

**MINISTRY OF ECONOMIC DEVELOPMENT AND  
POVERTY REDUCTION OF THE REPUBLIC OF  
UZBEKISTAN**



**Rural Infrastructure Development Project**

**Resettlement Policy Framework (RPF)**

**Tashkent, Uzbekistan  
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## 1. ABBREVIATIONS AND GLOSSARY

| <b>Abbreviations</b> |   |
|----------------------|---|
| <b>AIIB</b>          | Asian Infrastructure Investment Bank                      |
| <b>ARAP</b>          | Abbreviated Resettlement Action Plan                      |
| <b>AD</b>            | Agricultural Department                                   |
| <b>CB</b>            | Central Bank of Uzbekistan                                |
| <b>CBO</b>           | Community-based organization (mahalla)                    |
| <b>CC</b>            | Consulting Company  |
| <b>CM</b>            | Cabinet of Ministers of the Republic of Uzbekistan        |
| <b>CE</b>            | Citizen Engagement  |
| <b>DCM</b>           | Decision of Cabinet of Ministers                          |
| <b>DMS</b>           | Detail Measurement Survey                                 |
| <b>EA</b>            | Executive Agency  |
| <b>EM</b>            | Entitlement Matrix  |
| <b>ESMF</b>          | Environmental and Social Management Framework             |
| <b>ESS</b>           | Environmental Safeguards Specialist                       |
| <b>ESSS</b>          | Environmental and Social Safeguards specialist (regional) |
| <b>FP</b>            | Facilitating Partner                                      |
| <b>GRC</b>           | Grievance Redress Committee                               |
| <b>GRM</b>           | Grievance Redress Mechanism                               |
| <b>HH</b>            | Household   |
| <b>IDA</b>           | International Development Association                     |
| <b>IFI</b>           | International Financial Institution                       |
| <b>IPF</b>           | Investment Project Financing                              |
| <b>LAA</b>           | Land Acquisition Act                                      |
| <b>LAR</b>           | Land Acquisition and Resettlement                         |
| <b>LARC</b>          | Land Acquisition and Resettlement Commission              |
| <b>LRSCD</b>         | Land Resources and State Cadaster Department              |
| <b>MC</b>            | Mahalla committee   |
| <b>M&amp;E</b>       | Monitoring and Evaluation                                 |
| <b>MIS</b>           | Management Information systems                            |
| <b>NGO</b>           | Non-Governmental Organization                             |
| <b>OP</b>            | Operational Policy  |
| <b>PAP</b>           | Project Affected Persons                                  |
| <b>PIU</b>           | Project Implementation Unit                               |
| <b>POM</b>           | Project operational manual                                |
| <b>R&amp;R</b>       | Resettlement and Rehabilitation                           |
| <b>RAP</b>           | Resettlement Action Plan                                  |
| <b>RPIU</b>          | Regional Project Implementation Unit                      |
| <b>RCM</b>           | Resolution of the Cabinet of Ministers of Uzbekistan      |
| <b>RPF</b>           | Resettlement Policy Framework                             |
| <b>SES</b>           | Sanitary Epidemiological Service                          |
| <b>SSS</b>           | Social safeguards specialist                              |
| <b>USD (US\$)</b>    | United States dollar                                      |
| <b>UZS</b>           | Uzbek Sum   |
| <b>RIDP</b>          | Rural Infrastructure Development Project                  |
| <b>WB</b>            | World Bank  |

## Glossary

|   |  |
|---|--|
| <b>Displaced Person (DP)</b>                                | Any individual(s) or part of the DHs living, cultivating land or carrying on business, trade or any other occupation within the Corridor of Impact (CoI) who gets displaced by the project is a Displaced Person (DP).<br>Includes households, business units including their workers and owners of assets like land and buildings affected by RIDP. It may include; non-resident landowners (including farmers and horticulturist); non-resident lessees; resident landlord (including farmers and horticulturists); resident lessee; resident lessees, tenants or sub-tenants of buildings; squatters (non-resident structure owners, resident structure owners, tenants) and encroachers, with and/ or without title. Displacement means only 'temporary'. Activities resulting in permanent displacement will not be financed under the project. |
| <b>Compensation</b>   | Payment in cash or in kind to which the Project Affected Persons are entitled in order to replace land or other assets taken for project use.  |
| <b>Census</b>   | A field survey carried out to identify and determine the number of Project Affected Persons (PAP), their assets, and potential impacts; in accordance with the procedures, satisfactory to the relevant government authorities, and the World Bank Safeguard Policies  |
| <b>Cut-off-date</b>   | The date after which people WILL NOT BE considered eligible for compensation, i.e., they are not included in the list of PAPs as defined by the census.  |
| <b>Entitlement</b>  | Entitlement means the range of measures comprising compensation in cash or in kind, relocation cost, income rehabilitation assistance, transfer assistance, income substitution, and business restoration, which are due to PAPs, depending on the type, degree, and nature of their losses, to restore their social and economic base.  |
| <b>Environmental and Social Management Framework (ESMF)</b> | A safeguard instrument (document) which establishes a mechanism to determine and assess future potential environmental and social impacts of the project funded activities in the RIDP construction program and other activities associated with this project regardless of the funding agency.  |
| <b>Hokim</b>  | Head of public authority in places (Governor)  |
| <b>Hokimiyat</b>  | A public authority in places, carrying out the interaction between local communities and the government at regional and national levels. Possesses the highest administrative and legal authority over the local population living in the territory within the jurisdiction.   |
| <b>Income restoration</b>                                   | Income Restoration means re-establishing productivity and livelihoods of PAPs.   |
| <b>Involuntary Resettlement</b>                             | For the purposes of this policy, "involuntary" means actions that may be taken without the displaced person's informed consent or power of choice  |
| <b>Land acquisition</b>                                     | Land Acquisition means the process whereby a person is compelled by a public agency to alienate all or part of the land she/he owns or possesses, to the ownership and possession of that agency, for public purposes in return for fair compensation.   |
| <b>Low-income family</b>                                    | Low-income family is the family whose monthly average income per person is less than 1.5 times of minimum wage which equals US\$1.17. This line is the subject to the provision of social support from the Government. In Uzbekistan, the minimum salary per person shall not be below the 2.5 times of minimum wage which equals US\$1.95. This number amount is equal to the World Bank's global poverty line to US\$1.90. Therefore, in this document, this number will be taken as a reference to identify low-income families.  |

