mulgajar rayons with contact details of relevant focal persons for grievance redress mechanism during project implementation stage.

## **7. GRIEVANCE REDRESS MECHANISM**

43. Grievance redress mechanism (GRM) aims to provide effective and systematic procedures for the Project in receiving and responding to queries, feedbacks and complaints from affected persons, other key stakeholders and general public. Any person impacted by or concerned about the project activities has the right to participate in the GRM, should have the easy access to it, and be encouraged to use it. The proposed GRM does not replace the public mechanisms of complaint and conflict resolution envisaged by the legal system of the RoK, but attempts to minimize use of it to the extent possible.

44. Overall responsibility for timely implementation of GRM lies with EA and Project Implementation Unit (PIU). Supervision consultant and Construction Contractors are responsible for GRM implementation in the field. Relevant oblast, rayon and community Akimats, who are mandated by law to perform grievance redress related tasks, and mediators / non-governmental organizations (NGO), who are involved in facilitating amicable resolution of grievances are included in GRM.

45. Project GRM envisages two levels of grievance resolution for the road sector projects implemented under the supervision of EA: Grievance Redress Committees (GRC) at regional (oblast) and central (Astana) levels. GRCs will be composed of members nominated from EA, Akimats, PIU, supervision consultant, contractor, NGOs, experts, etc. (Contact details of the Grievance focals are presented in the Annex 2).

### **7.1.GRM: Regional (Oblast) Level**

46. At the first stage, the resolution of grievance will be attempted through GRC at regional level through the following steps.

47. *Grievance registration:* complainants or concerned individuals can visit, call or send a letter or e-mail or fax to community Akimat, grievance focal point at CCs and PMC, GRC Coordinator at JSC «NC KazAutoZhol» regional branch. Receipt of grievances lodged in person, via phone, through a letter or e-mail or fax will be acknowledged. GRC at the regional level also considers the anonymous complaints, in case the complainant refuses to provide contact details or no contact information is available in the grievance received by e-mail/ mail/ fax. Grievances will be recorded in a standard format, provided in the Annex 2.

48. *Grievance processing:* Queries and complaints that are clarified and resolved at the intake point are closed immediately. Cases requiring further assessment and action are considered by the GRC at regional level. The GRC at regional level: (i) holds meetings on bi- monthly basis, however special ad hoc meetings can be arranged, as needed; and (ii) discusses the grievance case within ten working days and recommend its settlement to parties. GRC Coordinator at regional level circulates relevant information among the members of GRC, prepares Minutes of GRC meeting and progress reports, and ensures that actions and decisions are properly documented.

49. *Feedback provision:* Receipt of grievances lodged in person or via phone will be acknowledged immediately. Receipt of grievances received through a letter or e-mail or acknowledged through a letter / e-mail / fax within 3 working days upon receipt by GRC coordinator at regional level. In case the grievance is not related to project activities or impacts generated due to the project implementation and cannot be considered, the feedback will be provided to the complaining party specifying to which entity (community / rayon / oblast level Akimat, as relevant) it has been forwarded.

50. If grievance was resolved at regional level, the complaining party will be informed of the outcome. If grievance was not resolved at the regional level and was passed to the GRC at the central level for consideration and resolution, appropriate information will be provided to the complaining party, including the date when the case was passed to GRC at the central level and the date by which the outcome at the central level is expected.



## **7.2. GRM: Central Level**

51. Following unsuccessful consideration of grievance by GRC at the regional level, complaint resolution will be attempted at a central level through following steps.
52. *Grievance processing:* If grievance cannot be resolved by the GRC at the regional level, it will be forwarded for consideration by the GRC at the central level, including all relevant documents. The GRC at central level: (i) holds meetings on monthly basis; however special ad hoc meetings can be arranged, as needed; and (ii) discusses the grievance case within twenty working days and recommend its settlement to parties. GRC Coordinator at central level circulates relevant information among the members of GRC, prepares Minutes of GRC meeting and progress reports, and ensures that actions and decisions are properly documented.
53. *Feedback provision:* If the grievance was resolved, the complaining party will be informed on the outcome of grievance resolution. If grievance was not resolved by the GRC at central level, appropriate information will be provided to the complaining party, including details why the case was not resolved, as well as recommendation to seek for resolution through the RoK legal system.
54. For anonymous grievances or in cases when the complainant refused to provide contact details, the information on status of grievance redress and outcomes of resolution process will be posted on the information boards of relevant regional branch of JSC «NC KazAutoZhol» and relevant community/ rayon/ oblast Akimats.
55. Grievance redress mechanism was presented during the public consultations in 2015, also will be presented during public consultations in 2018 and will be presented during public consultation to be conducted prior to civil works. The information of grievance resolution will be summarized in EA/CoR progress reports as well as in Social safeguards monitoring reports to be submitted to ADB.
56. To ensure effective functionality of the GRM capacity building sessions have been conducted for local authorities in November 2018.

## **8. INSTITUTIONAL IMPLEMENTATION AND MONITORING ARRANGEMENTS**

57. KazAvtoZhol CJSC (KazAvtoZhol) will be the Executing Agency (EA) of the project with overall responsibility for implementation of the Project. Central KazAvtoZhol currently has safeguards specialist that conducts overall activities of KazAvtoZhol in transport projects financed by ADB. KazAvtoZhol will organize project implementation unit and appoint one social safeguards specialist designated specifically for this project at the PIU. KazAvtoZhol with support from local authorities and construction supervision team will: (i) disclose findings of this report; (ii) establish project grievance redress mechanism (GRM); (iii) conduct monitoring of project activities during project implementation stage; (iv) conduct additional public consultations.
58. Construction Supervision Consultant will ensure continuous capacity building for KazAvtoZhol safeguards specialists as well as for PIE and contractor's social safeguards specialists on broad topics of social safeguards, included but not limited to GRM, IR local legal framework and ADB SPS (2009), consultations and information disclosure, impact assessment during construction stage etc.

59. KazAvtoZhol with assistance of local authorities, supervision consultants and contractor, will be preparing semi-annual social safeguards monitoring reports (SSMRs) and submit for review and no objection to ADB by 31 July and January 31 each year during project implementation stage. SSMR will be reflecting all social safeguards related issues that took place during relevant timeline, including grievances received, resolved/unresolved, public consultations held with respective minutes and feedback, details on the revision of the project design if any, problems encountered and corrective mitigation measures if any, capacity building programs, social safeguards staffing and mobilization. SSMR will be published on the EA and ADB websites upon no objection received from ADB. Corrective measures if any will be disclosed to the concerned people and communities.

## **CONCLUSIONS AND RECOMMENDATIONS**

60. Based on the information provided by the EA and local authorities as well as public consultation with road nearby communities and interviews with people affected in 2016-2017, absence of any grievances project has been recommended to be categorized as C with the following additional measures to be ensured by KazAutoZhol:

- (i) Public Consultations should be conducted by the Contractor and Supervision Consultant prior to construction works;
- (ii) Special condition provisions on safeguards will be added in bidding documents, where applicable;
- (iii) A full time social safeguards specialist at KazAvtoZhol has to be onboard prior to Project implementation;
- (iv) Training on social safeguards of staff of KazAvtoZhol and Contractor has to be conducted prior to the start of civil works;
- (v) Strong Grievance Redress Mechanism effective during all project stages;
- (vi) Regular and close monitoring of the Project activities stating from project implementation with semiannual reporting to ADB and implementation of corrective measures if any;

61. It is assumed that legal framework/amendment to host country agreement on safeguards will be in place in 2019.

# ANNEX 1. SOCIAL DUE DILIGENCE OF RIGHT OF WAY FOR ACTOBE – KANDAGYASH ROAD: DETAILED FINDINGS

1. This annex is aimed at presentation of the details of the social due diligence process conducted by the KazAutoZhol during project preparation stage in August-November 2018 with respective findings. The annex is covering the following sections:

- (i) Methodology of Due Diligence Process
- (ii) Project Location
- (iii) Land Allocation
- (iv) Land Acquisition
- (v) Land Donation
- (vi) Socioeconomic Description of Displaced Households
- (vii) Grievances
- (viii) Due Diligence Findings on the Road Section (km100-160) Financed by the Government

## 1. Methodology of Due Diligence Process

2. Due diligence process has been conducted through:

- (i) **Face to face meetings** with representatives of local authorities (akimats of Aktobe region, Alga and Mugalzhar Districts), Committee of Roads, KazAutoZhol, including Aktobe regional branch, Geoservice-2005 LLP, Aktobe Regional Branch of State Corporation “Government for Citizens” Non-Profit JSC (list of People met is attached in Annex 1),
- (ii) **Phone interviews** with 14 households out of 15 affected in the past,
- (iii) **Desk review** of documentation, particularly, decrees of the akimats on permanent acquisition of land plots for the project, statements from owners (leaseholders) on land return to the state reserve fund, rental agreements between the akimats and leaseholders for the remaining lands, decisions of courts to acquire land plots for public needs and pay compensation, compensation payment documents, compensation agreements for land acquisition for public needs, valuation reports, decrees of the akimats on changes in rental agreements (detailed list of documents is attached in the Annex 2)
- (iv) **Desk review of Google earth** with Road Alignment in Beshtamak Community
- (v) **Field Visits** conducted in August and November 2018.
- (vi) **Public Consultations** in the affected communities, colored pegs installed prior to consultations.

## 2. Project Location

3. Final detailed design for Aktobe- Kandyagash Road has been prepared and finalized in 2015 by the consultants “Engineering Center Astana” LLP, “Gazdorproject” LLP and «Kustanaidorproject» LLP.
4. Aktobe - Kandyagash Connector Road is located in Aktobe town, Alga and Mugalzhar districts of Aktobe oblast. Most of the Project design goes through semi-desert area. There was no any land use in the Right of Way (RoW) observed during field visits conducted in August-November 2018. This was achieved due to consideration of several design alternatives aimed to minimize impact on livelihood of nearby communities. Two bypasses were designed to avoid impact in Alga and Kandyagash towns. Only Beshtamak village could not be bypassed due to river on one side and a railroad on the other side of the settlement.
5. Based on the analysis of existing documentation, meetings, interviews and consultation with people, it became obvious, that while preparing for financing from Islamic Development Bank, Committee of Roads initiated land allocation as well as land acquisition (through purchase and donation) processes for public needs and cleared the site in 2016-2017. All processes are detailed in the respective chapters below.
6. No loss of any private trees or other plants has been identified. Most of the road passes through semi-desert and steppe areas the vegetation is very scarce. There will be losses of municipal trees within existing ROW to be further specified in environmental reports.
7. Currently, full project right of way is under state ownership and possession.

### 3. Land Allocation

8. Three Land Use Plans have been developed in 2016 based on the final detailed design prepared and finalized in 2015 in line with national legislation. Land Use Plans defined exact coordinates of the land plots located in the Right of Way (RoW), respective rights to the land plots, lists of owners, public utilities affected etc. Out of 3 Land Use Plans, 2 have been prepared by the Aktobe Regional Branch of State Corporation “Government for Citizens” Non-Profit JSC covering Lot 1 (11-52 kms) and 1 by the LLP “Geoservice 2005” for Lot 2 (52-100kms). Land Use Plans were developed in close collaboration with Committee of Roads (COR). Based on the Land Use Planes Aktobe town akimat, Alga and Mugalzhar districts issued 5 decrees<sup>2</sup> on land allocation for public needs to COR. As presented in details in Table 1, in total 583.19 ha land have been allocated in 3 towns and 6 villages.

**Table 1 Details on the Land Allocated for Public Needs per Land Use Planes and Location**

Land Use Plans		Distance km	Administrative territorial unit		Allocated Land <sup>2</sup> ha
N	Preparing party				
I	Aktobe oblast	11-19 km	Aktobe town	Aktobe town	51.88

<sup>2</sup> The decrees for provision of rights for permanent use of additional land plot to Committee of Roads of Ministry of Investments and Development have been issued by respective local authorities in 2016. Particularly, for 11-19 km “Decree of Aktobe town's Akimat No №4545 dated 31.10.16”, for 19-52 km “Decree of Alga district's Akimat No 476 dated 12.12.16”, for 52-65 km “Decree of Alga district's Akimat No №164 dated 27.04.16”, for 65-85 km “Decree of Mugalzhar district's Akimat No 140 dated 22.04.16”, for 85-100 km “Decree of Mugalzhar district's Akimat No №156 dated 29.04.16”. (Decrees are presented in Annex 1)

Land Use Plans		Distance km	Administrative territorial unit		Allocated Land <sup>2</sup> ha
N	Preparing party				
II	Branch of NCJSC “State corporation “The Government for people” in September 2016 and November 2016	19-52 km*	Alga district	v.Bestamak (RC Bestamak), v.Beskospa (RC Bestamak), Alga town, v.Tamdy (RC tamdy)	278.96
III	LLP “Geoservice 2005” in March 2016	52-65 km	Alga district	v.Taldysai, (RC Taldysai), v.Erkinkurish, (RC Tamdy)	36.05
		65-85 km	Mugalzhar district	Kandyagash town	62.19
		85-100 km**	Mugalzhar district	v.Akkemer, (RC Akkemer)	154.11
Total					583.19

\* including Alga bypass (35-50 km)

\*\*including Kandyagash bypass (85-100 km)

9. According to Land Use Plans, out of 583.19 hectares, 121.35ha (near 20%) have been leased, owned or used without any registration. Following the plans and Decrees on land allocation, local authorities initiated land acquisition processes for Actobe - Kandagyash Project in 2016. In total, 21 land plots had been affected, from which 17 land plots have been donated, 2 plots have been compensated based on market price, one leaseholder was given a title to the remaining property with changed category from agricultural to commercial, one state land (0.01 ha) which was used without registration was not compensated except for the structure. All 3 affected structures have been compensated based on court decision (see Table 2 for details). Details on acquired and donated land plots, including displaced households are presented in the chapters below.

