

Republic of Kazakhstan

Ministry of Transport and Communications

Committee for Roads

Central Asia Regional Cooperation (CAREC) Corridors 1, 3, 6

Western Europe -Western China International Corridor

**Reconstruction of the International Transit Corridor from China
border to Russia border along the route Chorgos-Almaty-Kordai-
Taraz-Shymkent-Kyzylorda-Aktobe –Syrym**

Resettlement Policy Framework

Cooperating International Financial Institutions:

**World Bank, South-West Corridor Road Project
(South Kazakhstan, Kyzylorda Oblasts)**

**Asian Development Bank, CAREC Transport Corridor Project
(Zhambyl Oblast)**

**European Bank for Reconstruction and Development,
(Almaty, Aktobe Oblasts)**

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Reconstruction of the International Transit Corridor from China border to Russia border along the route Chorgos-Almaty-Kordai-Taraz-Shymkent-Kyzylorda-Aktobe –Srym

Resettlement Policy Framework

Background

The President and Government of the Republic of Kazakhstan are giving top priority to the reconstruction of the transit route from the border with China at Khorgos to the border with Russia at Srym. This is the country's principal link in the international transit corridor from China to Europe often characterized as the New Silk Road. The World Bank (WB), Asian Development Bank (ADB), Islamic Development Bank, European Bank for Reconstruction and Development (EBRD) and other international financial institutions (collectively referred to here as IFIs) have been invited to participate in this major task. Two sections were recently completed, from Aktobe to Karabutak-Irgiz, and Almaty to the Kyrgyz border (478 km). The Government will fund a section from Karabutak to the Kyzylorda border through the budget (215 km). The WB, ADB, IsDB and EBRD are preparing to co-finance three major sections, as follows:

- World Bank—Shymkent to the Kzyl Orda-Aktobe Oblast border (1,062 km)
- ADB and IsDB—Zhymbyl Oblast from the Kyrgyz border to the South Kazakhstan border (480 km)
- EBRD—Almaty Oblast from the Chinese border to Almaty and Aktobe Oblast on the basis of concessions (301 km) and from Aktobe via Srym to the Russian border (102 km).

In physical terms, reconstruction of almost 2,000 km of the highway will entail upgrading about 900 km the existing two-lane highway within current rights of way, widening about 660 km from two to four-lanes, and constructing bypasses around densely populated areas. Reconstruction of much of the corridor will be rather simple and straightforward, but some sections will require more complex inputs from soil testing and new surveying to preparing detailed designs and environmental assessments; determining needs for land acquisition and relocation; consulting local officials and stakeholders to gain support; and planning and managing the logistics of getting labor, machinery and materials to many remote locations.

Estimates have varied greatly regarding the amount of new four-lane roadway, the length and siting of bypasses, and the magnitude of population dislocation that will be entailed along the corridor. In most cases, the estimates of new construction and dislocation have decreased sharply since discussions began between the IFIs and the Committee for Roads, primarily as the result of field investigations related to feasibility studies and preliminary designs. Moreover most of the complex issues will be resolved during the

stage of final design. Although the IFIs considered processing single or multiple loans for their respective investments, they are each taking a programmatic approach. That is, they are making institutional commitments for their respective parts of the project and then dividing their respective sections into different projects or funding tranches to make funding available relatively quickly to start work in the sections that require minimal prior preparation.

This means that the first investments will not have environmental category of “A” and may not trigger resettlement or physical cultural resources safeguards policies. Nonetheless, some subsequent sections will be Category A and require full-scale environmental assessments and abbreviated resettlement plans. In order to use a common approach to prepare for these eventualities, the IFIs requested the Committee for Roads to prepare umbrella policy frameworks—an Environmental Policy Framework and Resettlement Policy Framework—to ensure that all parties agree on steps to be taken to manage environmental and land acquisition issues consistently throughout the Corridor in a manner that adheres to Kazakhstani laws and procedures and complies with the policy requirements of the IFIs.

Resettlement Policy Framework

This Resettlement Policy Framework expresses the Government’s commitment to avoid negative third-party impacts in the investments or to mitigate them to ensure that affected persons are able to maintain or improve their well-being at the end of the project. To meet the commitment, the Government will implement its own standards and procedures for land acquisition and compensation uniformly throughout the Corridor, with minor additions agreed with the IFIs. This will assure adherence to international standards and compliance with the policy objectives of the IFIs.

The Framework identifies likely impacts of the investment, describes anticipated groups of affected people, clarifies land and resettlement principles, assess the legal framework for land acquisition and resettlement in Kazakhstan, describes standard procedures and methods of redress, and outlines steps that will be taken to plan, obtain concurrence from IFIs, and to implement and monitor the impact of land acquisition and resettlement along the Corridor.

This Resettlement Policy Framework incorporates both Kazakhstan’s laws and procedures and the Resettlement Policies of the IFIs. It applies to all persons whose private land status is affected permanently or temporarily due to reconstruction of the Corridor, including purchase and temporary use during construction. It also applies to people whose use of state land, sanctioned or not, changes as the result of the investment. The Policy Framework does not apply to State land that is transferred from one authority to another, or used for the reconstruction, unless third parties are adversely affected by the transfer or use.

Once this document is approved by the IFIs, it will become an element of the respective financing agreements between the Government and the IFIs.

Anticipated Impacts

The primary impacts of the reconstruction are expected to be loss of agricultural and residential land, residences, pastures, above-ground structures and sub-surface materials, thereby potentially affecting the incomes and well-being of the people who own or use the land, resources and facilities. Some losses will be temporary, related to staging and carrying out the construction. Others will be permanent.

Four principal scenarios are expected to apply along the corridor:

- Reconstruction, or strengthening and flattening the roadway, sometimes slightly widening the carriage way, within the existing right of way;
- Conversion from single carriage way to dual carriage way within the current right of way or by expanding the right of way, -
- Realignment of the existing roadway to widen curves or to construct bypasses or alternative alignments; and
- Construction of service centers.