|                                  |  |
|----------------------------------|--|
| <b>Vulnerable people</b>         | Women headed household, low-income household, a household headed by elderly <sup>1</sup> with no support and household headed physically challenged people   |
| <b>Owner</b>                     | The person who own, use and dispose of appurtenant property (resources, enterprises, things, including buildings, apartments, structures, equipment, raw materials and production, money, equities, and other property, as well as objects of intellectual property) at his/her discretion and in his/her interests.   |
| <b>Ownership</b>                 | Ownership or property right represents the right of the person to own, use and dispose of appurtenant property at his/her discretion and in his/her interests, and also requires the elimination of any violations of his/her property right of whoever they are originated. The property right is perpetual.  |
| <b>Project Affected Persons</b>  | Persons who as a result of Project activities, for reasons of the involuntary taking or voluntary contribution of their land and other assets, results in direct economic and or social adverse impacts, regardless of whether or not PAPs are required to physically relocate   |
| <b>Replacement cost (assets)</b> | 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 value of an affected asset. |
| <b>Replacement cost (land)</b>   | Replacement cost for land is the pre-project or pre-displacement, whichever is higher, the market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes   |
| <b>Rehabilitation</b>            | Assistance provided to the affected persons to supplement their income losses in order to improve, or at least achieve full restoration of their pre-project living standards and quality of life.   |
| <b>Mahalla</b>                   | Community-based organization at the local level, officially recognized in Uzbekistan, serving as an interface between the government and the community and responsible for provision by the means of social support and cultural interaction of its members. Chairmen of the Mahalla are elected by local gatherings.  |

**\* The rate of the Central bank (CB) of the Republic of Uzbekistan  
(As of October, 2020)**

US\$ 1 = 10370 Uzbek Sums (UZS)

<sup>1</sup> Elderly people will be defined by the Retirement Age for women and man as of national legislation on the date of survey.

## 2. EXECUTIVE SUMMARY

1. This Resettlement Policy Framework Framework (RPF) is the first revision to the RPF that was disclosed on September 3, 2019. It has been revised following project restructuring, which was approved in September 2020, to change the name of the project from “Prosperous Villages” to the Rural Infrastructure Development Project (RIDP) due to the Government of Uzbekistan's decision to temporarily suspend the Obod Qishloq state program, and to introduce adaptations to the project implementation cycle necessitated by the COVID-19 pandemic to ensure the health and safety of all project stakeholders. In addition, the RIDP implementing agency is using this opportunity to update the RPF based on the latest legislation in Uzbekistan.
2. The RIDP (the “Project”) is an initiative of the GoU that promotes participatory, village-based development to reduce infrastructure and service-delivery gaps. The RIDP will introduce processes to strengthen community participation, with a focus on the inclusion of the poor and vulnerable within communities, in local development planning, decision-making and oversight in 21 lagging districts in five regions. Using a learning-by-doing approach, the RIDP will trial approaches aimed at increasing community participation in project decision-making and oversight, transparency and accountability in project implementation, and the quality and sustainability of subproject investments. To increase participation and community-led decision-making and oversight, a key design innovation introduced under the RIDP is the provision of facilitation support to participating district administrations and qishloqs in the form of trained qishloq facilitation teams. Given this context, the GOU requested the World Bank to prepare RIDP to be supported by the latter with a budget of US\$ 100 million. As the Project's preparatory efforts gained ground, AIIB joined as a co-financier with US\$ 82 million. The RIDP's development objectives are (i) to improve the quality of basic infrastructure and (ii) to strengthen participatory local governance processes in targeted rural villages in the following Areas- Fergana, Andijan, Namangan, Syrdarya and Jizzakh regions.
3. The RIDP's development objectives are (i) to improve the quality of basic infrastructure and (ii) to strengthen participatory local governance processes in targeted rural villages in the following Areas- Fergana,<sup>2</sup> Andijan, Namangan, Syrdarya<sup>3</sup> and Jizzakh<sup>4</sup> regions. It has two Components: Component 1: Demand-driven investments in basic infrastructure and local governance capacity support. This component will provide subgrants to finance local-level, climate-resilient investments in social infrastructure and services that communities plan and prioritize. This component will also support hokimiyats and Mahalla Citizens Assemblies (MCAs) to engage communities in inclusive, transparent processes to plan, select, implement and maintain investments as defined in the Project Operational Manual (POM). Component 2 covers project management, monitoring and evaluation and capacity building activities.
4. **Project potential environmental and social impacts.** The project will support a large variety of demand-driven investments in basic infrastructure and services, including: (i) rehabilitation of existing rural drinking water supply and sanitation systems by expanding access through innovative, alternative models for rural drinking water supply and sanitation service delivery; (ii) retrofitting of public buildings for energy efficiency; (iii) rehabilitation of social infrastructure; (iv) rehabilitation of tertiary roads, walkways, and footpaths; (v) road drainage and strengthening flood resilience of rural roads; (vi) bridge rehabilitation and construction (up to 10 meters); (vii) street lighting upgrading; (viii) improvements to public spaces; (ix) solid waste management systems; (x) small-scale construction of public facilities; (xi) installation of antennas to provide wireless internet services; (xii) construction and rehabilitation of bus terminals and stops; and (xiii) energy supply activities. The socio-economic impacts of the project will be mainly positive and related to the improvement of the quality and standard of living of the rural population in the project villages.