**Table 2 Quantity and Areas of Compensated and Donated Assists per Type of Right**

Type of right to the land		Donated		Compensated				Total			
		Land		Land		Structures		Land		Structures	
		N	ha	N	ha	M <sup>2</sup>	N	N	ha	M <sup>2</sup>	N
<b>Private</b>		3	0.94	2	0.06	179.40	2	5	1	179.40	2
<b>State</b>	<b>In long-term temporary use</b>	11	88.38	1	0.21	-	-	12	88.59	-	-
	<b>In state companies' use</b>	3	31.75	-	-	-	-	3	31.75	-	-
	<b>Used without registration</b>	-	-	1*	0.01	15.10	1	1	0.01	15.10	1
<b>Total</b>		<b>17</b>	<b>121.07</b>	<b>4</b>	<b>0.28</b>	<b>194.50</b>	<b>3</b>	<b>21</b>	<b>121.35</b>	<b>194.50</b>	<b>3</b>

\*One AH was compensated only for improvements on the state land

10. All 583.19 ha have been allocated for permanent use to the COR and respective state title certificates have been issued (for details, see Annex 3).

#### 4. Land Acquisition

11. 3 households and 1 legal entity have been affected and mitigated/compensated in line with principles of local legislation in 2016-2017.

- (i) 3 households experienced permanent loss of business as their kiosks (small grocery shops) have been located in the RoW. Two of 3 shops (115.10m<sup>2</sup> and 64.30m<sup>2</sup>) were located on

private land plots, 1 shop of 15.10m<sup>2</sup> on the state land used without any registration. Although the affected properties have been located in the Beshtamak village, all households have been settled in Aktobe. Following the court decision all affected households received cash compensations through bank accounts for 3 structures and 2 households for private lands. Courts have been used to ensure that fair market value was to be paid to the AHs. Total compensation amount was 36,967,000 tenge (\$109,176), particularly, \$ 65,777 for 500m<sup>2</sup> of land and 115.10m<sup>2</sup> of structure; \$ 38,656 for 127m<sup>2</sup> of land and 64.30m<sup>2</sup> for structure and \$4,743 for 15.10m<sup>2</sup> of structure. According to court decisions and valuation reports, compensation was calculated based on market price. AHs paid only legal expenses in amount of 1,135 tenge (\$ 3) to the court.

- (ii) 1 household (owner of the PC “Bastau”) experienced permanent loss of 67% (0.21ha out of 0.32ha) of leased pasture land. According to phone interview with the owner and existing documents<sup>3</sup> PC “Bastau” has transferred 0,21ha pasture land in long term use to the state and received as reimbursement the rest 0.11 ha into private ownership for commercial purpose to construct camping along the project road.

**Table 3 Land plots and structures Acquired for the Project per Land Type and Right to the Property**

Right to the Land		Affected Pastures			Affected Commercial Land					Total				
		Land		AH	Land		AH	Structure		Land		AH	Structure	
		N	ha	N	N	Ha	N	M²	N	N	ha	N	M²	N
Private		-	-	-	2	0.06	2	179.40	2	2	0.06	2	179.40	2
State	Long-term temporary use	1	0.21	1	-	-	-	-	-	1	0.21	1	-	-
	Used without Registration	-	-	-	1	0.01	1	15.10	1	1	0.01	1	15.10	1
Total		1	0.21	1	3	0.07	3	194.50	3	4	0.28	4	194.50	3

12. All affected households have been contacted to understand their restoration strategies. 2 shop owners managed to open new shops. The incomes of the smallest shop's owner are salary (he is continuing to work in the oil industry as a worker and his wife as a teacher at school as usually).

## 5. Land Donation Processes

13. 17 land plots have been donated, from which 2 residential, 12 pasture and 3 infrastructure and transport lands. All the owners/leaseholders followed procedures envisaged under the national legislation. Particularly, after Land Use Plan was prepared and affected land plots identified, potential impacts were confirmed/ consulted with the owners/leaseholders, who then applied to local authorities for donation of the portion of the possessed land plot. Based on the application, local authorities issued a decree for land right acquisition.

14. Out of 17 lands, 3 have been private lands, 11 state lands in long-term temporary use and 3 state lands in state companies' use.

<sup>3</sup> AP's application, Decree of Alga district's Akimat dated 12.07.2016 No 279

### **5.1. Private Lands**

15. Out of 3 private lands, 2 are residential (personal subsidiary plot) and 1 a pasture belonging to a family farm.

- (i) Strips of donated residential land plots have been personal subsidiary plots adjusted to the residential house in front of the property next to the road. It is usually used as a small front garden as there is no right to construct anything there. There were no any improvements on the donated land parcel. 0.0013ha or 0.76% of one land plot and 0.0053ha or 7.67% of the other land plot have been donated. After road construction, there will be a footpath and secondary road for residents to ensure accessibility and safety for Beshtamak inhabitants.
- (ii) A family donated 0.93 ha of their farm pasture, which amounts to 4% of their total lands, including 23.27ha private land and 73.58ha state land in long term use.
- (iii) All private owners have been contacted during DD process. Nobody has been physically displaced and/or suffered livelihood income losses as a result of the private land donation.

### **5.2. State land in long-term temporary use**

16. Out of 17, 11 land plots have been state lands in long term temporary use (leased) by 8 families, 2 legal entities and 1 by Energosystems LLC.

- (i) 10 leased land plots have been used as farms, from which 8 as family farms and 2 by legal entities. In average 1.7% of the land have been donated (with max 5.37% and min 0.02%). Out of 8 families 7 have been contacted during the DD process. Contacts of one AH donated 8.36ha out of 296.93ha were not available. All contacted families used the land as pastures. For 5 out of 8 farming is primary source of income. Rest 3 families are involved as employees in private and civil sector. Two families in addition to the leased land had either other leased or other private pastures.
- (ii) Energosystems LLC a provider of electricity in the nearby communities donated 0.03 ha. Land plot was used for electricity poles, which will be replaced by the project on a new land already provided by local authorities on the nearby street.

### **5.3. State land in state companies' use**

17. Out of 17 donated land plots, 3 belonged to state companies: one agricultural land and 2 land plots used for service purposes.

- (i) JSC Kaztransoil used total 5.10ha land plot for oil pipeline. A strip of 0.11ha land is located next to the pipe.
- (ii) JSC NC Kazakhstan Temir Zholy used 458.89ha land plot for operating a railway. Donated 2.64ha located along the railway were used for service purposes during operation. An agreement has been reached between Design company and affected party that technical specifications will detail the distance which contractor should keep to ensure safety operation of the railway.

- (iii) NC APC Aktobe is a state company owning pasture lands. Total land plot has been used as a pasture. Donated 29ha out of 1250ha will not impact their functionality.

**Table 4 Land plots Donated for the Project per Land Type and Right to the Property**

Type of right to the property	Pasture		Infrastructure				Residential			Total		
							(Personal Subsidiary Plot)					
	Land		AH	Land		AH	Land		AH	Land		AH
	N	ha	N	N	ha	N	N	ha	N	N	ha	N
Private land	1	0.93	1	-	-	-	2	0.0066	2	3	0.9366	3
State land in long-term temporary use	10	88.35	8	1	0.03	-	-	-	-	11	88.38	8
State land in state companies' use	1	29	-	2	2.74	-	-	-	-	3	31.74	-
Total	12	118.28	9	3	2.77	-	2	0.0066	2	17	121.06	11

## 6. Socioeconomic Description of Displaced Households

18. In total, 15 households have been economically displaced from which 4 have been compensated and 11 have been voluntarily donated the lands. 14 AHs out of 15 have been contacted during DD process.

- (i) Only 3 households out of 15 could have impact on the livelihood source losing shops. However, these households have been compensated based on market price of the acquired properties. At the moment, 2 out of 3 shops have been already re-established a new business. The owner of the small 15m2 shop continued to work as a worker in the oil company as before acquisition.
- (ii) One leaseholder losing 67% of land plot received an opportunity to open a new camping business as instead of pasture land he was given a commercial private land next to the road.
- (iii) Out of remaining 9 households who donated their pasture lands, 2 do not consider farming as main source of income as they are employees in private and civil sector. The rest will not have a considerable impact less than 5% of total land plot which will allow them to continue farming activities.

**Table 5 Summary of the Affected Land Plots and Displaced Households**

Type of land		Land plots	AH	Legal Entity
		N	N	N
Private land	donated	3	3	0
	compensated	2	2	0
State land in non-registered use	compensated only for structure	1	1	0
State land in long-term temporary use	donated	11	8	3
	compensated	1	1	0
State land in state companies' use		3	0	3
<b>Total</b>		<b>21</b>	<b>15</b>	<b>6</b>



19. In average, all households have middle aged male household head (30-59 years old) with 4-6 family members. None of the households is registered in the State Targeted Social Assistance System.

20. In terms of ethnic composition, the affected households (94%) are Kazakhs. The Kazakhs constitute the native local population. One of the households is Russian, and another one is Armenian. None of these ethnic groups maintains cultural and social identities separate from the mainstream Kazakhstan's society fitting the ADB definition of Indigenous Peoples. They have full and equal access to institutions and economic opportunities as the rest of the population. Based on this data, it is concluded that the ADB policy on Indigenous Peoples will not be triggered.

## **7. Grievances**

21. There was no any outstanding grievance or complaint of the date of Due Diligence preparation, which was confirmed through interviews with local authorities as well as EA, 14 households out of 15 as well as during public consultation conducted on in November, 2018.

## **8. Due Diligence Findings of the Road Section Financed by the Government**

22. The continuation of the Aktobe-Kandyagash road 100-160 km section will be reconstructed from the state budget. The existing road is 2-4 technical category, which will become 2 category road with 20 meters road lane. It goes through the existing road, without any bypasses or diversions from the current alignment. Several junctions will be constructed in the following locations: Basshily (km-107), Temir-Kopir (km-120), Taldysay (km-124), Sagashily (km-125), Kenkiyak (km-130), Kalmaktykyrgan (km-151). All the settlements are located in at least 1 km from the road section.

23. According to the land use plan the road passes through the lands of Mugalzhar district (km-100-140), Temir district (km-140-160) of Aktobe Region. According to the Decrees on land allocation for state needs issued by Mugalzhar and Temir districts in 2015 respectively 204.7 ha and 361.53 ha of land have been allocated for the road. According to the decrees, there has been no any private land plot or structure on the allocated lands. Prior to the decree, 5 leased land plots have been donated/returned to the state. Out of 5 land plots, 4 pasture lands belonged to farms and one commercial land plot belonged to a person. From 0.1% to 0.5% of pastures have been donated. Commercial land plot of 0.15 ha has been fully donated to the state. According to the interviews with local authorities and the EA, there is no any outstanding grievance for the section.