Reconstruction. About half of the road reconstruction will consist of strengthening the road or slightly widening it, within the existing alignment and right of way, for which no land acquisition will be required. Some land will be used temporarily during construction, for staging sites and borrow pits. The standard practice in Kazakhstan is to include suggestions for the location of staging and borrow sites in the final design, but to leave the selection and temporary rental of sites up to the contractor. Generally, preference is given to the use of State land for both purposes, for which local authorities execute rental/extraction agreements with the contractor. If a contractor decides to access private land for staging and borrow sites, this is done through a rental/extraction agreement between the contractor and the private landowner. In such a case, under a willing buyer-willing seller arrangement, the agreement will be subject to standard environmental clean up requirements. Although a Resettlement Plan is not required by the Resettlement Policy Framework, the entitlements in the Framework will apply unless there are encroachments.

Conversion. In about 40 percent of the Corridor, generally adjacent to oblast centers and tracts with high-density traffic, such as the tract between Almaty and the Chinese border, the roadway will be converted to a dual carriage way. If the construction takes place entirely within the existing right of way, a Resettlement Plan will not be required. If the conversion requires additional land to expand the right of way or construct interchanges, the Resettlement Policy Framework will require the preparation of a Resettlement Plan if privately owned land is affected.

Realignment. New bypasses will be constructed at different points along the Corridor to reduce current and future disruption in urbanized areas and settlements and to avoid

hazardous areas in difficult terrain. In some areas, minor realignments will eliminate bottlenecks and increase visibility, reducing hazardous conditions. The realignments will require the acquisition of State and/or private land for the roadway and protected right of way. In such locations, the Resettlement Policy Framework will apply to the private land that is affected, as well as any State land with encroachments, and a Resettlement Plan will be prepared for the site, using the final design as the initial data source.

In some locations, realignment will also require the demolition of residences and other structures, although this is expected to be minimal. Originally, it was estimated that about 2,750 structures would be demolished along the Corridor, assuming the original alignment was kept intact and tracts through urban areas and settlements were widened. The latest version of the feasibility study in January 2008 estimated that between 48 and 115 structures (residences, barns, sheds and others) would need to be demolished along the whole route, from the Chinese border to Karabutak. The final design process, based on local consultations, is expected to reduce demolition requires below the lowest estimate. If private property or State land with encroachments are affected, additional field work will be required to prepare the local Resettlement Plan, as indicated below.

Service Centers. In more remote areas, new service facilities will be constructed at regular intervals and existing ones will be upgraded. For the most part, the service stations will be in areas with little or no population and most of the land is owned by the State. Some sites may affect agricultural or grazing areas, taking land that is owned by private individuals, collective enterprises or local administrations, but this not expected to be the normal case. If private land is involved, the Resettlement Policy Framework will apply and a Resettlement Plan will be prepared

General Negative Impacts. All along the alignment, farmers graze animals near roads and frequently herd them across the roads, disrupting traffic. The reconstructed highway will encourage higher traveling speeds, thereby putting herders and their animals in greater jeopardy, and bypasses may disrupt grazing patterns. The final design teams are expected to assess the local situation and, in consultation with residents, locate underpasses in areas where grazing patterns pose the highest risk to drivers and local residents.

Finally, some commercial establishments along the Corridor cater to road users, both local and transit. Their livelihoods may be adversely affected by bypasses even though they do not lose land or facilities. Conversely, increased traffic will also generate new commercial opportunities. Social Assessments will be carried out in the bypass areas to assess both positive and negative impacts and propose site specific mitigation measures, if needed.

In short, the most significant negative impacts of the reconstruction are expected to be loss of land assets used for livelihoods, loss of residences and home sites, and loss of access to common resources and customers. These impacts must be minimized and mitigated to ensure that affected people can regain their livelihoods and standard of living as quickly as possible. Those who lose land temporarily during construction for staging

areas or borrow pits are not as likely to suffer adverse impacts, however, if owners are sufficiently aware of their rights and options to enable them to protect their interests.

Affected Persons

Three groups of affected persons are the direct subject of the Resettlement Policy Framework:

- Individual and collective owners of land and facilities who lose their assets for public interest;
- Private individuals or enterprises whose livelihood comes from rented land (State or private) that is acquired for public interest or whose livelihood is primarily dependent on road users; and
- Private and collective owners who cede the use of their assets temporarily during construction, or allow material to be removed from their land for construction, but whose livelihood sources are not sacrificed.

Kazakhstan Legal Framework

In Kazakhstan, although land is owned by the State, it can be transferred, sold or rented to individuals, generally for 49 years. Once land is in private hands, the State can reclaim it only for specific uses, including road construction, and only after compensating the owner for the asset and other losses.

Kazakhstani laws and regulations regarding land and land ownership derive from the Constitution, which states that land (surface and underground) is owned by the State, but can also be privately owned (Article 6.3). Article 26.3 also states that *No one may be deprived of property unless stipulated by a court decision. Forcible alienation of property for public use in extraordinary cases stipulated by law may be exercised on condition of its equivalent compensation.*

The Land Code of the Republic of Kazakhstan (CODE No. 442 of 20 June 2003) covers the *reservation* of land for State Needs, stating that *A land plot may be reserved for state needs by way of purchase or by granting an equivalent land plot with the consent of the owner or land user* (Article 84.1). Road construction is one of several grounds for purchasing private land or terminating long-term leases (Article 84.2.4). In the case of land under lease, the land user is compensated for the full amount of losses and may be granted an alternative plot (Article 84.4). The availability of suitable land to swap varies from one location to another, however.

Landowners and users must be notified of the decision to purchase a year in advance, unless the owner or user agrees to release the land more quickly (Article 85.2). If part of a land plot is reserved and the remainder of the plot can not be used as before, than the whole plot should be purchased (Article 86 para 2).

The price of a land plot purchased for state needs is *determined by agreement with the owner or land user* (Article 87.1). The payment price includes *the market value of a land plot or rights to it and of real estate situated on it, as well as all losses caused to the owner or land user due to loss of a land plot, including losses that they incur in connection with the premature termination of obligations to third parties* (Article 87.2). (See provisions in Annex 1). If the owner or land user agrees, another plot of equal value can be substituted instead of cash compensation (Article 87.3).