<sup>2</sup> located in the southern part of the Fergana in the far east of the country. It borders the [Namangan](#) and [Andijan Regions](#) of Uzbekistan, as well as [Kyrgyzstan](#) and [Tajikistan](#). It covers an area of 6,800 km<sup>2</sup>. The population is estimated to be around 2,597,000, with over 71% of the population living in rural areas.

<sup>3</sup> located in the center of the country on the left bank of [Syr Darya](#) River. It borders with [Kazakhstan](#), [Tajikistan](#), [Tashkent Region](#), and [Jizzakh Region](#). It covers an area of 4,276 square kilometres (1,651 sq mi),<sup>11</sup> and is mostly desert, with the [Starving Steppe](#) taking up a significant part of the region's area. The population is estimated to be around 803,100.

<sup>4</sup> located in the center/east of the country. It borders with [Tajikistan](#) to the south and south-east, [Samarqand Region](#) to the west, [Navoiy Region](#) to the north-west, [Kazakhstan](#) to the north, and [Sirdaryo Region](#) to the east. It covers an area of 20,500 km<sup>2</sup>. The population is estimated to be around 910,500, with some 80% living in rural areas

However, civil works implementation could result in various adverse environmental and social impacts. Environmental impacts could include: (i) increased environmental pollution with waste, noise, dust, exhaust gases from fuel combustion products; (ii) health and safety hazards and other problems resulting from construction activities; (iii) increased contamination of groundwater and surface water as a result of inadequate avoidance and mitigation measures; (iv) soil degradation and pollution; and (v) threats to human health as a result of improper handling of heavy machinery during construction activities. On the social front, the key impact relates to the fact that some activities will require 'lands', which could lead to temporary or permanent physical and economic displacement as well as restrictions on access.

5. Where land acquisition is required, the Project needs to draw a strategy and implementation action plan to secure land. Two broad methods of securing land envisaged under the Project are: (i) voluntary donations; and (ii) involuntary acquisitions. The former is traditionally a well-accepted practice in community led initiatives as the communities decide on the activities to be taken up under the Project. Yet, the Project lays out a series of "Dos and Don'ts" to ensure that donations are indeed 'voluntary' and that the land donor is not affected adversely as a result of the land donation. Involuntary land acquisitions, however, requires much more focused and planned attention as it could result in economic and/ or physical displacement and consequently several adverse impacts. **However, impacts and risks are expected to be much lower as RIDP will not finance any activities which may require permanent physical displacement. The RPF therefore will define the procedures for: (i) acquiring land (voluntary and involuntary after all technical alternatives have been exhausted), (ii) dealing with any residual impacts from land acquisition (i.e. identifying, establishing the valuation of, and compensating people that suffer economic losses or loss of private property, (iii) monitoring and verification that policies and procedures are followed, and (iv) grievance redress mechanisms.**
6. Towards the above, Social Impact Assessments (SIA), following environmental and social screening, as well as an Environmental and Social Management Plan (ESMP), will be undertaken for each subproject to determine the magnitude of displacement and prospective losses, identify vulnerable groups for targeting, ascertain the costs of resettlement, and prepare a resettlement action plan (RAP) for implementation.
7. However, preparing RAPs at appraisal is not possible as the subprojects will become known only during the implementation phase. While the broad category of activities and impacts is foreseen, exact magnitudes can become known only after detailed subproject designs are made. Hence, towards preparing a RAP, Project preparation included the development of a Resettlement Policy Framework (RPF). The key objective of the RPF is to provide a framework through which to appropriately identify, address and mitigate adverse socioeconomic impacts that may occur due to the implementation of subprojects that involve the involuntary acquisition of land and the subsequent resettlement of affected families.
8. The RPF also serves the following specific purposes:
  - Reviews the existing national legal framework, compares it with the World Bank Operational Policy for Involuntary Resettlement (OP 4.12) for gaps, if any, and indicates gap-filling measures;
  - Describes the approach to the securing private land, assets and other common property resources;
  - Specifies the scope of the project with a well-defined exclusion list;
  - Defines the valuation process of impacted assets;
  - Defines the process for preparing SIAs and RAPs and their review;
  - Defines of the cutoff date for Title and Non-Title holders;
  - Identifies the consultation mechanisms/approaches to be adopted while preparing and implementing RAPs including public disclosures;
  - Defines the monitoring and evaluation arrangements including Grievance Redress Mechanisms (GRM); and
  - Defines the institutional and implementation arrangements --role/responsibilities of different stakeholders.