### Appendix 1. List of Donated Lands

No	Type of AHs	Type of land	Type of owner ship	Total pasture land holding (based on available documentation)	Affected land, ha	Affected proportion of total land plot, %	Documents	Note
<b>Alga district</b>								
1	Household	Residential	Private	0.1705	0.0013	0.76	AP's application with agreement to donate the portion of land and Bestamak LA's decree No 67 dated 11.07.2016	-
2	Household	Residential	Private	0.0691	0.0053	7.67	AP's application with agreement to donate the portion of land and Bestamak LA's decree No 68 dated 11.07.2016	-
3	Family Farm	Pasture	Private	96.85	0.9300	0.96	AP's application with agreement to donate the portion of land and Decree of Alga district's Akimat dated 18.10.2016 No 392	-
4	Legal Entity	Pasture	state land in long-term use	1231	36.7600	2.99	AP's application with agreement to donate the portion of land and Decree of Alga district's Akimat dated 03.04.2017r. No 123	-
5	Legal Entity	Pasture	state land in long-term use	6907.1	1.3096	0.02	AP's application with agreement to donate the portion of land and Decree of Alga district's Akimat dated 12.07.2016 No277	Refused from bigger prortion of land then needed by the project as did not use it.
6	Family Farm	Pasture	state land in long-term use	55.9	3.0017	5.37	AP's application with agreement to donate the portion of land and Decree of Alga district's Akimat dated 12.07.2016 No277	-
7	Family Farm	Pasture	state land in long-term use	187.0023	5.1423	2.75	Application was not provided. Only a Contract between Local Authorities and the Renter and Decree of Alga district's Akimat dated 27.07.2016 No308	-
<b>Mugalzhar district</b>								
8	Family Farm	Pasture	state land in long-term use	307.3	2.2700	0.74	AP's application with agreement to donate the portion of land and Decree of Mugalzhar district's Akimat dated 18.02.2016 No56	-

No	Type of AHs	Type of land	Type of owner ship	Total pasture land holding (based on available documentation)	Affected land, ha	Affected proportion of total land plot, %	Documents	Note
9	Family Farm	Pasture	state land in long-term use	11153	10.1100	0.09	AP's application with agreement to donate the portion of land and Decree of Mugalzhar district's Akimat dated 20.04.2016 No129	-
10	Family Farm	Pasture	state land in long-term use	22379	4.8900	0.02	1. AP's application dated 28.03.2015 to return all 9379,0 ha. 2. AP's application dated 10.02.2016 on partial termination of Contract, 3. Decree of Mugalzhar district's Akimat dated 20.04.2016 No129	Refused from all the land plot as did not use it
11	Family Farm	Pasture	state land in long-term use	2684	6.6400	0.25	AP's application with agreement to donate the portion of land and Decree of Mugalzhar district's Akimat dated 16.02.2016 No48	-
12	Family Farm	Pasture	state land in long-term use	289	8.3600	2.89	1. AP's application, 2. Decree of Mugalzhar district's Akimat dated 16.02.2016r. No49, 3. Decree of Mugalzhar district's Akimat dated 15.07.2016 No260 to terminate right to 289,0 ha	Refused from all the land plot as did not use it
13	Family Farm	Pasture	state land in long-term use	574	9.8700	1.72	AP's application with agreement to donate the portion of land and Decree of Mugalzhar district's Akimat dated 17.06.2016 No220	-
<b>Total</b>					<b>89.2902</b>			

## Appendix 2. List of People Met

No.	Name	Organization	Note
1	Ramazanova N.	Expert, Committee for Roads, MID RK	24.08.2018
2	Ibrayeva D.	Chief Specialist, NC KazAutoZhol JSC	24.08.2018
3	Zeinullina A.	Specialist, Social and Environmental Matters, Branch "Construction Direction" of NC KazAutoZhol JSC	24.08.2018
4	Mahambetov M.	Director, Aktobe Regional Branch of NC KazAutoZhol JSC	25.08.2018
5	Danagul A.	Deputy Director, Aktobe Regional Branch of NC KazAutoZhol JSC	25.08.2018
6	Alizhanov A.	Head of Department, Aktobe Regional Branch of NC KazAutoZhol JSC	25.08.2018
7	Tazhbanov R.	Head of Department, Aktobe Regional Branch of NC KazAutoZhol JSC	25.08.2018
8	Usmanaliyev A.	Head of Department of Passenger Transport and Roads, Akimat of Aktobe Region	25.08.2018
9	Aldiyarov N.	Akim (Mayor), Alga District of Aktobe Region	27.08.2018
10	Bekish Y.	Head of Department of Land Relations, Akimat of Alga District of Aktobe Region	27.08.2018
11	Danagulov Y.	Akim (Mayor), Mugalzhar District of Aktobe Region	27.08.2018
12	Yeshniyazov I.	Head of Department of Land Relations, Akimat of Mugalzhar District of Aktobe Region	27.08.2018
13	Yeleusizova A.	Director, Geoservice-2005 LLP	28.08.2018
14	Zhamankulov M.	Deputy Director, Aktobe Regional Branch of State Corporation "Government for Citizens" Non-Profit JSC	28.08.2018
15	Orazalin B.	Head of Department, Aktobe Regional Branch of State Corporation "Government for Citizens" Non-Profit JSC	29.08.018
16	Nuraly B.	Specialist, Aktobe Regional Branch of State Corporation "Government for Citizens" Non-Profit JSC	29.08.2018

### Appendix 3. List of Documents Reviewed

No.	Document	Number of documents
1	Decree of the Akimat of Aktobe on permanent acquisition of land plots for the construction of Aktobe-Kandyagash Road	1
2	Decree of the Akimat of Alga District on permanent acquisition of land plots for the construction of Aktobe-Kandyagash Road	2
3	Decree of the Akimat of Mugalzhar District on permanent acquisition of land plots for the construction of Aktobe-Kandyagash Road	2
4	Statements from owners (land users) on land return to the state reserve fund	13
5	Rental agreements (contracts) between the Akimats of Alga, Mugalzhar Districts and land users for the remaining land plots	13
6	Decisions of Alga District Court of Aktobe Region to acquire land plots for public needs and pay compensation (two decisions)	2
7	Decision of Specialized Inter-District Economic Court of Aktobe to acquire land plots and pay compensation	1
8	Payment documents with regard to three owners (shops)	3
9	Compensation agreements for losses due to land acquisition for public needs	3
10	Valuation reports for land plots and property to the total of 3 units (shops)	3
11	Decrees of the Akimats of Alga and Mugalzhar Districts of Aktobe Region on changes in rental agreements	13

## ANNEX 2. GRIEVANCE REGISTRATION FORM

Source: Guideline on Grievance Redress Mechanism on Environment and Social Safeguards for Road Sector Projects, 2014 TA-7566 REG: Strengthening and Use of Country Safeguard Systems - Community Consultation and Grievance Redress Mechanism

<b>GRIEVANCE REGISTRATION FORM</b>	
<b>CONTACT INFORMATION</b>	
Name:	Gender: <input type="checkbox"/> Male / <input type="checkbox"/> Female
Address:	
Community:	Telephone:
Rayon and Oblast:	E-mail:
Anonymous grievance: <input type="checkbox"/> Yes / <input type="checkbox"/> No	Preferred mode of communication for feedback: <input type="checkbox"/> Mail / <input type="checkbox"/> Phone / <input type="checkbox"/> E-mail
<b>DESCRIPTION OF GRIEVANCE / SUGGESTION / QUESTION</b>	
Please provide details (who, what, where, when) of your grievance below:	
In case any other actions were undertaken by the complainant with respect to the grievance case, please provide details on past actions (if any):	
Please provide details on your suggested resolution for grievance:	
<b>GRIEVANCE REGISTRATION DETAILS</b>	
Name of registrant:	
Organization:	Position:
How the grievance was lodged: <input type="checkbox"/> in person / <input type="checkbox"/> mail / <input type="checkbox"/> e-mail / <input type="checkbox"/> phone / <input type="checkbox"/> fax / <input type="checkbox"/> _____	Type of grievance: <input type="checkbox"/> type A / <input type="checkbox"/> type B / <input type="checkbox"/> type C
Documents attached:	Grievance is relevant to project: <input type="checkbox"/> Yes / <input type="checkbox"/> No if "No" it was forwarded to: _____
Remarks:	
Signature of registrant:	Date of grievance:

## **Grievance Focal Points**

DPs or other concerned individuals may visit, call or send a letter or fax to GRC at the regional level for Aktobe Oblast.

GRC Contact Details in Aktobe Oblast (Regional Level): Aktobe Regional branch of JSC «NC KazAutoZhol»

Address: 89 Maresyev str., Aktobe

Phone: 8 (7132) 55-50-15, 54-76-29

Fax: 8 (7132) 54-65-71

E-mail: aktobe.info@kazautozhol.kz

Akimat of Aktobe Oblast

Address: 40 Abylkhayir khan ave., Aktobe Phone: 8 (7132) 56-77-82

E-mail: info@akto.kz

Akimat of Alga Rayon

Address: 5 microdistrict, Alga community, Alga Rayon Phone: (8-71337) 4-21-00

E-mail: alga@akto.kz

Akimat of Mugalzhar Rayon

Address: 16 International str., Kandyagash community, Mugalzhar Rayon Phone: (8-71333) 3-40-99

E-mail: mugalzhar-akimat@nur.kz

At the Central GRC the key persons are:

- (i) Head of GRC: Taenova R. - Head of Project Expertise Department;
- (ii) Coordinator of GRC: Ibrayeva D. - Chief Expert of Project Expertise Department.

### GRC Contact Details (Central Level)

Address: 32/1 KabanbayBatyrave., Astana, 010000, Kazakhstan Committee of Roads, Ministry of Investments and Development of the Republic of Kazakhstan Tel: +8 (7172) 75-46-41

E-mail: n.ramazanova@mid.gov.kz

## ANNEX 3. SUMMARY OF CONSULTATIONS CONDUCTED IN 2015

**Source:** Initial Environmental Examination KAZ: CAREC Corridors 1 and 6 Connector Road (Aktobe–Kandyagash) Reconstruction Project, October, 2018

Aktobe Oblast Public Consultation (September, 2015)			
<p style="text-align: center;"><b>Date:</b> 29 September 2015</p> <p><b>Location:</b> Bestamak village, conference hall of the Bestamak rural school, Alga rayon</p> <p style="text-align: center;"><b>Panel Members:</b></p> <ol style="list-style-type: none"> <li>1. T.I.Isenov, Akim of Bestamak rural okrug/Alga rayon</li> <li>2. K.Z. Dauletalin, Director of Bestamak rural school , Alga rayon</li> <li>3. T. D. Doszhanov: Senior specialist of Akimal of Bestamak rural okrug/Alga rayon.</li> <li>4. R.S. Tazhbanov: Head of department, Aktobe branch of KazAvtojol.</li> <li>5. A.B. Zhumasheva: Head of Department, Aktobe branch of KazAvtojol.</li> <li>6. E.S. Kalaganov: Senior specialist, Aktobe branch of KazAvtojol</li> <li>7. S. M. Urazbekov: Chief Engineer of Ltd “Engineer centre “Astana”.</li> <li>8. A.A. Golubnichiy: Director of Ltd. “ProjectSroy Dialog”</li> </ol> <p style="text-align: center;"><b>List of Participants:</b> <b>44 Participants</b></p>			
#	Question / Comment	Answer	IEE Reference
1	Mr.A.Kanatbayev, pensioner, resident of Bestamak village. Engineering communications pass along the road, will be they retransferred to other place or reorganized?	The project will provide for reorganization or removal according to the technical specifications of the owners of communications.	Utilities are discussed under <b>Item F.8.1 – Transportation Facilities and Utilities</b> with mitigation and management measures provided for disruptions to utilities
2	Mr.A.Kanatbayev, pensioner, resident of Bestamak village. Will be the imposition of the road on the red lines of residential buildings?	The project does not affect the red lines of the houses, the minimum width between houses is 40 meters, the width of the road is 26 meters, and an additional width of 3 meters is provided for local residents.	Not required.
3	Ms.B.Kazhirova, pensioner, resident of Bestamak village. How will the issue with air pollution be solved?	The pavement will be done by asphalt and concrete - this will help to solve the pollution issue, also noise protection screens will be installed and they will prevent the rising of the noise and also direct the exhaust gases upwards.	Air quality in the construction and operational phases of the Project is discussed under <b>Section F.6.1 – Air Quality</b> .
6	Mr. A.Akhmetov, chairman of the Council of Elders. What is the source of funding of road reconstruction?	This project will be implemented through the investments of foreign banks.	Not required.



7	Ms.A.Narguzhina, resident of Bestamak village. Will transit vehicles drive on internal roads?	The movement of freight transit transport is not envisaged on internal roads, therefore the street-road network of the Bestamak village will be affected.	Not required.
8	Mr. A.Akhmetov, chairmen of the Council of Elders. Why bypass road can not be constructed in Bestamak? How the issue of road safety on the streets of the village will be solved?	If to plan the bypass of the village, then all transit vehicles will not enter the village, the income of roadside cafes will decrease. The project will provide the lighting of the main road and; road signs, speed limit signs and artificial preventing structures will be installed on the streets of the village.	The issue of a bypass around Bestamak has not been discussed in this IEE as this option was ruled out for technical and economic reasons.
9	Mr. A.Akhmetov, chairmen of the Council of Elders. How will traffic be organized during the construction?	The parallel streets will be repaired in frame of project, relevant road warning signs will be installed during construction. After completion of construction the roads will be restored and road signs will be installed.	Traffic diversions are discussed as part of <b>Section B.6.5 - Diversions</b> .

#### Aktobe Oblast Public Consultation (December, 2015)

**Date:** 24 December 2015

**Location:** Bestamak village, conference hall of the Bestamak rural school, Alga rayon

##### Panel Members:

1. T.I.Isenov, Akim of Bestamak rural okrug/Alga rayon
2. K.Z. Dauletalin, Director of Bestamak rural school , Alga rayon
3. B.A.Baimagambetov, Director of Aktobe branch of JSC KazAvtojol.
4. E.S. Kalaganov: Senior specialist, Aktobe branch of JSC KazAvtojol
5. S. M. Urazbekov: Chief Engineer of Ltd. "Engineer centre "Astana".
6. A.A. Golubnichiy: Director of Ltd "ProjectSroy Dialog" Aktobe"

#	Question / Comment	Answer	IEE Reference
1	How many light crossings are planned, what is their location and what is the distance between them?	Three light crossings are designed in the beginning, middle and end of the Bestamak village. The distance between first and second light will be 650 m, between second and third one – 350 meter.	Discussed as part of <b>Section B – Project Description</b> .
2	What is the height of noise protection screens?	The height of noise barriers will be calculated, but currently the designed height is 3 m.	Noise barriers are discussed as part of <b>Section F.9.7 – Noise</b> .
3	How the passing of cattle will be organized?	Two artificial structures will be arranged for the cattle passing. They will be installed in the beginning and at the end of Bestamak village.	Cattle underpasses are shown in <b>Table 5</b> under <b>Section B.4.5 – Bridges, Overpasses, Underpasses and Crossings</b> .
4	Mr. S.Urumbaev, owner of "Express" café. My café is located in the first line of construction. Is it possible to construct	This question will be considered.	To be addressed as part of the Project LARP.