If an owner disagrees with the decision to purchase (reserve) or disagrees with the price offer or other conditions of the purchase, the authority that issued the decision to purchase can file a lawsuit to ask the court to purchase the plot (Article 88 para 1) after the year of notification has passed (Article 88 para 2). In disputed cases, the land cannot be accessed until the court adjudicates a settlement that specifies levels of compensation and losses (Article 166.7). Compensation must be paid to the owner or user before the reservation is processed by the raion level office of the Land Resources Management Committee and registered at the Registration Service Committee, then allow work to begin on the land.

When residences are affected, the Law on Housing Relations also applies. If a house is demolished for State Need, the owners can choose either to receive a new residence or receive compensation to the market value of the house. An owner who chooses the replacement option can select a home from a list of available homes. If the value of the selected house is higher than the market value of the building to be demolished, the exchange is completed; if the cost of the selected building is lower than the market value of the one to be demolished, the owner is compensated in cash for the difference. Disagreements over the evaluation are settled in court.

Although the legal framework for reserving land and compensating owners is clear, procedures are not fully defined. The process was once regulated by Government Resolution No 403, On the Approval of Provisions for Procedures to Withdraw and to Buy Out Land Areas for State Needs (8 April, 1996). The resolution expired in February, 2005, however, and has not been replaced. The calculation of “market value,” in particular, is subject to interpretation in the absence of standardized procedures, and officials are thought to set values below actual transaction values. Final design teams frequently commission professional assessors to prepare land acquisition estimates, but there is some question regarding the extent to which their estimates are based on site-specific information. Consequently, challenges are not uncommon.

Land Acquisition Practices

The feasibility study for an investment includes a proposed alignment and estimates of the amount of land to be acquired permanently; the amount of land needed temporarily for staging, construction sites and borrow pits; and the number of buildings that would be demolished; and estimated cost of acquisition, rental and restoration of affected lands. The document is sent to the oblast and raion levels for review and comments. It is then

sent to Astana, for a national road. Meanwhile, the raion administration issues a decree identifying the area affected by changes in the alignment and designating the land as subject to reservation (expropriation). At this point, the oblast roads committee requests the local Land Resources Management Committee to freeze land transactions in the area identified for land acquisition for bypasses, for example, to prevent speculation. At the same time, owners are notified that their land may be acquired. This notification was carried out along the corridor in late 2007, over a year before the final design is to be completed, thus preparing for quick action once the final design is accepted.

The final design is prepared based in an interactive manner, involving intensive field work and ongoing consultations with local officials, particularly on the raion level. The design process generally starts with a meeting of all relevant officials in the oblast—agriculture, land resources, registration, utilities, public works, and others—to inform them of the tentative alignment and requesting information should be taken into account in the final design. The final design includes detailed maps of individual landholdings to be affected, complete ownership data from the cadastre, and estimated compensation for acquisition and losses. Design companies subcontract specialized services for the preparation of the final design including, for the first time in 2008, the services of licensed property assessors.

Once the alignment is agreed with local officials, the design team obtains cadastral maps and ownership records and asks the Akimat of the raion to call owners together to discuss the land acquisition process. The data is then given to the licensed assessors who are responsible for determining the “market value” of the property to be acquired and negotiating compensation with owners. Although there is established precedent for assessing urban property values, rural property assessment is rather new, and transactions are not common in many areas. To determine rural property values, the assessor takes into consideration soil quality, productivity, trees, and other production characteristics, in addition to recent land transactions, if there are examples available. The assessors negotiate with each owner and sign an agreement, if possible. If they cannot come to terms, the roads committee can initiate a court appeal after the one-year notification period ends. Once the akimat approves the final alignment, the roads committee can proceed with acquisition or expropriation. If the roads committee or owner appeals to the court, the court renders a decision that includes the amount of compensation to be given to the owner. Judgments are said to be impartial, favoring either the government or the owner, depending on the case. Land cannot be accessed until compensation is completed and the title is transferred.

The previous practice was for the raion akimat to establish a valuation commission that included officials and landowners, without specialized inputs. The use of licensed assessors is expected to reduce claims and result in a smoother acquisition process.

The final design identifies possible locations for work camps, storage and staging facilities, borrow pits and other sites for temporary use during construction. Contractors can use the information to estimate costs and logistics, but are not required to use the recommended sites. Civil works contracts will require the contractors to be responsible

for the temporary acquisition and reinstatement of all land required outside of the right of way for construction camps, offices, borrow pits, materials storage sites, materials processing sites and haul roads. The contracts will select the land parcels they require and they will be responsible for negotiating agreements with land owners to use the land and extract materials. If a contractor fails to obtain an agreement with a landowner, the contractor must select an alternative site and negotiate a new agreement. No land can be occupied involuntarily for temporary construction purposes. Contractors are assumed to prefer to rent State land, rather than private property, but the choice is theirs. In either case, the arrangements must be subject to a written agreement between the contractor and the owner and lands are required to be returned to their original state after work is concluded.

Involuntary Land Acquisition/Resettlement Principles

The Government has agreed to apply the following principles in the acquisition of private land and resettlement of households for investments on the Corridor, which reflect the principles incorporated in the resettlement policies of the IFIs. The principles apply in case of temporary or permanent impacts on households resulting from loss of land, structures or other fixed assets; changes in land use or business; restrictions on the use of land, housing or businesses. The principles apply to “affected persons” who experience impacts as the result of land acquisition or resettlement for State Needs.

The policies have a number of principles that must be adhered to in designing and implementing the investments:

- Avoid or minimize land acquisition and resettlement
- Affected persons are entitled to be compensated at full replacement cost for their lost assets, incomes and businesses, including temporary losses or impacts, without adjustments for depreciation
- Compensation should enable affected persons to restore their pre-project incomes and standard of living by the end of the project
- Affected persons must be consulted and participate in resettlement planning
- Affected persons must be fully informed of their compensation options
- Land-for-land swap is the preferred compensation for lost agricultural land, if it is available, unless the affected person chooses cash compensation
- Costs of transfer of property—purchase or swap—are waived or borne by the investor, including taxes, fees, documentation and court appeals
- Compensation will be made giving equal consideration to women and men
- Lack of formal title or use agreement does not bar affected persons from entitlements or assistance required to achieve the objectives of the policy
- Relocated affected persons receive relocation and transition subsistence allowances
- Special attention should be given to households headed by women and other vulnerable persons and appropriate assistance provided to assure that their living standards are maintained or improved

- Land acquisition and resettlement are executed as part of the project and fully funded
- Compensation will be fully provided before land can be entered for civil works or demolition.