9. Subproject-specific RAPs will be prepared in accordance with the RPF. The corresponding safeguards document for other social and economic impacts not associated with land acquisition and restrictions is the Environmental and Social Management Framework.
10. This RPF is based on relevant National laws and Decrees as well as the World Bank OP-4.12. The guidelines of the RPF apply to all the investments financed by the RIDP. The RPF applies to all economically and/or physically displaced persons regardless of the total number affected by the severity of impact and whether or not they have legal title to the land. Particular attention will be paid to the needs of such vulnerable groups like women-headed households, low-income households, households headed by the elderly with no support, and households headed by physically challenged people. RPF preparation has been participatory, based upon consultations with a variety of stakeholders and the draft framework was disclosed on the Ministry of Economic development and poverty reduction's (MoED) website on August 16, 2019 for evincing feedback. Subsequently, three workshops have been held in Tashkent, Syrdarya and Namangan on August 27-29, 2019 for disclosing the same. After incorporating inputs from these consultations, the first version of the RPF was disclosed on September 3, 2019.
11. There are some differences between the World Bank OP policies and Uzbekistan's legislation in the sphere of involuntary resettlement. The main discrepancies include: (i) providing detailed explanations of entitlements to project affected households, (ii) provision of just compensation instead of full replacement cost, (iii) defining the cut-off date, and (iv) carrying out socioeconomic surveys. The RPF has been prepared by harmonizing to the extent possible the two policies. However, The World Bank OP 4.12 will prevail in cases of differences in substance and/ or in the interpretation between WB and Uzbekistan legislation.
12. Each subproject needs to be screened for social impacts based on the given designs for the proposed improvements to determine if there are any impacts that require the preparation of the RAP that entitles the Project Affected Persons (PAP) to resettlement assistance. Based on the harmonization efforts and the impacts likely to occur, an Entitlement Matrix (EM) has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements. Compensation and rehabilitation assistance for various categories of losses based on the tenure and magnitude of impact has been provided. Additional assistance to vulnerable, reimbursement of transaction costs in relation to those who receive land for land compensation, purchasing land/property with the compensation and assistance in the name of women, cash assistance for housing to physically displaced squatters, are some of the provisions contained in the EM.
13. In order to ensure that ineligible persons do not take the opportunity to claim eligibility, a cut-off date will be established. The cut-off date will be the last date of the census. It is a date after which people who are not included in the list of Project affected persons (PAPs)<sup>5</sup> as defined by the census will not be considered eligible for compensation. The replacement value of houses, buildings and other immovable properties will be determined on the basis of market value as on date without depreciation. Compensation for trees will be based on their market value and compensation for the loss of crops, fruit-bearing trees will be decided by the Agricultural Department at respective districts. Prior to taking possession of the land or properties, the compensation will be fully paid and PAPs will have the opportunity to harvest crops/trees within 30 days from the date of payment of compensation.
14. The involvement of PAPs in planning prior to the move is critical. The PIU, with the support of Qishloq Facilitators (QFs) and Qishloq Engineers (QEs), will be responsible for organizing and conducting public consultations with community groups affected by each subproject prior to completion of the site-specific RAP. Public consultations will be conducted as a meeting in each subproject. Any legitimate issue raised through the public consultation should be included in the RAP. The concerns of PAPs will be taken into account and reflected in subproject implementation.

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<sup>5</sup> Persons who as a result of Project activities, for reasons of the involuntary taking or voluntary contribution of their land and other assets, and with/ without title, results in direct economic and or social adverse impacts, regardless of whether or not PAPs are required to physically relocate.

15. The Resettlement Policy documents, including the RPF, were disclosed to the public through all possible channels including social media, websites, posters in Mahalla and Hokimiyats in September 2019. This version of the RPF has been re-disclosed in November 2020 after incorporating revisions related to project name change due to the project restructuring. The documents available in the public domain include: Entitlement Matrix, Grievances Redress Mechanism, institutional arrangements and the categories of eligible PAPs for various R&R benefits. Should there be any of involuntary resettlement required during project implementation, the ARAP/RAP) and due diligence reports will be disclosed to the public through all possible channels.
16. The project will establish a Grievance Redress Mechanism (GRM) which would function at four-levels to receive, evaluate and facilitate the resolution of displaced person's concerns, complaints and grievances. GRM has been developed based on the existing complaint handling mechanism as well as the latest decree of the GOU (No 5491 from August 03 and No 911 from November 16, 2019) which specifies in detail the resettlement management including implementation arrangement and the review processes.
17. In order to implement the Resettlement Policy measures, budgetary provisions will be made available, in terms of each subproject. Budgetary estimates for subproject where resettlement implementation is necessary, including resettlement management will be incorporated into the cost estimates. Accordingly, land acquisition and resettlement expenses for consultation and participation, grievance redress, the cost of relocation, income restoration, transitional allowance, livelihood program, monitoring and evaluation, administration, contingencies etc. will be included as cost estimates for social management. MoED will provide an adequate budget for all land acquisition compensation and R&R assistance from the counterpart funding (local budget, or by centralized Fund under Cabinet of Ministers). The budget estimates and its sources will be reflected in RAPs. The World Bank/ AIIB loan will not be available for land acquisition compensation and R&R assistance paid in cash. The loan will be available, if required, for rehabilitation and livelihood restoration activities entailing costs such as works, purchase of goods and services.
18. In Uzbekistan, involuntary acquisitions leading to demolition of structures and physical displacements have been occurring on a significant scale. A number of grievances have surfaced in the recent times as common people have been impacted adversely. Concerns have been raised on local authorities not following due processes and not providing resettlement and rehabilitation assistance adequately and appropriately and in a reasonable time frame. These adverse impacts are unlikely to occur in respect of the investments assisted by the Bank's project (RIDP) as not only all the due processes will be defined and agreed upfront, but also, robust arrangements to ensure full compliance will be made. The RIDP will not be implemented in villages that have been supported by other state programs, including Obod Qishloq, which has been temporarily suspended, and Obod Mahalla.
19. PIU will be responsible for concurrent Monitoring and Evaluation (M&E) of RAP implementation. The M&E will include monitoring and verification of processes and activities in RAP implementation and will prepare and submit to the Ministry quarterly reports. Gps, if any, identified mid course corrections, as appropriate, will be made.
20. This Resettlement Policy Framework will be updated when changes or amendments to the applicable laws and policies are made and based on implementation experience and lessons learned.