Aktobe Oblast Public Consultation (December, 2015)			
	parking zone near the café?		
5	Will be bypass road arranged during the road construction?	<p>The beginning of the temporary bypass road towards the Aktobe-Alga will start from the road section of Republican Importance “Aktobe-Atyrau-the border of the Russian Federation (to Astrakhan)”, then it will go along the Eset Batyra street, then turn to the street, located between the Temirzholy street and railways, then to the access with existing road with asphalt-concrete pavement in the area of railway passage, then it will go out to the road of republican importance.</p> <p>The beginning of the temporary bypass towards the Alga-Aktobe will start with existing access (exit) from the road of republican importance towards the memorial complex “Eset Batyra”, then exit to Bokenbay Batyra street with turn to the Alga street and entering to the road of republican importance.</p>	Traffic diversions are discussed as part of <b>Section B.6.5 - Diversions.</b>

## ANNEX 4 MINUTES OF PUBLIC CONSULTATION MEETINGS IN 2018

Aktobe Oblast Public Consultations (November, 2018)		
<b>Date:</b> 8 November 2018 <b>Location:</b> Aktobe, conference hall of the school N71 of Aktobe city		
<b>Panel Members:</b>		
1. A.I. Kubenov, Head of State Department of natural resources management and regulation”, Akimat of Aktobe Oblast 2. M.Mahambetov, Director of KazAvtojol of Aktobe oblast 3. A.Satylganova: ADB, Social safeguards specialist 4. M. Babadzhanova: ADB, Regional environmental safeguards consultant 5. Zaruhi Hayrapetyan: ADB, International social safeguards consultant 6. K.Serdaliev: ADB, National social safeguards consultant		
<b>Program</b>		
1. Provision of information on updated project design approved by state expertise - M.Mahambetov (in Kazakh, power point presentation, map with project design details) 2. Main approaches of ADB Policy statement (2009) on environmental safeguards, content of IEE/EMP and additional environmental impacts surveys of 2018, monitoring program, project institutional responsibilities on EMP implementation – M.Babadzhanova (in Russian, Power Point presentation) 3. Social safeguards and resettlement principles of ADB policies for the Project, Grievance redress mechanism developed for the Project – K.Serdaliev (in Kazakh, power point presentation)		
Information brochures were distributed also to participants with information on issues indicated in the program		
<b>List of Participants:</b> <b>23 Participants (attached)</b>		
#	Question / Comment	Answer
1	Head of State Department of natural resources management and regulation”: How will environmental payments be handled?	The project will include the costs for environmental emissions/discharges in accordance with local legislation.
2	Resident of Aktobe: Will local people be recruited during construction and where do they send their resumes, etc.?	The project provides for employment of the local population during the construction of the highway, local people can send their questions or resume to e-mail addresses or call the telephone numbers indicated in the information brochures.
3	Resident of Aktobe city. When the construction of the Aktobe-Kandyagash highway will start?	A tender (bidding process) will be held, and construction is tentatively scheduled to begin in 2019. The construction period according to the project is 36 months.
4	Resident of Aktobe city. Were there any problems at other sites regarding the resettlement issues in Kazakhstan? Can you give examples?	The ADB financed the road reconstruction project in the Zhambyl region, where along the old road on the state land plots there were trailers where local people sold honey. However, after the road reconstruction, barriers were installed along the new road on its both sides and the 28 people could not do trade along the new road. Then, the district akimat

		provided for these people a special land plot near the rest area and they are currently continuing their honey trading business.
5	Head of State Department of natural resources management and regulation”: Will Contractors pay for water use and quarries during construction?	According to the national environmental legislation and also the requirements of ADB, Contractors must obtain appropriate permits not only for the use of water resources for technical needs, the use of quarries, but also for emissions into the air and discharges to the water. The Contractor will pay for the use of natural resources and discharges /emissions into the environment, waste disposal, etc.in accordance with existing regulations in the country
	Wrap up	The participants noted the importance of road reconstruction for the improvement of the population welfare and reliability/safety of the road traffic in the Aktoke region.



**Aktobe Oblast Public Consultations (November, 2018)****Date:** 8 November 2018**Location:** Bestamak, Alga district, conference hall of the House of culture**Panel Members:**

1. N.S. Aldiyarov, Akim of Alga district
2. M.Mahambetov, Director of KazAvtojol of Aktobe oblast
3. A.Satylganova: ADB, Social safeguards specialist
4. M. Babadzhanova: ADB, Regional environmental safeguards consultant
5. Zaruhi Hayrapetyan: ADB, International social safeguards consultant
6. K.Serdaliev.ADB, National social safeguards consultant

**Program**

1. Provision of information on updated project design approved by state expertise - M.Mahambetov (in Kazakh, power point presentation, map with project design details)
2. Main approaches of ADB Policy statement (2009) on environmental safeguards, content of IEE/EMP and additional environmental impacts surveys of 2018, monitoring program, project institutional responsibilities on EMP implementation – M.Babadzhanova (in Russian, Power Point presentation)
3. Social safeguards and resettlement principles of ADB policies for the Project, Grievance redress mechanism developed for the Project – K.Serdaliev (in Kazakh, power point presentation)

Information brochures were distributed also to participants with information on issues indicated in the program

**List of Participants:****52 Participants (attached)**

#	Question / Comment	Answer
1	Resident of Bestamak village: What is the distance from the lighting pole to the border of walkside?	The project provides for the distance of the lighting support to the border of the pavement of 710 sm
2	Pensioner, resident of Bestamak village: The population of Alga district, including Bestamak village, fully supports the construction of the Aktobe-Kandyagash road and this road project	Noted with thanks
3	Pensioner, resident of Bestamak village: Can a tractor with hay drive to my house?	The project provides for the local access road in Bestamak which will have the width of 4.5 meters and also sidewalk with the width of 1.5 meters
4	Pensioner, resident of Bestamak: When the construction of the Aktobe-Kandyagash highway will start?	A tender (bidding process) will be held, and construction is tentatively scheduled to begin in 2019.
5	Wrap up	The participants noted the importance of road reconstruction for the improvement of the population welfare and reliability/safety of the road traffic in the Aktobe region.



### Aktobe Oblast Public Consultations (November, 2018)

**Date:** 9 November 2018

**Location:** Alga, Alga district, conference hall of the secondary school N2

#### Panel Members:

1. R.S. Kadyrbergenov, deputy Akim of Alga district
2. M.Mahambetov, Director of KazAvtojol of Aktobe oblast
3. A.Satylganova: ADB, Social safeguards specialist
4. M. Babadzhanova: ADB, Regional environmental safeguards consultant
5. Zaruhi Hayrapetyan: ADB, International social safeguards consultant
6. K.Serdaliev.ADB, National social safeguards consultant

#### Program

1. Provision of information on updated project design approved by state expertise - M.Mahambetov (in Kazakh, power point presentation, map with project design details)
2. Main approaches of ADB Policy statement (2009) on environmental safeguards, content of IEE/EMP and additional environmental impacts surveys of 2018, monitoring program, project institutional responsibilities on EMP implementation – M.Babadzhanova (in Russian, Power Point presentation)
3. Social safeguards and resettlement principles of ADB policies for the Project, Grievance redress mechanism developed for the Project – K.Serdaliev (in Kazakh, power point presentation)

Information brochures were distributed also to participants with information on issues indicated in the program

#### List of Participants:

**36 Participants (attached)**

#	Question / Comment	Answer
1	Chairmen of the Council of veterans, resident of Alga: Why the highway does not pass along the existing highway, in particular, through the city of Alga.?	The project provides for bypass roads, including Alga and Kandyagash for the purposes of traffic and population safety. The old road will be repaired and then it will be under control of local executive bodies.
2	Resident of Alga: I have a cottage in Alginsky district. Will my land with real estate be withdrawn for the construction of a highway?	According to the project of the highway and land management project, only state land plots fall into the zone of impact, except for three stores in the Bestamak village. In the event that the project gets into the zone of impact, a corresponding decree will be issued by the Akim of the Alga region to withdraw the land plot and you will be offered either an alternative land plot or monetary compensation. For any questions you may contact through the contact details that are available in the information brochures distributed to you.
3	Secretary of Alga district maslihat (council), resident of Alga: The population of Alga district fully supports the construction of the Aktobe-Kandyagash road and this road project	Noted with thanks
4	Pensioner, resident of Alga: When the construction of the Aktobe-Kandyagash highway will start?	A tender (bidding process) will be held, and construction is tentatively scheduled to begin in 2019.



5	Teacher of the school N2 of Alga district: Please consider the proposal to include toilets and bins along the road.	The project provides for the installation of toilets and garbage cans at all recreation areas and auto pavilions.
	Wrap up	The participants noted the importance of road reconstruction for the improvement of the population welfare and reliability/safety of the road traffic in the Aktobe region.





**Aktobe Oblast Public Consultations (November, 2018)****Date:** 9 November 2018**Location:** Kandyagash, Mugalzhar district, conference hall of the National University**Panel Members:**

1. B.K. Kulmagambetov, deputy Akim of Mugalzhar district
2. M.Mahambetov, Director of KazAvtojol of Aktobe oblast
3. M. Babadzhanova: ADB, Regional environmental safeguards consultant
4. K.Serdaliev.ADB, National social safeguards consultant

**Program**

1. Provision of information on updated project design approved by state expertise - M.Mahambetov (in Kazakh, power point presentation, map with project design details)
2. Main approaches of ADB Policy statement (2009) on environmental safeguards, content of IEE/EMP and additional environmental impacts surveys of 2018, monitoring program, project institutional responsibilities on EMP implementation – M.Babadzhanova (in Russian, Power Point presentation)
3. Social safeguards and resettlement principles of ADB policies for the Project, Grievance redress mechanism developed for the Project – K.Serdaliev (in Kazakh, power point presentation)

Information brochures were distributed also to participants with information on issues indicated in the program

**List of Participants:****32 Participants (attached)**

#	Question / Comment	Answer
1	Deputy Akim of Mugalzhar district: The new road will bypass the city of Kandyagash. What will happen to the old road?	The project provides for bypass of Alga and Kandyagash for the purposes of traffic and population safety. The old road will be repaired and then delivered to the local executive bodies.
2	Resident of Kandyagash: When the construction of the Aktobe-Kandyagash highway will start?	A tender (bidding process) will be held, and construction is tentatively scheduled to begin in 2019.
3	Several participants noted that they often travel to Aktobe and spend a lot of money to repair their vehicles because of the poor condition of the existing road.	Noted with thanks
4	Wrap up	The participants noted the importance of road reconstruction for the improvement of the population welfare and reliability/safety of the road traffic in the Aktobe region.



Attachment 1. Announcement on public consultations in the local oblast newspaper  
(Aktobe Vestnik, N128, from 2 November 2018

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Реклама

АКТЮБИНСКИЙ ВЕСТНИК

№128 | пятница, 2 ноября 2018 года

Адрес: г. Актобе, ул. Наурыз, 4  
shinpayer-akto.kz | 8 (7132) 73-73-41 | 8-708-474-17-90

**Актюбинский ОФ АО «НК «КазАвтоЖол»**  
проводит общественные слушания по проекту «Актобе-Кандыгаши»

06.11.2018 г., 09.00, здание средней школы № 71;  
08.11.2018 г., 15.00, здание средней школы пос. Бостанак;  
09.11.2018 г., 10.00, здание средней школы № 2 г. Актобе;  
09.11.2018 г., 16.00, здание НГДУ (неф. и Жастык, 2д).

**Сигма**  
СТЕНДЫ  
ВЫВЕСКИ  
ТАБЛИЧКИ  
ПЕЧАТИ  
ШТАМПЫ  
Тел.: 909-133,  
909-135, 909-136.

**12.11.2018 г. д-р МЕЛЮБОВ С.Д. проводит двойной код, тренинг**  
ИП КОЛЕСНИКОВ А.А.  
МЕДИЦИНСКИЙ ЦЕНТР  
**Семья**  
7 методов лечения  
алкоголизма, заборов  
и наркомании.  
Терапия неврозов,  
страхов, депрессии,  
нарушения зрения,  
• нарколог • психотерапевт • психолог • сексолог  
• психиатр • невропатолог  
Адрес: проспект Абая, дом № 13, квартира 18,  
тел.: 544-535, 8-777-50-50-913, сайт: mcsmya.com

**ГОСУДАРСТВЕННОЕ УЧРЕЖДЕНИЕ «ОТДЕЛ АРХИТЕКТУРЫ  
И ГРАДОСТРОИТЕЛЬСТВА Г. АКТОБЕ»**  
доводит до сведения общественности о проведении общественных слушаний по рабочему проекту «Проект детальной планировки малозащитной застройки жилого массива «Елук-2» в г. Актобе Актобинской области.  
Дата проведения: 4 декабря 2018 г., в 16.00 местного времени, по адресу: Актобензавод обл., пос. Курейки, ул. Желез. 31 (Дом культуры).  
Ответственный за проведение общественных слушаний: Кубасов А.И., тел.: 8 (7132) 55-26-28, ГУ «Управление природных ресурсов и регулирования природопользования Актобинской области».  
Адрес электронной почты для замечаний и предложений: [skript\\_000@mail.ru](mailto:skript_000@mail.ru).  
С материалами проекта в эл. виде можно ознакомиться на сайте: <http://elbogat.aktobe.gov.kz/>.  
Заказчик проекта: Государственное учреждение «Отдел архитектуры и градостроительства г. Актобе», тел.: 21-25-33.  
Адрес электронной почты для замечаний и предложений: [guatgpr@mail.ru](mailto:guatgpr@mail.ru).  
Разработчик документации: Проект «Актобградпроект», тел.: 54-43-54, разработчик ОВОС: ТОО НГПТ «Актобе-ЭКО», тел.: 8 (7132) 55-06-94.