Resettlement Planning and Implementation

The majority of permanent project impacts will cluster around bypasses. Most land acquisition will occur in these areas. Demolition of structures is also expected to occur most commonly in bypass areas, particularly at the start and end of a bypass. Other demolition may be needed where alignments are revised to reduce traffic hazards and improve visibility.

Once a final design is completed and, accepted by the raion and oblast, it is passed to the the Committee for Roads for final review and approval. If land acquisition is required, the Committee will discuss details with a specialist of the respective IFI and will agree jointly on the scope of the Land Acquisition/Resettlement Plan (Plan) to be prepared. A resettlement specialist on the project implementation team will prepare the Plan and submit it to the IFI for approval before proceeding with construction. The geographical scope of a Plan will vary according to the area and the magnitude of impacts. In most cases, it is expected that a Plan would cover the area corresponding to an IFI's "Project" or funding "Tranche," or the area included in a contract.

Regardless of the geographical scope of the Plan, preparation will include the following steps:

- Census of affected persons to ascertain their current standard of living and assess expected impacts
- Social assessment of settlements affected by bypasses and major reconstruction works
- Local consultations to engage affected persons in design of the Plan
- Local publication of the plan for comment (appropriate medium, location and language)
- Submission of the final plan and cost estimates to the respective IFI for concurrence before funding is authorized.

The complexity of a Plan will vary according to the type and magnitude of impacts and number of affected persons covered by the Plan. For example, one common indicator of significant impact is the loss of more than 10 percent of the land that constitutes the main source of livelihood for a household. The impact of losing a 100 m swath of land for the road will be significant where landholdings are small, but less significant where holdings are large. Data from the census of affected persons will shape the scope of a specific Plan.

IFIs distinguish between a *full resettlement plan* and an *abbreviated or short resettlement plan*. If more than 200 households are affected by the investment, a full resettlement plan is generally required. This threshold is appropriate when the resettlement affects a whole

community and the Plan needs to deal with both household and community-level impacts, including the need to re-establish community relations if a community is divided or relocated elsewhere. Such resettlement is characteristic of reservoir construction, but not highways, such as the Corridor. When the affected population is spread out and impacts are primarily on the household level, the 200-household threshold is less relevant. Consequently, it is expected that abbreviated/short Land Acquisition and Resettlement Plans will be appropriate for the Corridor, not plans. Sample outlines for full and abbreviated Plans are found in Annexes 2 and 3 (World Bank and ADB, respectively).

Additional Measures

Land and Housing Codes in Kazakhstan regarding the acquisition of land and assets for State Needs are similar to IFI Resettlement Policies in most topics. In the absence of standard regulations and procedures, implementation may vary in practice, however. Three steps will be taken to assure more consistent implementation, and compliance with IFI policies.

First, encroachment needs to be addressed clearly. The Land Code does not entitle encroachers to compensation for the loss of access to the lands they use informally, but it does not explicitly say they cannot be compensated. There appears to be very little encroachment on the existing Corridor, with the possible exception of temporary kiosks around some intersections. The feasibility study identified structures that may need to be demolished or located and owners were given notice of the possibility in late 2007. Final designs will indicate the number and location of informal structures and land use and affected persons will be called to the akimat to discuss procedures and entitlements. In most cases, the roads department will expect the owners of temporary structures to move them outside the right of way intact at their own expense. When the encroachment consists of cropping on informally occupied land, the users will be allowed to harvest standing crops and offered the opportunity to rent alternative land. These provisions, or other appropriate ones, will be incorporated in Resettlement Plans.

Second, affected persons must be informed about land acquisition (expropriation) procedures and their rights and options in the process. Project management will play an important role in the public information process by preparing and distributing two brochures that describe the process and clarify rights and responsibilities, compensation rates, payment schedules and grievance redress options. One brochure will be targeted to people who lose land and other assets permanently for State Needs. Another brochure will target both contractors and landowners regarding temporary use of land for borrow pits, staging areas, labor camps, and the like. Both brochures will be prepared in two language versions—Kazakh and Russian—and distributed all along the corridor in official buildings, especially village offices, akimats and the offices of the Land Resource Management Committee and the Registration Service Committee.

Third, the Land Code offers owners the option to swap land or buildings in lieu of compensation. In some areas, alternative lands may not be readily available. Nonetheless, all affected persons will be informed of the option. Where land is available for swap, officials involved in the land acquisition process will be instructed to offer affected persons the option to swap land and buildings for compensation instead of cash, if they choose. As soon as final designs are completed or the Project Management office is established (whichever comes first), the project will hold an introductory seminar in each oblast. The purpose of the seminar is to acquaint oblast and raion officials engaged in resettlement-related activities with the concepts and practice of Resettlement Planning, and best practices in compliance with IFI resettlement policies.

Entitlements and Compensation

Compensation and entitlements must assure that affected persons maintain or improve their standard of living after the project. The following table shows losses and valuation and compensation measures that will be implemented.

Table 1: Entitlement and Compensation Framework

Asset	Specifications	Affected People	Compensation Entitlements
Permanent Loss			
Arable Land	All Land Losses irrespective of severity of impact	Owner	<ul style="list-style-type: none"> Land for land compensation with plots of equal value and productivity to the plots lost; or Cash compensation for affected land at replacement cost (market value) with no deductions for taxes, transaction, registration or transfer costs If the residual portion of a plots is too small to use, the whole plot is purchased and compensated or exchanged
		Leaseholder	<ul style="list-style-type: none"> Cash compensation, market value of gross yield (3-year average); renewed lease in alternative plot
		Sharecropper	<ul style="list-style-type: none"> Cash compensation , market value of share of lost harvest
		Agricultural worker	<ul style="list-style-type: none"> Cash compensation equal to salary in cash and kind for rest of agricultural year
		Encroachers/squatters	<ul style="list-style-type: none"> Cash compensation equal to market value of lost harvest
	Severe Impact—more than 10% of income lost	Owner, Leaseholder	<ul style="list-style-type: none"> Cash compensation equal to market value of two crop years
		Sharecropper	<ul style="list-style-type: none"> Cash compensation equal to twice market value of share of lost harvest
Residential and Commercial Land		Owner	<ul style="list-style-type: none"> Land for land compensation, plot comparable in value to lost plot, or Cash compensation for affected land at full replacement cost free of taxes, registration and transfer costs
		Renter, Leaseholder	<ul style="list-style-type: none"> 1-3 months allowance
		Squatter	<ul style="list-style-type: none"> Free or leased plot on State land