### 3. INTRODUCTION

21. The government of Uzbekistan (GoU) is implementing an unprecedented reform agenda with consequences for all citizens, which includes measures to open up space for civil society and civic engagement. High-level reform objectives laid out in the GoU's Action Strategy on Priority Areas of the Country's Development for 2017–2021 and Concept for Administrative Reform, include: (i) transforming the relationship between the GoU and its citizens to one of partnership, and (ii) increasing transparency and accountability in the ways regional and local governments serve the population. These strategies include ambitious targets for improving rural residents' quality of life and reducing poverty. To achieve these objectives, the GoU is supporting various national state programs, including those that construct new and rehabilitate existing infrastructure to improve access to basic services and markets, and support employment-generating opportunities.

22. Rural Infrastructure Development Project (RIDP) to be supported by the World Bank with a budget of – US\$ 100 million. As the Bank's preparatory efforts gained ground, AIIB joined as a co-financier with US\$ 82 million. The RIDP's development objectives are (i) to improve the quality of basic infrastructure and services and (ii) to strengthen participatory local governance processes in targeted rural villages in the Ferghana, Andijan, Namangan, Syrdarya and Jizzakh regions<sup>6</sup>. RIDP is expected to cover villages and benefit people. It has two Components: 1: Demand-driven investments in basic infrastructure and services and local governance capacity support. This component will provide subgrants to finance local-level, climate-resilient investments in social infrastructure and services that communities plan and prioritize. This component will also support hokimiyats and MCAs to engage communities in inclusive, transparent processes to plan, select, implement and maintain investments as defined in the Project Operational Manual (POM). Qishloq Facilitators and Qishloq Engineers financed under the Component will support hokimiyats and MCAs to implement the Project's participatory cycle. Component 2 covers project management, monitoring and evaluation and capacity building activities.

23. **Project potential environmental and social impacts.** The project will support a large variety of demand-driven investments in basic infrastructure and services: (i) rehabilitation of existing rural drinking water supply and sanitation systems by expanding access through innovative, alternative models for rural drinking water supply and sanitation service delivery; (ii) retrofitting of public buildings for energy efficiency; (iii) rehabilitation of social infrastructure; (iv) rehabilitation of tertiary roads, walkways, and footpaths; (v) road drainage and strengthening flood resilience of rural roads; (vi) bridge rehabilitation and construction (up to 10 meters); (vii) street lighting upgrading; (viii) improvements to public spaces; (ix) solid waste management systems; (x) small-scale construction of public facilities; (xi) installation of antennas to provide wireless internet services; (xii) construction and rehabilitation of bus terminals and stops; and (xiii) energy supply activities. Activities related to different potential sub projects are listed in Table 1.

**Table 1: Type of RIDP subprojects and activities**

| No | PROPOSED TYPES OF SUBPROJECTS | Activities   |
|----|-------------------------------|--|
| 1  | Street lighting upgrading     | <ul style="list-style-type: none"> <li>Repairing of existing pillars;</li> <li>Replace old pillars with new ones;</li> <li>Installing new pillars where needed;</li> <li>Replacements of bulbs;</li> </ul> |

<sup>6</sup> located in the southern part of the [Fergana Valley](#) in the far east of the country. It borders the [Namangan](#) and [Andijan Regions](#) of Uzbekistan, as well as [Kyrgyzstan](#) and [Tajikistan](#). It covers an area of 6,800 km<sup>2</sup>. The population is estimated to be around 2,597,000, with over 71% of the population living in rural areas.

<sup>6</sup> located in the center of the country on the left bank of [Syr Darya](#) River. It borders with [Kazakhstan](#), [Tajikistan](#), [Tashkent Region](#), and [Jizzakh Region](#). It covers an area of 4,276 square kilometres (1,651 sq mi),<sup>11</sup> and is mostly desert, with the [Starving Steppe](#) taking up a significant part of the region's area. The population is estimated to be around 803,100.