**ГУ «АКТИНСКИЙ РАЙОННЫЙ ОТДЕЛ АРХИТЕКТУРЫ  
ГРАДОСТРОИТЕЛЬСТВА И СТРОИТЕЛЬСТВА»**  
доводит до сведения общественности о проведении общественных слушаний по рабочему проекту «Генеральный план, совмещенный с ПДП с. Аксады Актинского района Актобинской области».  
Дата проведения: 4 декабря 2018 г., в 10.00 местного времени, по адресу: Актобинская область, Актинский район, с. Акта, Б. минарская, дом 4.  
Ответственный за проведение общественных слушаний: Кубасов А.И., тел.: 8 (7132) 55-26-28, ГУ «Управление природных ресурсов и регулирования природопользования Актобинской области».  
Адрес электронной почты для замечаний и предложений: [skript\\_000@mail.ru](mailto:skript_000@mail.ru).  
С материалами проекта в электронном виде можно ознакомиться на сайте: <http://elbogat.aktobe.gov.kz/>.

**РЭК ТОО «Энергосистема»**  
известает о том, что в связи с плановыми работами оборудования будет временно прекращена подача электроэнергии с 09.00 до 17.00 местного времени по улицам:  
Эксплуатационные работы Актобинского УЭС:  
08-09.11. в. Родниковая – полное потапливание.  
При наличии технической возможности работы будут выполнены без отключения потребителей.  
Сроки проведения работ могут быть изменены в зависимости от оперативной обстановки в сетях.  
Заранее приносим свои извинения за временные неудобства.

**РЕНДАМА**  
[aktobesmi@mail.ru](mailto:aktobesmi@mail.ru)  
56-31-30  
54-78-78  
ЧИТАЙТЕ

## **ПРОТОКОЛ**

### **Проведения общественных слушаний**

**г. Актобе Актыобинской области**

**Дата проведения:** 08 ноября 2018 год 09:00 часов.

**Место проведения:** Актывый зал средней школы № 71 г. Актобе Актыобинской области

**Общественные слушания организованы** Аппаратом акима г. Актобе Актыобинской области Республики Казахстан через СМИ (газета "Актыобинский вестник" № 128 от 02 ноября 2018 года), телеканал "Актобе-Казахстан", мессенджер "Whats App"

**Участвовали:** Жители г. Актобе Актыобинской области (Список прилагається)

### **Повестка дня:**

Ознакомление населения с подробным проектом дороги с подходами АБР к принципам отчуждения собственности (земель), принятые для проекта, экологических вопросов и механизме рассмотрения жалоб.

### **Выступили:**

1. Директор Актыобинского филиала АО НК "Казавтожол" Махамбетов М. поприветствовав всех присутствующих, представил сотрудника и консультантов АБР по социальным вопросам, охране окружающей среды и защитным мерам для проекта по улучшению автодороги «Актобе-Кандыагаш», представил присутствующим основные технические детали проекта, который прошел государственную экспертизу.
2. Международный консультант АБР по охране окружающей среде и защитным мерам Бабаджанова М. представила основные подходы АБР по природоохранным защитным мерам для проекта улучшения дороги «Актобе-Кандыагаш», и проинформировала, что целью проведения общественных слушаний является предоставление информации о политиках безопасности АБР, ознакомление местных жителей о проведенных дополнительных обследованиях, касающихся оценки воздействия Проекта по реконструкции дороги Актобе-Кандыагаш на окружающую среду и социальную сферу. Жители были проинформированы о разработанном Плате управления Окружающей Средой для всех этапов реализации Проекта, содержащем превентивные/смягчающие меры и программу мониторинга, а также обязанности вовлеченных сторон по его реализации.
3. Национальный консультант АБР по переселению и социальным защитным мерам Сердалиев К.С. представил основные принципы отчуждения собственности в соответствии с политиками безопасности АБР, принятые для проекта по реконструкции дороги «Актобе-Кандыагаш», а также детально разъяснил механизм рассмотрения жалоб, охватывающий как социальные, так и экологические вопросы

представил контактную информацию МРЖ. Выступление национального консультанта было проведено на казахском языке, с целью обеспечения полноценного понимания и вовлечения участников слушаний. Было отмечено, что детальная информация также приведена в информационных брошюрах, напечатанных на казахском и русском языках и розданных аудитории.

Кроме того, для наглядности и облегчения восприятия информации участниками слушаний, выступления консультантов сопровождались демонстрацией презентаций, подготовленных в Power Point.

После выступлений присутствующим была дана возможность задать вопросы и получить разъяснения на интересующие их темы касательно проектной дороги.

Были заданы следующие вопросы:

1. Кубенов А.И. - руководитель "Управления природных ресурсов и регулирования природопользования" акимата Актобинской области

Вопрос: Как будут проводиться платы за эмиссии по охране окружающей среде?

Ответ: Проектом предусмотрена плата за эмиссию по охране окружающей среде в соответствии с местным законодательством.

2. Куанышева С.

Вопрос: Будут ли привлекаться во время строительства на работу местное население и куда направлять свои резюме и т.д.?

Ответ: Проектом предусмотрено трудоустройство местного населения во время строительства автомобильной дороги, свои вопросы или резюме можете направлять на электронные адреса или звонить по телефонам, указанным в информационных брошюрах.

3. Ибраев У.

Вопрос: Когда планируется начало строительства автодороги "Актобе-Кандыаган"?

Ответ: Будет проводится тендер, предварительно планируется начать строительство в 2019 году. Срок строительства согласно проекта 36 месяцев.

4. Тажбанов Р.

Вопрос: Были проблемы на других участках касательно выкупа и изъятия в Казахстане? Можете привести примеры?

Ответ: АБР финансировал проект реконструкции автодороги в Жамбылской области, где вдоль старой автодороги на государственных земельных участках были расположены киоски (вагончики), которые торговали медом (медовики). Однако, после реконструкции автодороги, вдоль новой автодороги были с двух сторон поставлены барьерные ограждения и владельцы киосков (28 человек) не могли уже торговать вдоль новой автодороги. Далее, акимат района предоставил специально для них земельный участок возле площадки отдыха для продолжения бизнеса, т.е. для торговли медом и они в данное время продолжают свой бизнес торговли медом.



5. Кубенов А.И. - руководитель "Управления природных ресурсов и регулирования природопользования" акимата Актюбинской области

Вопрос: Будут ли Подрядчики платить за использование воды и карьеров в ходе строительства?

Ответ: Согласно национальному природоохранному законодательству и также требованиям АБР, Подрядчики должны получать соответствующие разрешения не только за использование водных ресурсов на технические нужды, использование карьеров, а также на выбросы в воздух и сбросы в почву. Кроме того, за использование природных ресурсов и сбросы/выбросы в окружающую среду, размещение отходов и т.п., Подрядчик будет платить в соответствии с имеющимися нормативами в стране.

Присутствующие отметили важность улучшения дороги для улучшения благосостояния населения, и повышения надежности и безопасности дорожного движения в Актюбинской области.

**Председатель общественных слушаний:**

Директор Актюбинского областного филиала  
АО НК "Казавтожол" Махамбетов М.



**Секретарь общественных слушаний:**

Начальник отдела Актюбинского областного филиала  
АО НК "Казавтожол" Альжанов А.

A handwritten signature in blue ink, likely belonging to the secretary mentioned in the text, is written below the stamp.

# List of participants of the public consultations in Aktope (8 November 2018)

## List of Participants of the Public Consultation for CAREC Corridors 1 and 6 Connector Road (Aktope-Kandyagash) Improvement Project

Список участников общественных слушаний по проекту  
улучшения автомобильной дороги соединяющей коридоры 1 и 6 ЦАРЭС (Актобе-Кандыагаш)

ОААЭЫ 1 және 6 дәліздерін байланыстыратын автомобиль жолдарын жанарту жобасы (Ақтобе – Қандыағаш)  
жоспары бойынша қоғамдық тыңдаудың қатысушылардың тізімі

Aktope 8, November, 2018 Aktope 8, ноября 2018 года, Aktope 8, караша 2018 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жұмыс орны	Contact details (phone, e-mail ) Контактные данные (тел. эл. адрес) Байланыс ақпарат (тел., эл. мекен-жайы)	Signature Подпись Қолы
1	Утемова те У	71 школа	87779680501	Утемов
2	Амсото Д.К.	71 школа	87758062338	Д.Амсото
3	Бурдашев А.А.	71 школа	87751251270	Б.Бурдашев
4	Исатаева С.А.	71 школа	87016372326	С.Исатаева
5	Васильев А.Г.	71 школа	8748-254-31-05	А.Васильев
6	Мухамедов Р.С.	71 школа	87485677026	Р.Мухамедов
7	Журинова Т.И.	71 школа	87716091491	Т.Журинова
8	Жумабаева И.Т.	71 школа	87718446457	И.Жумабаева
9	Доскабурова З.Т.	71 школа	8707-138-08-05	З.Доскабурова
10	Варламурина З.С.	№71 мектеп	87054938040	З.Варламурина

Aktope 8, November 8, 2018 Aktope 8, ноября 2018 года, Aktope 8, караша 2018 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жұмыс орны	Contact details (phone, e-mail ) Контактные данные (тел. эл. адрес) Байланыс ақпарат (тел., эл. мекен-жайы)	Signature Подпись Қолы
11	Ибраев М.У. (м)	ТОО "Стройдеталь"	87057309599	М.Ибраев
12	Досмукхамбетов Ж.И. (м)	ТОО "Стройдеталь"	87773627939	Ж.Досмукхамбетов
13	Амар Ж.К. (ж)	71 школа	87079334025	А.Амар
14	Садурманова Б.Н.	71 школа	87415459441	Б.Садурманова
15	Зинатулла Г.Г.	№71 мектеп	87078742910	Г.Зинатулла
16	Алибеков Н.А.	№71 мектеп	87485438364	Н.Алибеков
17	Франшова Л.С.	№71 мектеп	87718202794	Л.Франшова
18	Жумабаева И.И.	№71 мектеп	87768749585	И.Жумабаева
19	Жамалметова С.А.	№71 мектеп	87767511153	С.Жамалметова
20	Саманов Д.А.	№71 мектеп	8746-798-55-65	Д.Саманов

Ақтобе 8, November, 2018 Ақтобе 8, ноября 2018 года, Ақтобе, 8 қараша 2018 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жұмыс орны	Contact details (phone, e-mail) Контактные данные (тел. эл. адрес) Байланыс ақпарат (тел., эл. мекен-жайы)	Signature Подпись Қолы
21	Тамданов Р.С.	ҚазАвтомоб	8777 554 8245	[Signature]
22	Жұманшев А.Б.	ҚазАвтоЖол	8777 6600531	[Signature]
23	Калаганов Е.С.	ҚазАвтоЖол	8777 554 3270	[Signature]
24	Babardzhanova Malika	ADB Regional Environmental Consultants	+997918420944	[Signature]
25	Aida Ishtyrganova	ADB	+839999991477	[Signature]
26	Насралыбетов М.С.	Қызылорда облысы қаржы-ақпарат басқармасы	8776 5663144	[Signature]
27	Қысанов А.У.	Қызылорда облысы қаржы-ақпарат басқармасы	8701 5114684	[Signature]
28	Сергалиев Д.С.	ADB	8705 7227074	[Signature]
29	Айғанов З.	ADB	—	[Signature]
30	Ахметов А.Е.	ҚАЗАХСТАН	8701 624 2584	[Signature]



## **ПРОТОКОЛ**

### **Проведения общественных слушаний**

**с. Бестамак Бестамакского сельского округа Алгинского района Актюбинской области**

**Дата проведения:** 08 ноября 2018 год 15:00 часов.

**Место проведения:** Зал Дома культуры с. Бестамак Бестамакского сельского округа Алгинского района Актюбинской области

**Общественные слушания организованы** Аппаратом акима Алгинского района Актюбинской области Республики Казахстан через СМИ (газета "Актюбинский вестник" № 128 от 02 ноября 2018 года), телеканал "Актобе-Казахстан", мессенджер "Whats App"

**Участствовали:** Жители с. Бестамак Алгинского района Актюбинской области (Список прилагается)

### **Повестка дня:**

Ознакомление населения с подробным проектом дороги с подходами АБР к принципам отчуждения собственности (земель), принятые для проекта, экологических вопросов и механизме рассмотрения жалоб.