Houses, Buildings and Structures		Owners of permanent structures	<ul style="list-style-type: none"> House for house swap; if replacement is lower value, cash compensation for the difference, or Cash compensation at replacement rates for affected structure and other fixed assets, based on material cost, construction and labor costs free of salvageable materials, depreciation and transaction costs. Cost of lost water and utility connections included in compensation
		Owners of temporary, structures (kiosks, stalls)	<ul style="list-style-type: none"> Approved site to re-locate
Crops	Crops affected	All affected persons, including squatters	<ul style="list-style-type: none"> Crop compensation in cash at full market rate for one year gross harvest—paid to owners and tenants based on their specific sharecropping agreement
Trees	Trees affected	All affected persons, including squatters	<ul style="list-style-type: none"> Cash compensation reflecting income replacement. Economic trees value based on age category and valued at gross market value of one year income times the number of years to grow a tree to similar productivity, plus purchase price of seedings and starting materials
Business employment	Temporary or permanent loss of business or employment	All affected persons, including squatters	<ul style="list-style-type: none"> Owner: if permanent, cash compensation equal to one year income; if temporary, cash compensation for the period of loss. Compensation based on tax declaration or official minimum salary Owner: allowance for lost wages during interruption, up to 3 months
Relocation	Transport and transitional livelihood costs	All affected persons affected by relocation	<ul style="list-style-type: none"> Allowance sufficient to cover transport expenses and livelihood expenses for one month due to relocation
House renters		Renters with leases	<ul style="list-style-type: none"> Three months rent at prevailing market rate and assistance in finding alternative accommodation
Community Assets			<ul style="list-style-type: none"> Rehabilitation or replacement of affected structures to pre-project function
Vulnerability		Affected persons who require special support to avail themselves of project benefits	<ul style="list-style-type: none"> Special programs providing additional compensation, allowances for adjustment, and other initiatives, based on findings of the social assessment and census of affected persons
Temporary Loss			
Land used for construction activities	Subject to negotiation between owner and contractor	Owner (private or public)	<ul style="list-style-type: none"> Contractor pays cash compensation at local commercial rental rates for duration of use Land restored to original status at end of rental Environmental safeguard requirements apply
Land for borrow pits	Subject to negotiation between owner and contractor	Owner (private or public)	<ul style="list-style-type: none"> Contractor pays cash compensation for rental and materials at market rates Land restored to original status at end of rental Environmental safeguard requirements

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Implementation of the Resettlement Process

Project management will be responsible for application of the Resettlement Policy Framework, including commissioning and overseeing the resettlement census and social assessment, preparing Resettlement Plans in collaboration with local officials and with the participation of affected persons, monitoring implementation of the Plans, and assessing impacts.

The Plans will be implemented by raion level officials, for the most part, with support of the oblast administration, civil works contractors and officials of local self-government. Evaluation and compensation are managed by a raion-level Commission established for the purpose, including staff of the raion administration and officials representing different relevant offices, such as agriculture, forestry, roads, land resource management and registration.

For purposes of eligibility, the cut off date in any location is the adoption of the final detailed design. Persons who occupy affected areas after that date are not entitled to compensation provisions.

Grievance Redress Mechanisms

Effective grievance procedures can significantly reduce the anxiety people generally experience when they involuntarily lose assets, especially homes. During the land acquisition process, complaints regarding valuation, payment, support and follow-up are inevitable. During construction, both affected persons and others may have complaints related to traffic disruptions, noise, encroachment, and other topics. All project related complaints will be handled through the Resettlement grievances mechanisms that follow the existing pattern and will be described in the project's information brochures and posted in local offices:

- Affected persons take their complaints to the head of local self-government, who registers the complaint and attempts to resolve it. If the complaint is not resolved in one week, it is passed to the raion level
- A designated person in the raion administration receives the complaint, registers it and attempts to resolve it. If there is no resolution in two weeks, it is passed to the oblast level.
- A designated person in the oblast administration receives the complaint and attempts to resolve it. If there is no resolution within two weeks, it is passed to project management for resolution on a priority basis.

This procedure will differ from standard practice in that each of the designated officials at the self-government, raion and oblast levels will be required to register the complaints and keep track of their status, reporting monthly to project management. Reports and

grievance resolution will be subject to follow-up by the external monitoring and evaluation team, as well as project management.

Alternatively, persons who feel that their grievances are not given adequate attention can contact project management. The monitoring and evaluation officer will acknowledge and register such complaints and seek resolution, reporting to the complainant on a weekly basis. Officials at any level who receive complaints that must be handled on an urgent basis can also forward them to project management, if appropriate.

Resettlement Monitoring and Evaluation

Resettlement activities are subject to internal and external monitoring. Implementation monitoring will be carried out by the raion administration, which will report monthly to project management. The work will be overseen by the resettlement specialist on the project management team.

The project will hire an external monitoring agency, potentially the entity hired to conduct the census and social assessment, which will carry out an independent assessment of the resettlement process and outcomes every six months to discuss with project management, and prepare an annual monitoring and evaluation report to submit to the IFIs. The external monitor will assess whether implementation complies with provisions of the resettlement plan, if the livelihoods of affected peoples have been restored, and whether or not any unintended or unanticipated resettlement impacts have occurred.

Specific monitoring indicators include:

- Information campaign and consultation with affected persons
- Status of land acquisition and payments for compensation
- Selection and distribution of replacement land areas
- Compensation for affected structures and other assets
- Relocation of affected persons
- Payments for loss of income
- Status of additional income restoration activities
- Achievement of income restoration objectives.

The cost of administrative oversight and monitoring and evaluation activities will be included in the project budget and reflected in the budget of the Resettlement Plan.