<sup>6</sup> located in the center/east of the country. It borders with [Tajikistan](#) to the south and south-east, [Samarqand Region](#) to the west, [Navoiy Region](#) to the north-west, [Kazakhstan](#) to the north, and [Sirdaryo Region](#) to the east. It covers an area of 20,500 km<sup>2</sup>. The population is estimated to be around 910,500, with some 80% living in rural areas

| No | PROPOSED TYPES OF SUBPROJECTS   | Activities  |
|----|---|---|
| 2  | Parks, playgrounds, and other public spaces improvements              |   |
| 3  | Intracity transport:  | <ul style="list-style-type: none"> <li>Construction/rehabilitation of bus terminals and stops;</li> <li>Construction of car parking areas;</li> <li>Installing street lights and road signs</li> </ul>  |
| 4  | Roads rehabilitation:<br>Road resurfacing                             | <ul style="list-style-type: none"> <li>Widening of existing roads (within the ROW);</li> <li>Construction of bicycle trail;</li> <li>Rehabilitation of walkways</li> </ul>  |
| 5  | Bridge rehabilitation   | <ul style="list-style-type: none"> <li>Extension of existing automobile bridge</li> <li>Construction small-scale new bridges, including pedestrian ones</li> </ul>  |
| 6  | Drainage extension  | <ul style="list-style-type: none"> <li>Widening of existing drains</li> <li>Rehabilitation of existing drains</li> <li>Drilling of new shallow wells/rehabilitation of existing for flood control and reduction with the installation of pumps</li> </ul>   |
| 7  | Water Supply Systems  | <ul style="list-style-type: none"> <li>Extension and rehabilitation of water supply networks</li> <li>Drilling of new deep-water wells</li> <li>Construction/rehabilitation of water reservoirs</li> <li>Overhead water tanks</li> <li>Construction or rehabilitation of pumping stations</li> </ul>  |
| 8  | Sewerage network management systems                                   | <ul style="list-style-type: none"> <li>Rehabilitation of sewage pumping stations</li> <li>extension and rehabilitation of sewerage networks</li> <li>Septic Tanks</li> </ul>  |
| 9  | Solid waste management systems  | <ul style="list-style-type: none"> <li>Construction of solid waste processing facilities (segregation)</li> <li>Construction of collection points</li> <li>Improvement of solid waste landfill</li> </ul>   |
| 10 | Social infrastructure upgrading                                       | <ul style="list-style-type: none"> <li>Repair/replacement of external doors and windows, window optimization;</li> <li>Insulation of walls, basements, and attics;</li> <li>Small-scale refurbishing activities inside the school premises (e.g. Walls repainting, tiling, installation of cable ducts, new water-pipes)</li> <li>Major refurbishing activities involving removal/reconstruction of walls (especially when containing Asbestos isolations or sheets);</li> <li>Replacement of the asbestos roofs</li> </ul> |
| 11 | Street lighting   | <ul style="list-style-type: none"> <li>Underground electric cabling (for magistral lines)</li> <li>Overhead electric cabling</li> <li>New distribution electrical transformers;</li> <li>Installing of short segments of new distribution lines or replacing of obsolete pillars;</li> </ul>  |
| 12 | Purchasing of public utility equipment; transportation means and etc. |   |

| No | PROPOSED TYPES OF SUBPROJECTS                          | Activities   |
|----|--|--|
| 13 | <b>Heating systems</b>                                 | <ul style="list-style-type: none"> <li>Reconstruction, modernization of heating systems, (replacement or modernization of the heat source such as a burner, boiler or external sources);</li> <li>Buildings retrofitting and insulation;</li> <li>Installation of solar panels;</li> <li>Replacement of old heating pipes under roads to be rehabilitated</li> </ul> |
| 14 | <b>Small scale construction of public facilities</b>   | <ul style="list-style-type: none"> <li>information centers;</li> <li>visitor centers;</li> <li>maintenance facilities; storage facilities)</li> </ul>  |
| 15 | <b>Installing antennas for providing WIFI services</b> |  |

24. The socio-economic impacts of these activities will be mainly positive and related to the improvement of the quality and standard of living of the rural population in the project villages. However, civil works implementation could result in various adverse environmental and social impacts. Environmental impacts could include: (a) increased environmental pollution with waste, noise, dust, exhaust gases from fuel combustion products; (b) health and safety hazards and other problems resulting from construction activities; (c) increased contamination of groundwater and surface water as a result of inadequate avoidance and mitigation measures; (c) soil degradation and pollution; and (d) threats to human health as a result of improper handling of heavy machinery during construction activities. On the social front, the key impact relates to the fact that some activities will require 'lands', which could lead to temporary/ permanent physical and economic displacement as well as restrictions on access.
25. As the lands are required, the project needs to draw a strategy and implementation action plan to secure lands. Two broad methods of securing lands the project envisages are: (i) voluntary donations; and (ii) involuntary acquisitions. Former is traditionally a well accepted practice in any community led initiative as the communities decide on the activities to be taken up under the project. Yet, the project has drawn several Dos and Don'ts to ensure that donations are indeed 'voluntary' and that donor is not affected adversely as a result of parting of lands. Involuntary land acquisitions, however, requires much more focused and planned attention as it could result in economic and/ or physical displacement<sup>7</sup> and consequently several adverse impacts. Towards mitigating the adverse impacts, Social Impact Assessments (SIA), following environmental and social screening, will be undertaken in respect of each subproject to determine the magnitude of displacement and prospective losses, identify vulnerable groups for targeting, ascertain the costs of resettlement, and prepare a resettlement action plan (RAP) for implementation.
26. However, preparing RAPs at appraisal is not possible as the project is expected to have several subprojects which will become known only during the implementation phase. While the broad category of activities/ impacts is foreseen, exact magnitudes can become known only after detailed designing of the subprojects are made. Hence, towards preparing a RAP, project preparation has developed a Resettlement Policy Framework (RPF). The key objective of the Resettlement Policy Framework is to provide a framework to appropriately identify, address and mitigate adverse socioeconomic impacts that may occur due to the implementation of subprojects that involve the involuntary acquisition of land and the subsequent resettlement of affected families.
27. The RPF also serves the following specific purposes:

<sup>7</sup> The project will not finance any activities which entail permanent physical displacement. So, by displacement, it is implied either temporary physical displacement and/ or economic displacement.