### **Выступили:**

1. Представитель местных исполнительных органов, аким Алгинского района Актюбинской области Алдияров Н.С. поприветствовав всех присутствующих, представил жителям с. Бестамак представителей Актюбинского филиала АО «НК Казавтожол», Актюбинского филиала ТОО "Казавтодор" и сотрудника и консультантов АБР по социальным вопросам, охране окружающей среды и защитным мерам для проекта по улучшению автодороги «Актобе-Кандыагаш»
2. Директор Актюбинского филиала АО НК "Казавтожол" Махамбетов М. поприветствовав всех присутствующих, представил присутствующим основные технические детали проекта, который прошел государственную экспертизу.
3. Международный консультант АБР по охране окружающей среде и защитным мерам Бабаджанова М. представила основные подходы АБР по природоохранным защитным мерам для проекта улучшения дороги «Актобе-Кандыагаш». и проинформировала, что целью проведения общественных слушаний является предоставление информации о политиках безопасности АБР, ознакомление местных жителей о проведенных дополнительных обследованиях, касающихся оценки воздействия Проекта по реконструкции дороги Актобе-Кандыагаш на окружающую среду и социальную сферу. Жители были проинформированы о разработанном Плана управления Окружающей Средой для всех этапов реализации Проекта, содержащем превентивные/смягчающие меры и программу мониторинга, а также обязанности вовлеченных сторон по его реализации.

4. Национальный консультант АБР по переселению и социальным защитным мерам Сердалиев К.С. представил основные принципы отчуждения собственности в соответствии с политиками безопасности АБР, принятые для проекта по реконструкции дороги «Актобе-Кандыагаш», а также детально разъяснил механизм рассмотрения жалоб, охватывающий как социальные, так и экологические вопросы представил контактную информацию МРЖ. Выступление национального консультанта было проведено на казахском языке, с целью обеспечения полноценного понимания и вовлечения участников слушаний. Было отмечено, что детальная информация также приведена в информационных брошюрах, напечатанных на казахском и русском языках и розданных аудитории.

Кроме того, для наглядности и облегчения восприятия информации участниками слушаний, выступления консультантов сопровождались демонстрацией презентаций, подготовленных в Power Point.

После выступлений присутствующим была дана возможность задать вопросы и получить разъяснения на интересующие их темы касательно проектной дороги.

Были заданы следующие вопросы:

1. Тулегенов К.

Вопрос: Расстояние от опоры освещения до границы тротуара?

Ответ: Проектом предусматривает расстояние опоры освещения до границы тротуара 710 см.

2. Шынтасов М. - пенсионер

Население Алгинского района, в т.ч. с. Бестамак полностью поддерживает строительство автодороги "Актобе-Кандыагаш" и данный проект автодороги.

3. Алмашев Т. - пенсионер

Вопрос: Может ли проехать трактор с сеном к моему дому?

Ответ: Проектом предусмотрен местный проезд (автодорога) в с. Бестамак шириной 4,5 метра и тротуар шириной 1,5 метра.

4. Есбергенов Т. - пенсионер

Когда планируется начало строительства автодороги "Актобе-Кандыагаш"?

Ответ: Будет проводится тендер, предварительно планируется начать строительство в 2019 году.

Присутствующие отметили важность улучшения дороги для улучшения благосостояния населения, и повышения надежности и безопасности дорожного движения в Актюбинской области.

**Председатель общественных слушаний:**

Аким Алгинского района Актюбинской области  
Алдияров Н.С.



**Секретарь общественных слушаний:**

помощник акима Алгинского района Актюбинской области  
Сурбаев А.И.

A handwritten signature in blue ink, likely belonging to A.I. Surbaev, the secretary of the public hearings.

# List of participants of the public consultations in Bestamak village (8 November 2018)

## List of Participants of the Public Consultation for CAREC Corridors 1 and 6 Connector Road (Aktobe-Kandyagash) Improvement Project

Список участников общественных слушаний по проекту  
улучшения автомобильной дороги соединяющей коридоры 1 и 6 ЦАРЭС (Актобе-Кандыагаш)

ОААЭЫ 1 және 6 дәліздерін байланыстыратын автомобиль жолдарын жаңарту жобасы (Ақтөбе – Қандыағаш)  
жоспары бойынша қоғамдық тыңдаудың қатысушылардың тізімі

Bestamak, November 8, 2018 Бестамак, 8 ноября 2018 года, Бестамак, 8 қараша 2018 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жұмыс орны	Contact details (phone, e-mail ) Контактные данные (тел. эл. адрес) Байланыс ақпарат (тел., эл. мекен-жайы)	Signature Подпись Қолы
1	Тупеленов А.С. (м)	пенсционер	8 777 156 50 71	
2	Шынтаев М.Д. (м)	пенсционер	8 705 944 42 76	
3	Табдужиев Ж.С. (жс)	Бестамак қ.б.о.м. "Балашақ" бағдарламасы	8 705 48008 18	
4	Алшима Ж.С. (жс)	"Балашақ" бағдарламасы	8 777 554 27 15	
5	Ашурова Л.М. (жс)	Балашақ бағдарламасы	8-777-561-68-65	
6	Наумова А.М. (жс)	"Балашақ" бағдарламасы	8775 685 49 13	
7	Уязанова Т. (жс)	"Балашақ" бағдарламасы	8702 4088 45 9	
8	Курманов Л.Б. (жс)	"Балашақ" бағдарламасы	8702 403 60 97	
9	Турмухан Б.О. (жс)	"Балашақ" бағдарламасы	877885428 54	
10	Турмен Ж.Ш. (м)	"Балашақ" бағдарламасы	8705 630 05 47	

Bestamak, November 8, 2018 Бестамак, 8 ноября 2018 года, Бестамак, 8 қараша 2018 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жұмыс орны	Contact details (phone, e-mail ) Контактные данные (тел. эл. адрес) Байланыс ақпарат (тел., эл. мекен-жайы)	Signature Подпись Қолы
11	Мараева Мархабат (жс)	Бестамак "Балашақ"	8 705 379-31-94	
12	Ахсанов Ай (м)	Бестамак мектебі	8 747 176 59 94	
13	Куртенова Айгерим	мектеп	8 705 666 58 96	
14	Рустем Салям Рустемқұлы	БОМ	8 771 611 43 34	
15	Ахсанов Байи Қонасбаев	Б.О.М.	8702 57318 64	
16	Ситова Татьяна	Б.О.М.	877118728 05	
17	Ахсанов Д	Б.О.М.	8702 98002 80	
18	Мамбетова Т	Б.О.М.	8705838 72 58	
19	Вермюнов С.А.	Б.О.М.	874156858 68	
20	Балмағамбет С.С.	Б.О.М.	8701454544 5	

Bostamak 8, November 8, 2018

Бостатак, 8 ноября 2018 года,

Бостатак, 08 караша 2018 ж.

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22	Реккелди Бейов БК пенсионер			
23	Илиханов И.А.	-		
24	Оразалиева С.	-		
25	Мадрибаева Нурали	-		
26	Нуртканова Галия-баку	-		
27	Умарова Бакиткул	-		
28	Ахматов Фатим	-		
29	Искендиоров С.	-		
30	Осбергенов Т.Б.	-		

Bostamak, November 8, 2018

Бостатак, 8 ноября 2018 года,

Бостатак, 08 караша 2018 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жумые орны	Contact details (phone, e-mail ) Контактные данные (тел. эл. адрес) Байланыс ақпарат (тел., эл. мекен-жайы)	Signature Подпись Қолы
31	Иттилова Анара Тимуровна	Бостатак фте истад	81115993544	
32	Кусилов Касен-Кутмилу	Пенсионер	Бокенбай, Батыр 33 телефон 35-239	
33	Кусилов Амангелды кутму	Пенсионер	телеф. 35-214 Бокенбай Батыра 4а	
34	Конысбай Ксенкеди	Пенсионер	Бокенбай Батыр 22	
35	Жомалыбаева Магдала	Пенсионер	Бокенбай Батыра 36	
36	Джусупов Адильхан	Пенсионер	Алишская 19	
37	Нуртканов Бекбулат	пенсионер	Алишская, 74/1	
38	Жомалыбаев Шапар	пенсионер	Бокенбай Батыр, 73	
39	Оразалиев Ботан	пенсионер	Дресток, 15	
40	Торжунратов Арыстан	пенсионер	Бокенбай. 8/а 62/3	



Bestamak, November 8, 2018

Бестамак, 8 ноября 2018 года,

Бестамак, 8 караша 2018 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жумые орны	Contact details (phone, e-mail ) Контактные данные (тел. эл. адрес) Байланыс апарат (тел., эл. мекен-жайы)	Signature Подпись Қолы
41	Бектаева Гулжарат Маайкы	Бестамак ОМ	8-771-185-25-06	
42	Калкыбаева Рухден Иманжолды	Бестамак ОМ	8-705-478-00-68	
43	Каздобаидетов Бектай Шырмаев	НО. УММ	8-701-556-82-10	
44	Наилминова Насире Серикбеке (К)	КТП Алта-палу	8705 476 34 35	
45	Ерматов Асанат (мш) Мухамид	Автотехсервис	8705 493 63 09	
46	Срейшенкова Айсун Мухамедовна	РСКЧ-Зенит	8702691728	
47	Вотинцова Лейсан Серикбаевна	Бестамак оамандорун	8-771-512-06-36	
48	Конюшко Мария Амандановна	Бестамакский электронный центр	87777 60-68-82	
49	Фазылова Лият Мухамедовна	Бестамак ОМ	8705235 0086	
50	Жунтеева Алия	Бестамак ОМ	8705 472 9189	

Bestamak, November \_\_, 2018

Бестамак, 8 ноября 2018 года,

Бестамак, 02 караша 2018 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жумые орны	Contact details (phone, e-mail ) Контактные данные (тел. эл. адрес) Байланыс апарат (тел., эл. мекен-жайы)	Signature Подпись Қолы
51	Babadzhanova Malika	ADB Environmental consultant	+992 91842 09 48	
52	Aida Gadylova	ADB	+63 9999991477	
53	Zaruhi Mayraretyan	ADB consultant	zaruhi@adb.org	
54	Алчанов Асият Сакитовна	КАЗ Авто НПА	8701 624 25 84	
55	УТЕМУРАТОВ АКИМЖАН МУСТАЕВИЧ	ТОО «КАЗАХАВТОБОР»	8-777-714-3333	
56	Алфидов Мухамжан Серикбекович	Азия районы	8705650 00 44	
57	Веринев К.	ADB	87057227071	
58	Джунгелов К	Азия Басотмасы		
59	Сурбаев А.И	Азия районы	87756855887	

## **ПРОТОКОЛ**

### **Проведения общественных слушаний**

**г. Алга Алгинского района Актюбинской области**

**Дата проведения:** 09 ноября 2018 год 10:00 часов.

**Место проведения:** Актный зал средней школы №2 Алгинского района Актюбинской области

**Общественные слушания организованы** Аппаратом акима Алгинского района Актюбинской области Республики Казахстан через СМИ (газета "Актюбинский вестник" № 128 от 02 ноября 2018 года), телеканал "Актобе-Казахстан", мессенджер "Whats App"

**Участствовали:** Жители г. Алга Алгинского района Актюбинской области (Список прилагается)

### **Повестка дня:**

Ознакомление населения с подробным проектом дороги с подходами АБР к принципам отчуждения собственности (земель), принятые для проекта, экологических вопросов и механизме рассмотрения жалоб.

### **Выступили:**

1. Представитель местных исполнительных органов, заместитель акима Алгинского района Актюбинской области Кадырбергенов Р.С. поприветствовав всех присутствующих, представил жителям г. Алга представителей Актюбинского филиала АО «НК Казавтожол», сотрудника и консультантов АБР по социальным вопросам, охране окружающей среды и защитным мерам для проекта по улучшению автодороги «Актобе-Кандыагаш»
2. Директор Актюбинского филиала АО НК "Казавтожол" Махамбетов М. поприветствовав всех присутствующих, представил присутствующим основные технические детали проекта, который прошел государственную экспертизу.
3. Международный консультант АБР по охране окружающей среде и защитным мерам Бабаджанова М. представила основные подходы АБР по природоохранным защитным мерам для проекта улучшения дороги «Актобе-Кандыагаш». и проинформировала, что целью проведения общественных слушаний является предоставление информации о политиках безопасности АБР, ознакомление местных жителей о проведенных дополнительных обследованиях, касающихся оценки воздействия Проекта по реконструкции дороги Актобе-Кандыагаш на окружающую среду и социальную сферу. Жители были проинформированы о разработанном Плате управления Окружающей Средой для всех этапов реализации Проекта, содержащем превентивные/смягчающие меры и программу мониторинга, а также обязанности вовлеченных сторон по его реализации.