Annex 1

Land Code: Selected Articles

(CODE No. 442 of 20th June, 2003 of the Republic of Kazakhstan)

Article 7. International Agreements

If an international agreement ratified by the Republic of Kazakhstan, specifies other rules than those which are contained in this Code, the rules of said agreement shall apply. The international agreements ratified by the Republic of Kazakhstan shall apply to land relations directly, except for the cases where it ensues from an international agreement, that adoption of a legislative act is required for its implementation.

Article 84. Reservation, Including by Way of Purchase of a Land Plot for State Needs

1. A land plot may be reserved for state needs by way of purchase or by granting an equivalent land plot with the consent of the owner or land user.

2. The following shall be recognised as the grounds for reservation or purchase of land plots for state needs:

- 1) international obligation;
- 2) granting land for needs of defence, specially-protected natural territories, rehabilitational, recreation, historical and cultural designation;
- 3) discovery below a land plot of a field of useful minerals (except for commonly occurring);
- 4) construction of roads, lines for electricity, communications and main pipelines as well as other facilities having national significance, where there are no other alternatives for the placement of those facilities;
- 5) demolition of accident-prone and old housing, impending collapse (slide down);
- 6) general surveys of cities and other populated areas, schemes for zoning territories and other urbanisation or land tenure documentation approved in accordance with the established procedure.

3. The legislative acts of the Republic of Kazakhstan may provide other grounds, aside from those indicated in paragraph 2 of this Article.

4. Reservation for state needs of a land plot granted into temporary land use where the granted right has not been purchased from the state by a land user, shall be carried out without purchasing land use rights. Losses shall be compensated to land users in full amount, and at their discretion other land plots may be granted.

Article 85. Purchase of a Land Plot

1. Reservation of land plots for state needs from owners and non-governmental land users where ownership right have been purchased by them, shall be carried out in accordance with the procedure of purchase in accordance with this Code, and with regard to issued not covered by it, by other legislative acts of the Republic of Kazakhstan.

2. Land plot owners or non-governmental land users, not later than one year prior to a forthcoming purchase of a land plot, must be appropriately notified in writing by the authority that adopted a decision on purchase, unless it is otherwise provided for by legislative acts of the Republic of Kazakhstan.

Purchase of a land plot prior to expiry of one year from the date of receipt by the owner or land user of such notice shall be allowed only with the consent of the owner or land user, unless it is otherwise specified by legislative acts of the Republic of Kazakhstan.

Article 86. The Rights of an Owner or Land User to a Land Plot To Be Purchased for State Needs

An owner or a land user of a land plot to be purchased for state needs from the time a decision is taken to purchase it until the time when an agreement is reached on price, or until the court takes a decision on purchase of a land plot, may exercise his right to the land plot and to incur appropriate costs ensuring the utilisation of a land plot in accordance with its designation. In that case an owner or land user shall bear the risk that costs and losses associated with new construction, expansion or reconstruction of buildings (installations, facilities) on a land plot within said period will be at his expense.

Where an owner of a land plot or a land user after the reservation of a part of a land plot may not use the remaining part in accordance with the former designation, then the entire land plot shall be purchased.

Article 87. Price of a Land Plot to Be Reserved by Purchase

1. Price of a land plot which is to be purchased for state needs, periods and other conditions of purchase shall be determined by the agreement with the owner or land user.

Price of an agricultural designation land plot (without considering losses) to be purchased by an owner from the state in accordance with subparagraph 2) of paragraph 2 of Article 24 of this Code and which is purchased for state needs, shall be determined within amounts paid to the state.

In the case of partial payment of an amount for a land plot (without considering losses) sold by the state on an instalment contract, and when it is purchased by state needs, the price of a land plot shall be determined within the amount paid to the state.

2. When determining the price of a land plot to be purchased, it shall include the market value of a land plot or rights to it and of real estate situated on it, as well as all losses caused to the owner or land user due to loss of a land plot, including losses that they incur in connection with the premature termination of obligations to third parties.

3. By an agreement with an owner or land user, another land plot may be granted to him by including the value of the land plot or rights to it into its price, instead of a land plot which is purchased for state needs. In those cases where a land plot which is to be reserved for state needs or rights to it should have been purchased from the state, but such purchase did not take place, the market value of a land plot shall not be included in the price, by an agreement with a land user another land plot may be granted to him instead.

Article 88. Purchase of a Land Plot Pursuant to a Court Decision

Where an owner or land user disagrees with the decision to purchase from him of a land plot for state needs or where no agreement has been reached with him on the price of a land plot to be purchased or on other conditions of such purchase, the executive authority that adopted the decision on purchase, may file a lawsuit to a court to purchase the land plot.

Such a lawsuit may be filed upon expiry of one year but not later than two years from the time of directing to the land plot owner or land user of a notice indicated in paragraph 2 of Article 85 of this Code, unless it is otherwise specified by legislative acts of the Republic of Kazakhstan.

Article 115. Lands of Automobile Transport

1. The following shall be recognised as lands for needs of automobile transport:
 - 1) for automobile roads, their components and road facilities as well as installations and facilities technologically connected therewith;
 - 2) for placement of bus stations and bus terminals, other automobile transport facilities and road economy items which are needed for the operation, maintenance, construction, reconstruction, repair, development of surface and underground buildings, structures, installations, devices;
 - 3) for establishing land strips of automobile roads.
2. Land plots for land strips for needs of automobile transport shall be granted on the basis of the established quotas in relation to the category of a road and in accordance with the project documentation.
3. In order to ensure safety of the population and create conditions for the operation of automobile roads subject to safety requirements of road traffic, road-side strips shall be created in the form of land plots attached on both sides to the land strips of international and national automobile roads of common use by establishing a special regime of their use. Said lands shall not be subject to reservation from land plot owners and land users.
4. It shall be prohibited to build capital items in road-side strips and land strips of international and national automobile roads of common use, except for road service items and facilities.