- Reviews the existing national legal framework, compares it with the World Bank Operational Policy for Involuntary Resettlement (OP 4.12) for gaps, if any, and indicates gap-filling measures;
  - Describes the approach to the securing private land, assets and other common property resources;
  - Specifies the scope of the project with a well-defined exclusion list;
  - Defines the valuation process of impacted assets;
  - Defines the process for preparing SIAs and RAPs and their review;
  - Defines of the cutoff date for Title and Non-Title holders;
  - Identifies the consultation mechanisms/approaches to be adopted while preparing and implementing RAPs including public disclosures;
  - Defines the monitoring and evaluation arrangements including Grievance Redress Mechanisms (GRM); and
28. Defines the institutional and implementation arrangements --role/responsibilities of different stakeholders. Subproject-specific RAPs will be prepared in accordance with the resettlement policy framework. The corresponding safeguards document for other social and economic impacts not associated with land acquisition and restrictions is an environmental and social management framework.
29. This RPF is based on relevant National laws and Decrees as well as the World Bank Operational Policy for Involuntary Resettlement (OP-4.12). The guidelines of the RPF apply to all the investments financed by RIDP. The policy framework applies to all economically and/or physically displaced persons regardless of the total number affected by the severity of impact and whether or not they have legal title to the land. Particular attention will be paid to the needs of vulnerable groups among those women headed household, low-income household, a household headed by elderly with no support and household headed physically challenged people.
30. RPF has been prepared following extensive consultations with a variety of stakeholders in the Fergana Valley area. This included the local communities, Mahalla Citizens Assemblies staff, District Authorities and relevant national leaders and citizens. Feedbacks obtained from the consultations have been incorporated into designing the project's institutional and implementation arrangements. ESMF and RPF preparation has been highly participatory. Extensive consultations have been held with various stakeholders including the public communities, local / district/ regional authorities, other departments and service providers. The stakeholders' expectations and the related issues/ concerns have been taken due note of while preparing these instruments. Three disclosure meetings –in Tashkent, Namangan and Syrdarya were held during August 27 - 29, 2019; responses evinced have been ploughed into finalizing the reports. ESMF and RPF documents have been published on the MoED website and will be further published on the external WB website. Minutes of consultations are given in Annex 3.
31. This RPF will be updated when changes or amendments to the applicable laws and policies are made and based on implementation experience and lessons learned.
32. Structure of the report: Chapter 1 viz., this chapter serves as Introduction. Legal Framework citing the national stipulations as well as the World Bank Operational policies are discussed in Chapter 2. Entitlement Matrix is detailed in Chapter 3. Process for screening, preparing and approving RAPs and reputational risks are in Chapter 4. Implementation arrangements are discussed in the next Chapter 5. Grievance Redressal Mechanism developed for RIDP is detailed in the last Chapter 6.

## 4. LEGAL FRAMEWORK

### 4.1 Applicable national laws and policies

33. **Constitution.** The Constitution of the Republic of Uzbekistan (December 8, 1992) provides that: Everyone shall have the right to own property (Article 36). The economy of Uzbekistan, evolving towards market relations, is based on various forms of ownership. The state shall guarantee freedom of economic activity, entrepreneurship and labour with due regard for the priority of consumers' rights, equality and legal protection of all forms of ownership (Article 53); An owner, at his discretion, shall possess, use and dispose of his property. The use of any property must not be harmful to the ecological environment nor shall it infringe on the rights and legally protected interests of citizens, juridical entities and the state (Article 54); The land, its minerals, waters, fauna and flora, other natural resources shall constitute the national wealth and shall be rationally used and protected by the state (Article 55).
34. **Land Code (LC).** The LC defines the terms of rights of termination on land plot, seizure and land acquisition of land plot for state and public needs, and terms of seizure of land plot in violation of land legislation. The LC also regulates the allocation, transfer, and sale of land plots, defines ownership and rights on the land. It describes the responsibilities of different state authorities in land management; rights and obligations of the land possessor, user, tenant, and owner; land category types, resolution of land disputes and land protection.
35. In Uzbekistan, withdrawal of the land or part thereof for state and public needs is made by agreement with land user and tenant by decision respectively hokim of district, city, region or by decision of the Cabinet of Ministers (LC, Article 37, Clause 1). In case of disagreement the land user or tenant of the land with a decision of district (city, region) hokim, or the decision of the Cabinet of Ministers to withdraw the land, this decision may be appealed in court (LC, Article 37, Clause 2);
36. Losses caused by violation of the rights of land users, tenants and land owners (including lost profits), shall be reimbursed in full (Article 41, Clause 3); The withdrawal of the land for state or public needs may be produced after allocated to land user or tenant an equivalent land plot and the compensation all losses including lost profits (Article 41, Clause 4). The LC (Article 36, Clause 1) specifies instances when the right to the land can be terminated. Termination of the right of possession and the right of permanent or temporary use of land is made by decisions, respectively, of hokims of districts, cities, regions or by the decision of the Cabinet of Ministers on the proposal of the bodies exercising state control over the use and protection of land, on the basis of supporting documents justifying the termination of the rights. In case of disagreement with the decisions of the Cabinet of Ministers and the officials of the termination of the right of possession, the right of permanent or temporary land use natural and legal persons may appeal to the court (Article 36, Clause 4). According to Article 39, Clause 1 land user, tenant and land owner have besides others the right for reimbursement of losses (including lost profits), in case of withdrawal of land or compensation costs for voluntary renunciation of land (Article 39, Clause 1, sub-Clause 7).
37. The LC (Article 86, Clause 1) specifies the cases where losses of land users must be compensated in full including lost profits:
- seizure, redemption or temporary occupation of land;
  - the restriction of their rights in connection with the establishment of water protection zones, coastal strips, sanitary protection zones of water bodies, zones of formation of surface and underground water, zones of resort areas, public areas of biosphere reserves, protected zones around national parks, game reserves, national nature monuments, sites of cultural heritage, discharges, roads, pipelines, communication and power lines.
38. According to the Article 87, Clause 1 losses of agricultural and forestry production, caused by the withdrawal of agricultural and forest land, including agricultural land, owned and used by individuals to use them for purposes not related to agriculture and forestry, restrictions on the rights of land users and tenants or deterioration land due to the impact caused by the activity of enterprises,