4. Национальный консультант АБР по переселению и социальным защитным мерам Сердалиев К.С. представил основные принципы отчуждения собственности в соответствии с политиками безопасности АБР, принятые для проекта по реконструкции дороги «Актобе-Кандыгаши», а также детально разъяснил механизм рассмотрения жалоб, охватывающий как социальные, так и экологические вопросы представил контактную информацию МРЖ. Выступление национального консультанта было проведено на казахском языке, с целью обеспечения полноценного понимания и вовлечения участников слушаний. Было отмечено, что детальная информация также приведена в информационных брошюрах, напечатанных на казахском и русском языках и розданных аудитории.

После выступлений присутствующим была дана возможность задать вопросы и получить разъяснения на интересующие их темы касательно проектной дороги.

Были заданы следующие вопросы:

1. Конжарулы Ж. - председатель совета ветеранов

Вопрос: Почему автодорога не проходит по существующей трассе, в частности через г. Алга.

Ответ: Проект предусматривает обходы городов, в т.ч. Алга и Кандыгаши в целях безопасности движения и населения. Также старая автодорога пройдет ремонт и будет сдан в автодорогу местного (областного) значения.

2. Муханова С.А. - бухгалтер

Вопрос: У меня имеется дача в Алгинском районе. Будет ли изыматься для строительства автодороги мой земельный участок с недвижимым имуществом.

Ответ: Согласно проекта автодороги и землеустроительного проекта в зону воздействия автодороги попадают только государственные земельные участки, кроме трех магазинов в с. Бестамак. В случае попадания в зону воздействия проекта выйдет соответствующее постановление акима Алгинского района об изъятии земельного участка и вам будет предложены либо альтернативный земельный участок или денежная компенсация. По всем интересующим вопросам можете обратиться через контактные данные, которые имеются в информационных брошюрах, розданных Вам.

3. Жумабаев Б. - секретарь Алгинского районного маслихата

Население Алгинского района полностью поддерживает строительство автодороги "Актобе-Кандыгаши" и данный проект автодороги.

4. Кашкинбаев Ж. - пенсионер

Когда планируется начало строительства автодороги "Актобе-Кандыгаши"?

Ответ: Будет проводится тендер, предварительно планируется начать строительство в 2019 году.



Присутствующие отметили важность улучшения дороги для улучшения благосостояния населения, и повышения надежности и безопасности дорожного движения в Актюбинской области.

**Председатель общественных слушаний:**

Заместитель акима Алгинского района Актюбинской области  
Кадырбергенов Р.С.



**Секретарь общественных слушаний:**

помощник акима Алгинского района Актюбинской области  
Сурбаев А.И

A handwritten signature in black ink, likely belonging to the secretary mentioned in the text.

# List of participants of public consultations in Alga (9 November 2018)

## List of Participants of the Public Consultation for CAREC Corridors 1 and 6 Connector Road (Aktobe-Kandyagash) Improvement Project

Список участников общественных слушаний по проекту  
улучшения автомобильной дороги соединяющей коридоры 1 и 6 ЦАРЭС (Актөбе-Кандыағаш)

ОААЭЫ 1 және 6 дәліздерін байланыстыратын автомобиль жолдарын жаңарту жобасы (Ақтөбе – Қандыағаш)  
жоспары бойынша қоғамдық тыңдаудың қатысушылардың тізімі

Alga, November 9, 2018 Alga, 9 ноября 2018 года, Alga, 9 қараша 2018 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жұмыс орны	Contact details (phone, e-mail ) Контактные данные (тел. эл. адрес) Байланыс ақпарат (тел., эл. мекен-жайы)	Signature Подпись Қолы
1	Атаманов Маржанай	№2 Ақта ОМ	4-39-31	Атам
2	Самарова Казиманай	№1 Ақта ОМ	4-39-31	Сам
3	Ермашев Талғат	№2 Ақта ОМ	4-39-31	Ермашев
4	Жолабердина Түлкеш	Отдел финансов	87024320498	Жолабердина
5	Нусанова Зухра	№2 Ақта ОМ	8701-130-80-72	Нусанова
6	Турханов Сабит	№2 Ақта ОМ	877118411-42	Турханов
7	Нусанов Канат	№2 Ақта ОМ	870559780-60	Нусанов
8	Шаукебаев Арман	№2 Ақта ОМ	87053799207	Шаукебаев
9	Алимов Маурит	№2 Ақта ОМ	87056059004	Алимов
10	Беким Есмағұл Абасқаров	ГУ, Акмоллин РО Жеделілік бөлім	87053813847	Беким

## List of Participants of the Public Consultation for CAREC Corridors 1 and 6 Connector Road (Aktobe-Kandyagash) Improvement Project

Список участников общественных слушаний по проекту  
улучшения автомобильной дороги соединяющей коридоры 1 и 6 ЦАРЭС (Актөбе-Кандыағаш)

ОААЭЫ 1 және 6 дәліздерін байланыстыратын автомобиль жолдарын жаңарту жобасы (Ақтөбе – Қандыағаш)  
жоспары бойынша қоғамдық тыңдаудың қатысушылардың тізімі

Alga, November 9, 2018 Alga, 9 ноября 2018 года, Alga, 9 қараша 2018 ж.

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11	Жаңағалиев М.А	„Нур Отан“	87133243736	Жаңағалиев
12	Қоңғарбаев Ә.	Ардагерлер қолдау	87761091948	Қоңғарбаев
13	Түлкібаев Ә. М	Қоғамдық кеңес	87054751279	Түлкібаев
14	Қайымқұлов. М	Зейнеткер	87054751556	Қайымқұлов
15	Қайымқұлов. М	Зейнеткер	87053977146	Қайымқұлов
16	Қартабаев Ә.	Зейнеткер	87712914318	Қартабаев
17	Сейтбеков Т.Р	музани №2 Ақта ОМ	87029132593	Сейтбеков
18	Ташева А	№2 Ақта ОМ	87711873389	Ташева

Алматы, November 9, 2018 Алматы, 9 ноября 2018 года, Алматы, 9 караша 2018 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жұмыс орны	Contact details (phone, e-mail) Контактные данные (тел. эл. адрес) Байланыс ақпарат (тел., эл. мекен-жайы)	Signature Подпись Қолы
19	Ботанов Н.Г	Район бухгалтер	4-37-35	Ботанов
20	Мухамбетов С.А	Район бухгалтер	4-37-35	Мухамбетов
21	Мухамбетов Ф.Н.	Район бухгалтер	4-37-35	Мухамбетов
22	Аманжол С.А.	Район бухгалтер	43735	Аманжол
23	Аманжол С.А.	Мухамбетов №2		Аманжол
24	Аманжол М.М.	№2 М. Мухамбетов		Аманжол
25	Курбанов А.А.	№2 М. Мухамбетов		Курбанов
26	Мухамбетов В.Е.	№2 М. Мухамбетов		Мухамбетов
27	Мухамбетов Т.С.	№2 М. Мухамбетов		Мухамбетов
28	Мухамбетов Т.А.	Мухамбетов В.М. Мухамбетов		Мухамбетов

Алматы, November 9, 2018 Алматы, 9 ноября 2018 года, Алматы, 9 караша 2018 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жұмыс орны	Contact details (phone, e-mail) Контактные данные (тел. эл. адрес) Байланыс ақпарат (тел., эл. мекен-жайы)	Signature Подпись Қолы
29	Мухамбетов Т. М.	Мухамбетов Т. М.	87771422279	Мухамбетов
30	Мухамбетов Т. А.	Мухамбетов Т. А.	87774675681	Мухамбетов
31	Мухамбетов С. С.	Мухамбетов С. С.	87712930276	Мухамбетов
32	Мухамбетов Т. М.	Мухамбетов Т. М.	87051456889	Мухамбетов
33	Мухамбетов Р. З.	Мухамбетов Р. З.	87016256298	Мухамбетов
34	Мухамбетов Т. С.	Мухамбетов Т. С.	87053836684	Мухамбетов
35	Мухамбетов И. П.	Мухамбетов И. П.	87772392673	Мухамбетов
36	Мухамбетов Р. З.	Мухамбетов Р. З.	87054754328	Мухамбетов
37	Мухамбетов В. Р.	Мухамбетов В. Р.	87755678275	Мухамбетов
38	Мухамбетов Т. А.	Мухамбетов Т. А.	87771202359	Мухамбетов

Alga, November 9, 2018 Alga, 9 ноября 2018 года, Alga, 9 қараша 2018 ж.

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39	Babadzhanova Malika	ADB env. consultant	+537 918420144	<i>Malika</i>
40	Zarubi Nazgarbayeva	ADB consultant	zhargarbayeva.consultant@adb.org	<i>Zarubi</i>
41	Aida Satyrbekova	ADB	+63 999 999 1477	<i>Aida</i>
42	Nagorodnikov Ruslan	Аккима	8775 912 19 01	<i>R. Nagorodnikov</i>
43	Серикови С	Алшимского района		
44	Масамитов Марат Саммитов	Қазавтжол	8776 566 31 44	<i>Marat</i>



## Attachment 5. Minutes of public consultations in Kandyagash (9 November 2018)

### ПРОТОКОЛ

#### Проведения общественных слушаний

г. Кандыагаш Мугалжарского района Актюбинской области

**Дата проведения:** 09 ноября 2018 год 16:00 часов.

**Место проведения:** Актный зал здания НГДУ г. Кандыагаш Мугалжарского района Актюбинской области

**Общественные слушания организованы** Аппаратом акима Мугалжарского района Актюбинской области Республики Казахстан через СМИ (газета "Актюбинский вестник" № 128 от 02 ноября 2018 года), телеканал "Актобе-Казахстан", мессенджер "Whats App"

**Участвовали:** Жители Мугалжарского района Актюбинской области (Список прилагается)

#### Повестка дня:

Ознакомление населения с подробным проектом дороги с подходами АБР к принципам отчуждения собственности (земель), принятые для проекта, экологических вопросов и механизме рассмотрения жалоб.

#### Выступили:

1. Представитель местных исполнительных органов, заместитель акима Мугалжарского района Актюбинской области Кулмаганбетов Б.К. поприветствовал всех присутствующих, представил жителям г. Кандыагаш, представителей Актюбинского филиала АО «НК Казавтожол», сотрудника и консультантов АБР по социальным вопросам, охране окружающей среды и защитным мерам для проекта по улучшению автодороги «Актобе-Кандыагаш»
2. Директор Актюбинского филиала АО НК "Казавтожол" Махамбетов М. представил присутствующим основные технические детали проекта, который прошел государственную экспертизу.
3. Международный консультант АБР по охране окружающей среде и защитным мерам Бабаджанова М. представила основные подходы АБР по природоохранным защитным мерам для проекта улучшения дороги «Актобе-Кандыагаш». и проинформировала, что целью проведения общественных слушаний является предоставление информации о политиках безопасности АБР, ознакомление местных жителей о проведенных дополнительных обследованиях, касающихся оценки воздействия Проекта по реконструкции дороги Актобе-Кандыагаш на окружающую среду и социальную сферу. Жители были проинформированы о разработанном Плате управления Окружающей Средой для всех этапов реализации Проекта, содержащем превентивные/смягчающие меры и программу мониторинга, а также обязанности вовлеченных сторон по его реализации.

4. Национальный консультант АБР по переселению и социальным защитным мерам Сердалиев К.С. представил основные принципы отчуждения собственности в соответствии с политиками безопасности АБР, принятые для проекта по реконструкции дороги «Актобе-Кандыгаши», а также детально разъяснил механизм рассмотрения жалоб, охватывающий как социальные, так и экологические вопросы представил контактную информацию МРЖ. Выступление национального консультанта было проведено на казахском языке, с целью обеспечения полноценного понимания и вовлечения участников слушаний. Было отмечено, что детальная информация также приведена в информационных брошюрах, напечатанных на казахском и русском языках и розданных аудитории.

После выступлений присутствующим была дана возможность задать вопросы и получить разъяснения на интересующие их темы касательно проектной дороги.

Были заданы следующие вопросы:

1. Кулмаганбетов Б.К. - заместитель акима Мугалжарского района Актыбинской области

Вопрос: Новая автодорога будет обходит г. Кандыгаши. Что будет со старой автодорогой?

Ответ: Проект предусматривает обходы городов, в т.ч. Акта и Кандыгаши в целях безопасности движения и населения. Старую автодорогу отремонтируют и затем она будет сдана в автодорогу местных исполнительных органов.

2. Сарсенова С.

Вопрос: Когда планируется начало строительства автодороги "Актобе-Кандыгаши"?

Ответ: Будет проводится тендер, предварительно планируется начать строительство в 2019 году.

Несколько участниц слушаний отметили, что часто ездят в г. Актобе и много тратят денежных средств для ремонта своего транспорта из-за плохого состояния существующей автодороги.

Присутствующие отметили важность улучшения автодороги для улучшения благосостояния населения, и повышения надежности и безопасности дорожного движения в Актыбинской области.

#### **Председатель общественных слушаний:**

Заместитель акима Мугалжарского района Актыбинской области  
Кулмаганбетов Б.К.

М.П.

#### **Секретарь общественных слушаний:**

руководитель отдела организационно-правовых работ аппарата акима  
Мугалжарского района Актыбинской области Емжарова С.