Article 165. Grounds for the Compensation of Losses Caused to Owners or Land Users

Losses caused to owners or land users shall be subject to compensation in full volume in the following cases:

- 1) reservation (purchase) of lands for state needs, entailing termination of ownership or land use rights;
- 2) restriction of ownership or land use rights in connection with establishing a special regime of land use;
- 3) violation of ownership or land use rights;
- 4) deterioration of land quality resulting from construction and operation of facilities leading to disturbance of soil fertility, deteriorating water regime, producing substances which are harmful for agricultural crops and plantations;
- 5) reservation of lands specified in Article 90 of this Code.

Article 166. The Procedure for Compensation for Losses

1. Losses to owners and land users shall be compensated at the expense of entities that caused them.

Losses caused to owners or land users as a result of adoption by a state administration authority, or another state authority of an act which is inconsistent with legislation, as well as by acts (omission) of official persons of those authorities, shall be subject to compensation by the Republic of Kazakhstan or by the relevant administrative-territorial unit.

2. When determining amounts of compensation, it shall comprise the following:
 - 1) market value of a land plot or land use right;
 - 2) market value of real estate situated in a land plot, including fruit trees and perennial plantations;
 - 3) value of costs associated with the development of a land plot, its maintenance, performance of protection measures, enhancing soil fertility, subject to inflation;
 - 4) all losses caused to an owner or land user by reservation of a land plot, including losses they incur due to premature termination of their obligations to third parties;
 - 5) lost profits.

3. Determining losses caused to owners or land users when land plots are reserved as well as amounts of compensation shall be established by an agreement of the parties.

4. When land plots are reserved or occupied temporarily, due to which partially or fully the work of irrigation, drainage, environmental protection, anti-erosion and anti-mud-avalanche facilities and installations (systems) is disrupted, losses may be determined on the basis of costs of the operations associated with the construction of new or reconstruction of existing facilities and installations (systems), including value of project research operations.

5. Losses (costs) caused by inconveniences which emerged in the utilisation of land (formation of islands in infilling of water reservoirs, disruption of transport links, disintegration of territories by communications etc.) may be determined by the total of one-off costs associated with project research operations, construction of dams, bridges, roads, approaches, other facilities, cleaning water reservoir floors, as well as purchase of boats, ships, ferries and other means of transport.

6. When determining losses (costs) which are required for restoration of deteriorated land quality, may comprise costs associated with the performance of soil, agrochemistry and other special investigation and research as well as measures that ensure the restoration of land quality.

7. Where a land plot owner or a land user disagrees with a decision entailing termination of ownership or land use rights, it may not be implemented prior to the settlement of a dispute through a court procedure. When hearing a dispute, also all issues shall be decided with regard to compensation to owners or land users of losses that were caused.

Article 167. Land Disputes

Disputes ensuing from land legal relations shall be considered through a judicial procedure.

Annex 2

Resettlement Plan Outlines: World Bank

Resettlement Plan

1. The scope and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about: (a) the proposed resettlement and its impacts on the displaced persons and other adversely affected groups; and (b) the legal issues involved in resettlement. The resettlement plan covers the elements below, **as relevant**. When any element is not relevant to project circumstances, it should be noted in the resettlement plan.
2. *Description of the project.* General description of the project and identification of the project area.
3. *Potential impacts.* Identification of:
 - (a) the project component or activities that give rise to resettlement;
 - (b) the zone of impact of such component or activities;
 - (c) the alternatives considered to avoid or minimize resettlement; and
 - (d) the mechanisms established to minimize resettlement, to the extent possible, during project implementation.
4. *Objectives.* The main objectives of the resettlement program.
5. *Socioeconomic studies.* The findings of socioeconomic studies to be conducted in the early stages of project preparation and with the involvement of potentially displaced people, including:
 - (a) The results of a census survey covering:
 - (i) current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
 - (ii) standard characteristics of displaced households, including a description of production systems, labor and household organization; baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
 - (iii) the magnitude of the expected loss - total or partial - of assets, and the extent of displacement, physical or economic;

- (iv) information on vulnerable groups or persons as provided for in para. 8 of OP 4.12, for whom special provisions may have to be made; and
- (v) provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.

(b) Other studies describing:

- (i) land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, and non-title-based usufruct systems (including fishing, grazing or use of forest areas) governed by local recognized land allocation mechanisms and any issues raised by different tenure systems in the project area;
- (ii) the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;
- (iii) public infrastructure and social services that will be affected; and
- (iv) social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

6. *Legal framework.* The findings of an analysis of the legal framework, covering:

- (a) the scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
- (b) the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process, and the normal time frame for such procedures; any available alternative dispute resolution mechanisms that may be relevant to resettlement under the project;
- (c) relevant law (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights; customary personal law related to displacement; and environmental laws and social welfare legislation;
- (d) laws and regulations relating to the agencies responsible for implementing resettlement activities;
- (e) gaps, if any, between local laws covering eminent domain and resettlement and the Bank's resettlement policy, and the mechanisms to bridge such gaps; and
- (f) any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including, as appropriate, a process for recognizing claims to legal rights to land—including claims that derive from customary law and traditional usage (see para. 15 (b) of OP 4.12).

7. *Institutional Framework*. The findings of an analysis of the institutional framework covering:

- (a) the identification of agencies responsible for resettlement activities and NGOs that may have a role in project implementation;
- (b) an assessment of the institutional capacity of such agencies and NGOs; and
- (c) the steps, if any, that are proposed to be taken to enhance the institutional capacity of agencies and NGOs responsible for resettlement implementation.

8. *Eligibility*. Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off date(s).

9. *Valuation of and compensation for losses*. The methodology to be used in valuing losses to determine their replacement cost; a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.¹

10. *Resettlement measures*. A description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy (see para. 6 of OP 4.12). In addition to being technically and economically feasible, the resettlement packages should be compatible with the cultural preferences of the displaced persons, and prepared in consultation with them.

11. *Site selection, site preparation, and relocation*. Alternative relocation sites considered and explanation of those selected, covering:

- (a) institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites; the plan estimates the time needed to acquire and transfer land and ancillary resources;
- (b) any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites;
- (c) procedures for physical relocation under the project, including timetables for site preparation and transfer; and

¹ With regard to land and structures, “replacement cost” is defined as follows: For agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of land preparation to levels similar to those of the affected land, plus the cost of any registration and transfer taxes; for land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes; for houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors’ fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures so as to meet the replacement cost standard. Such additional assistance is distinct from resettlement measures to be provided under other clauses in para. 6 of OP 4.12.