# List of participants of the public consultations in Kandyagash (9 November 2018)

## List of Participants of the Public Consultation for CAREC Corridors 1 and 6 Connector Road (Aktobe-Kandyagash) Improvement Project

Список участников общественных слушаний по проекту  
улучшения автомобильной дороги соединяющей коридоры 1 и 6 ЦАРЭС (Актобе-Кандыагаш)

ОААЭЫ 1 және 6 дәліздерін байланыстыратын автомобиль жолдарын жаңарту жобасы (Ақтөбе – Қандыағаш)  
жоспары бойынша қоғамдық тыңдаудың қатысушылардың тізімі

Kandyagash, November 9, 2018 Кандыағаш, 9 ноября 2018 года, Кандыағаш, 9 қараша 2018 ж.











№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жұмыс орны	Contact details (phone, e-mail ) Контактные данные (тел. эл. адрес) Байланыс ақпарат (тел., эл. мекен-жайы)	Signature Подпись Қолы
1	Маминишев Д.С.	РайОО	3-18-46	
2	Курманалина С.Б.	РайОО	3-18-45	
3	Мунисев А.С.	Работник БЧ СТ	2-42-43	
4	Дасаханова М.Д.	РайОЗ и СК	3-18-42	
5	Ғалыпова Нигерим Хамитовна	РайОЗ и СТ	3-51-37	
6	Атаева Лайла Мамитовна	Бірінші дәрежелік қорғаныс және қорғаныс қорғаныс	3-51-37	
7	Димурасев Нарман	Мәжіліс депутаты	3-18-35	
8	Хувакметов Мамар	ЗАГС	3-13-99	
9	Тункатор Аманжол	РайОО м. елді мекені	3-18-41	
10	Сарсенбаев Мейрамбек	РайОО Бұқаралық	3-29-11	

Kandyagash, November 9, 2018 Кандыағаш, 9 ноября 2018 года, Кандыағаш, 9 қараша 2018 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жұмыс орны	Contact details (phone, e-mail ) Контактные данные (тел. эл. адрес) Байланыс ақпарат (тел., эл. мекен-жайы)	Signature Подпись Қолы
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20	Мамиева К.М.	М.М.М. қорғаныс орны	87753050709	

Коллеги, 9 ноября 2018 года,

Калыскай, 9 қараша 2018 ж.

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21.	Байсанов Нурман М	аудан шар-вз М.М	87758916649	
22	Муратова Айдара	жұмыспен қалмау	—	
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26	Самитов М. М.	Білім бағамы әдіскер	8705-987-31-31	
27.	Байтақов Т. Қ.	Білім бағамы әдіскер	8701-265-12-83	
28	Мамбетова А. М.	Аудан, Білім бағамы	3-08-04	
29	Тәшімбергелі М. С.	Ақпалы с. қауымы	1 - 1 -	
30	Байтақов Ш. Қ.	Ақпалы с. қауымы	8-701-719-80-67	

Kandygash, November 9, 2018

Капروحчане, 9 ноября 2018 года,

Канунаме, 9 қараша 2018 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жумис орны	Contact details (phone, e-mail) Контактные данные (тел. эл. адрес) Байланыс апарат (тел., эл. мекен-жайы)	Signature Подпись Қолы
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32	Сергейев К. С.	ADB	825722074	КС
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34	Алиханов Асанат Салижанов	Қаз Ақмо ИИИ	87018242584	Алиханов
35	Маталибетов Мерам Салижанов	Қаз Ақмо ИИИ	87785683144	ММ
36	Қулиманбетов Бекболот Қулиманбетов			



## ANNEX 5. SUMMARY OF NATIONAL LEGAL FRAMEWORK OF KAZAKH REPUBLIC

1. In Kazakhstan, land is owned by the State but can be transferred, sold or rented to individuals for short-term (less than 5 years) or long-term (5-49 years) use. The State can acquire privately-owned/used land only for specific uses, including road transport infrastructure construction, and only after compensating the owner for the asset and other losses.
2. There are several of laws regulating land and property related relations, and in particular LAR processes, including land acquisition for state needs. The major legal document that provides basis for land rights is Constitution of the Republic of Kazakhstan<sup>4</sup>. The Land Code (RK Code No. 464-IV adopted on 20 June 2003, last amendment dated 24 May 2018) establishes the foundations, conditions and limits for modifying or terminating ownership of land and land-use rights, describes the rights and responsibilities of landowners and land users, and regulates land relations. The Law on State Property (№ 413-IV LRK adopted on 1 March 2011, last amendment dated 24 May 2018) provides details on process of compulsory acquisition of land plots, including approval of a Decree on compulsory acquisition of land or other real property in connection with the seizure of land plot for state needs, and further steps to be implemented following issuance of such a Decree.
3. The Article 17 of the Land Code provides details on authorities and competencies of regional bodies regarding provision of land ownership and use rights, as well as acquisition of land plots, including for state needs.
4. Article 43 presents procedure for granting the rights to a state-owned land plot or plots put for auction, which in particular covers:
  - (i) Acceptance for consideration of an application for granting the relevant right to a land plot;
  - (ii) Determination of the possibility of using the requested land plot for the declared designated purpose in accordance with the territorial zoning;
  - (iii) Preliminary selection of the land plot;
  - (iv) Preparation of the conclusion by the commission, created by the relevant local executive bodies, on the provision of a land plot;
  - (v) Development and approval of the Land Use Plan;
  - (vi) Decision by the local executive body of the region on granting the right to the land plot;
  - (vii) Conclusion of a contract of purchase or sale or temporary (short-term, long-term) paid (unpaid) land use;
  - (viii) Establishment of the boundaries of the land plot on the terrain;
  - (ix) Production and issuance of an identification document for a land plot.

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<sup>4</sup> The Constitution was adopted in August 30, 1995 through republican referendum, came into effect on September 5, 1995. The amendments and additions were made by the Law of the Republic of Kazakhstan dated 7 October 1998, Law of the Republic of Kazakhstan dated 21 May 2007, Law of the Republic of Kazakhstan dated 2 February 2011, Law of the Republic of Kazakhstan dated 10 March 2017.

5. Article also defines that identification documents for the land plot issued by the state corporation, managing state land cadaster, are:
- (i) Private ownership of a land plot - an act on the right of private ownership of a land plot;
  - (ii) Permanent land use - the act on the right of permanent land use;
  - (iii) Temporary paid land use (lease) - an act for the right of temporary paid (long-term, short-term) land use (lease);
  - (iv) Temporary unpaid land use - an act on the right of temporary, unpaid land use.
6. In addition local executive bodies are required to place the information with lists of persons who received a land plot on the special information stands in places accessible to the population at least once a quarter.
7. The Article 44 of the Land Code presents details on provision of land plots for implementation of construction works. In particular, it mentions that when requesting a land plot for the construction of an object, a land plot is pre-selected. The results of the land plot selection for the construction of the facility and, if necessary, for establishing its protective or sanitary protection zone shall be formalized in an act by the respective authorized body at the location of the land plot. Based on the commission's conclusion, a Land Use Plan is being prepared in order to grant the right to the land. Land Use Plan includes the area of the provided land plot, its borders and location, owners and users of the adjacent land plots, as well as limitations and easements of the provided land plot. In the event of compulsory acquisition of a land plot for state needs, it also includes calculations of losses incurred by the owners and users (leaseholders) of land plots, losses of agricultural and forestry production depending on the type of land acquired.
8. Based on the Land Use Plan, the draft decision of the local executive body on granting the respective right to land is prepared by the authorized body at the location of the land plot. In the case when residential buildings, other buildings and structures are located in the territory chosen for the construction site, as well as utilities and green spaces subject to demolition or transfer (including those that fall during the transfer of land to the sanitary protection zone of industrial enterprises), the applicant or his authorized representative ensures receipt of all agreements required for the allotment of the land plot. In addition, the applicant presents a contract concluded with each of the property owners, including the conditions for compensation of losses to the owner. The contract specifies the conditions and terms for relocation, transfer of existing buildings, engineering communications, green spaces, the developer's obligation to recover all losses associated with the demolition of property.
9. The draft decision of the local executive body on granting the right to the land plot should contain:
- (i) The name of the legal or natural person to whom the right to land is granted;
  - (ii) Purpose of the land plot use;
  - (iii) The area of the land plot;
  - (iv) Type of right to land, limitations, easements;
  - (v) Acquisition price of a land plot or land use right in the event of the provision of a plot for a fee, the terms and conditions for the conclusion of contracts for the sale of a land plot;
  - (vi) Surname and name of an individual or the name of the legal entity from which the acquisition of land parcel for state needs is made, indicating size of the plot(s);
  - (vii) Information on the whether the land plot can be divided or not;
  - (viii) Other conditions.

10. Chapter 9 of the Land Code addresses the issues related to termination of ownership, use and other rights for the land plot. In particular, the Article 81 of the Land Code provides grounds for terminating the right of private ownership of a land plot or land use rights and includes the following conditions for termination:

- (i) Alienation of the land plot by the owner or the land use right by the land user to other persons;
- (ii) Owner's refusal of the right of ownership or land user from the right of land use;
- (iii) Loss of ownership of land or land use rights in other cases envisaged by the legal acts of RoK.

11. Acquisition of the land plot from the owner and land use right from the land user without their consent is not allowed, except in the following cases:

- (i) Foreclosure on a land plot or land use right for the obligations of the owner or land user;
- (ii) Compulsory acquisition of a land plot for state needs;
- (iii) Compulsory withdrawal from the owner or land user of a land plot not used for its intended use or used in violation of RoK legislation;
- (iv) Compulsory acquisition from the owner or land user of a land plot subjected to radioactive contamination, with the provision of an equivalent land plot;
- (v) Confiscation.

12. In addition, the right to land use may be terminated on the following grounds:

- (i) Expiration of the period for which the plot was provided;
- (ii) Early termination of the lease contract for a land plot or a contract for temporary unpaid land use, except for cases when the land plot is pledged;
- (iii) Termination of labor relations, in connection with which the service land plot was provided to the land user.

13. Article 82 provides details on refusal of the right of ownership or land use. In particular in its first paragraph it mentions that the owner may refuse the right of ownership of the land plot by announcing it or by performing other actions that testify its refusal of the rights to the land plot without the intention to preserve this right. The refusal of the right of temporary land use or from the right of temporary use of a land plot that is privately owned is carried out in the manner established for the termination of the lease agreement or the agreement on temporary unpaid land use. In its second paragraph the article states that in case of the owner's refusal from the ownership of the land, this land plot is registered as an ownerless property in accordance with Article 242 of the Civil Code of RoK. For the period of being registered as an ownerless property, such a land plot can be transferred to a temporary land use for another person. The third paragraph specifies that in case of voluntary refusal from the right of private ownership of a land plot, in order to accept the land plot for registration as an ownerless property a written statement of the owner of the land plot is required.

14. The Article 92 of the Land Code addresses compulsory acquisition of the land plot from the owner or land user in case it is not used for the purpose it was provided for or is not used at all. In particular, the third paragraph mentions that in case the land plot is provided for agricultural production, including peasant farms or farming, and is not used for a total of two years in a five-year period (unless otherwise stipulated by the legislative acts of RoK), then such a land plot is subject to compulsory seizure in the manner specified in Article 94 of the Land Code. Paragraph 4 details the following cases of non-use of a land plot provided for agricultural production for the intended purpose:

- (i) Arable land - the failure to carry out works on land cultivation and sowing of crops;

- (ii) Hayfields - failure to conduct haymaking on the land, presence of overgrowing weeds, shrubs and other signs of degradation of the grass cover for more than two years;
  - (iii) Pastures - within two years the absence of agricultural animals grazing or their availability in an amount less than twenty percent of the maximum permissible load norm for the total area of pastures established by the authorized body in the field of agro-industrial complex development, and (or) the absence of haying and forage harvesting;
  - (iv) Perennial plantations - failure to carry out maintenance, harvesting and uprooting decommissioned perennial plantations.
15. Articles 93 and 94 specify the process of compulsory seizure of land plot from owner or user in case the land plot is used with violation of the requirements of RoK legislation.
16. The Law of the Republic of Kazakhstan on Automobile Roads (No. 245 adopted on 17 July 2001, last amendment dated 31 October 2015) mentions that the land for public roads is provided by a decision of the relevant local executive body.
17. The Law of the Republic of Kazakhstan on State Administration and Local Self-Government (No. 148 adopted on 23 January 2001, last amendment dated 11 July 2017) in its Article 31 specifying the competences of the regional Akimat stated that rayon Akimat shall among other functions:
- (i) Facilitates the implementation by citizens and organizations of the norms of the RoK Constitution, laws, acts of the President and the Government of the Republic of Kazakhstan, normative legal acts of central and local state bodies;
  - (ii) Regulates land relations in accordance with the land legislation of RoK;
  - (iii) Organizes the construction, operation and maintenance of roads of the regional importance.

# ANNEX 6. ADB INVOLUNTARY RESETTLEMENT SAFEGUARDS, SAFEGUARDS POLICY STATEMENT, 2009, PAGE 17

## 2. Involuntary Resettlement Safeguards

**Objectives:** To avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups.

**Scope and Triggers:** The involuntary resettlement safeguards covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (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. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.

### Policy Principles:

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- (iii) Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to

land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.

- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of nonland assets.
- (viii) Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- (xii) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.