(d) legal arrangements for regularizing tenure and transferring titles to resettlers.

12. *Housing, infrastructure, and social services.* Plans to provide (or to finance resettlers' provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services);² plans to ensure comparable services to host populations; any necessary site development, engineering, and architectural designs for these facilities.

13. *Environmental protection and management.* A description of the boundaries of the relocation area; and assessment of the environmental impacts of the proposed resettlement³ and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

14. *Community participation.* Involvement of resettlers and host communities,⁴ including:

- (a) a description of the strategy for consultation and participation of resettlers and hosts in the design and implementation of the resettlement activities;
- (b) a summary of the views expressed and how these views were taken into account in preparing the resettlement plan;
- (c) a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individuals families or as parts of preexisting communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries);⁵ and
- (d) institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented.

15. *Integration with host populations.* Measures to mitigate the impact of resettlement on any host communities, including:

- (a) consultations with host communities and local governments;
- (b) arrangements for prompt tendering of any payment due the hosts for land or other assets provided to resettlers;

² Provision of health care services, particularly for pregnant women, infants, and the elderly, may be important during and after relocation to prevent increases in morbidity and mortality due to malnutrition, the psychological stress of being uprooted, and the increased risk of disease.

³ Negative impacts that should be anticipated and mitigated include, for rural resettlement, deforestation, overgrazing, soil erosion, sanitation, and pollution; for urban resettlement, projects should address such density-related issues as transportation capacity and access to potable water, sanitation systems, and health facilities.

⁴ Experience has shown that local NGOs often provide valuable assistance and ensure viable community participation.

⁵ OPN 11.03, *Management of Cultural Property in Bank-Financed Projects*.

- (c) arrangements for addressing any conflict that may arise between resettlers and host communities; and
- (d) any measures necessary to augment services (e.g., education, water, health, and production services) in host communities to make them at least comparable to services available to resettlers.

16. *Grievance procedures.* Affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

17. *Organizational responsibilities.* The organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

18. *Implementation schedule.* An implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

19. *Costs and budget.* Tables showing itemized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

20. *Monitoring and evaluation.* Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

Abbreviated Resettlement Plan.

An abbreviated plan covers the following minimum elements:⁶

- (a) census survey of displaced persons and valuation of assets;
- (b) description of compensation and other resettlement assistance to be provided;
- (c) consultations with displaced people about acceptable alternatives;
- (d) institutional responsibility for implementation and procedures for grievance redress;
- (e) arrangements for monitoring and implementation; and
- (f) timetable and budget.

⁶ In case some of the displaced persons lose more than 10% of their productive assets or require physical relocation, the plan also covers a socioeconomic survey and income restoration measures.

Annex 3

Resettlement Plan Outlines: Asian Development Bank

Full Resettlement Plan

- 1. LAR issues for the scheme**
This chapter describes the scheme activities and items requiring LAR; alternative options, if any, considered to minimize land acquisition and its effects; and why remaining effects are unavoidable.
- 2. Scope of land acquisition and resettlement**
This chapter describes the preparation of the impacts (who carried it out and when it was initiated) and provides a full assessment of each type of impact and a census of affected peoples as described in the CPFPG. The chapter also includes a description of the methodology followed to determine unit-compensation rates for each affected item and subsidy allowance.
- 3. Objectives, policy framework, and entitlements**
Based on the CPFPG, this chapter outlines the eligibility and compensation framework for the scheme.
- 4. Consultation and grievance redress participation**
This chapter summarizes procedures for redress of grievances by people affected described in CPFPG and describes the consultation participation process and grievance redress that occurred in the subproject at hand.
- 5. Compensation, relocation, and income restoration**
This chapter outlines the income restoration measures to be implemented.
- 6. Institutional framework**
This chapter outlines the institutional arrangements for the scheme based on this CPFPG. It includes the following issues: responsibilities for main tasks and for planning, negotiating, consulting, approving, coordinating, implementing, financing, monitoring, and evaluating land acquisition and resettlement.
- 7. Resettlement budget and financing**
This chapter provides the unit compensation rate for each affected item and assesses the LAR budget for the scheme. The LAR budget will include land acquisition and eventual land acquisition costs, amounts due for crop compensation and for the subsidies and allowances, monitoring and evaluation costs, and administrative costs and will be adjusted for inflation and applicable taxes.
- 8. Implementation schedule**
This chapter provides a time schedule showing the LAR process and linking LAR tasks with civil works implementation.
- 9. Monitoring and evaluation**
This chapter specifies arrangements for routine and independent monitoring and evaluation activities.

Short Resettlement Plan

A. Introduction

1. Brief description of the Project (provide map of Project areas)
2. Types of impacts (summary description of acquisition and other assets)

B. Description of Affected Persons

1. Description of APs including their spatial distribution
2. Gender-disaggregated socioeconomic characteristics of Project AFs
 - Total number of families affected by the Project
 - Employment types and major sources of income
 - Tenure status (land and house structures)
 - Affected land and assets areas, types of structures, and conditions
3. Categories and numbers of affected households by type and degree of impacts
 - Affected households with loss of entire holdings are required to relocate
 - Affected households with loss of partial holdings and not required to relocate
 - Tenants, landless laborers, informal settlers, etc. affected by the Project
 - Affected households with loss of incomes and employment

C. Compensation and Policy Entitlement Criteria

1. Elements of compensation policy: objectives and entitlement criteria
2. Compensation entitlements for each category of APs
3. Other assistance (transport allowance, rehabilitation assistance, etc.)

D. Cost Estimates and Budget

- Aggregate costs for each type of asset loss and implementation arrangements

E. Public Participation, Consultation, and Grievance Resolution

1. Consultation with stakeholders at the different stages of the Project
2. Existing and Project-specific mechanisms for grievance resolution procedures

F. Organizational Set-up

- Organizational structure of the unit/division within the local government at the district level that is responsible for management, supervision, and implementation of LAR

G. Implementation Schedule

1. Implementation schedule for land acquisition and compensation for each component of the Project, including description of different activities and their sequence
2. Timetable for implementation of different land asset acquisition activities in relation to the Project