institutions and organizations, shall be reimbursed in addition to the indemnity provided for in Article 86.

39. The mechanism of payment of compensation in detail is given other legal documents such as Presidential resolution № 911 from November 16, 2019. The resolution of Cabinet of Ministers № 146 mainly on agricultural land, crops, and trees. Recent presidential decrees and resolution give an opportunity to carry out public consultations before any LAR activities and follow the LAR policies .....of international donor institutions in the investment projects in Uzbekistan.

40. **Resolution of Cabinet of Ministers № 911 (November 16, 2019).** As per this Resolution:

a) the acquisition of land or of its part for the state and public needs, as well as within implementation of the state programmes aimed at integrated development of regions including change and improvement of architectural look of certain area, and within implementation of investment projects and those of social and economic importance (hereinafter referred to as investment projects), shall be carried out with the consent of a land owner or in agreement with a land user and land tenant, based on decrees of the Supreme Council of the Republic of Karakalpakstan, Councils of People's Deputies, as well as of the President of the Republic of Uzbekistan and the Cabinet of Ministers;

b) decrees of the Council of Ministers of the Republic of Karakalpakstan, *Khokimiyats* of provinces and Tashkent city or of districts (cities) about demolition of immovable property on acquired land shall be issued only if there is a positive conclusion of the justice authorities;

c) agreement about compensation for the acquired land between the initiator of land acquisition and owner of the immovable property situated on the land subject for acquisition shall be notarized in mandatory manner;

d) issuance of the decree on demolition of the immovable property shall be allowed only after payment in full of compensation in amount fixed in the agreement or, in disputable cases, in the adjudgement, to the owner of immovable property situated on the land subject for acquisition;

e) it is prohibited to acquire land plots through annullating or amending the decrees of the Council of Ministers of the Republic of Karakalpakstan and *Khokimiyats* issued earlier on allocation of land plots, including through annullating or amending decrees due to the non-compliance by the Council of Ministers of the Republic of Karakalpakstan, *Khokimiyats* or other authority with administrative rules and regulations.

41. **Resolution of Cabinet of Ministers № 146 (25 May 2011).** This Resolution is aimed to improve the procedure of granting land plots, protect the rights of legal entities and individuals on land, improve the architecture of settlements and the efficient use of their land for construction in accordance with the Land Code and the Town Planning Code.

42. In Summary, Uzbekistan's national resettlement policy framework provisions are summarized in the table below.

**Table 2: Legal instruments applicable to resettlement**

| Legal Framework  | Functional Relationship to Resettlement  |
|--|--|
| The Land Code (LC) dated on 30 of April 1998   | Describes condition for permanent land expropriation and temporary land acquisition  |
| The resolution "About additional measures for provision of property rights of individuals and legal entities and for improving the procedure for land acquisition and compensation" dated on 16 November 2019 #911 | Defines the procedure for the acquisition of land or its part belonging with the right of ownership, permanent use or temporary use to individuals and legal entities for the state and public needs and under implementation of investment projects, as well as procedure for |



|  |   |
|--|---|
|  | <p>the payment of compensations to the owners of immovable property situated on this land.</p> <p>Defines the procedure for consultations with affected people.</p> |
| The resolution “On measures to improve the procedure for granting land plots for urban development activities and other non-agricultural purposes” dated on 25 of May 2011 #146  | Regulates resettlement compensations for affected agricultural lands and trees. Also regulates the provision of land to land compensation principles.               |
| The resolution “On Approval of the order of the appointment and payment of social allowances and material (financial) assistance to low-income families” dated on 15 of February 2013 #44.   | Regulates the mechanism to the determination of vulnerable groups and their entitlements  |
| Presidential resolution “On measures to improve the effectiveness of training and realizing projects with participation of international financial institutions and foreign government financial organizations” dated on 16 of July 2018 #3857 | Confirms that the resettlement costs are paid based on assessment documents prepared by IFI in accordance with their own methodology.                               |
| Presidential Decree “On measures on major improvement of investment climate in the Republic of Uzbekistan” dated on 1 of August 2018 #5495   | Defines that land expropriation can be implemented only after meaningful consultation with PAPs.  |
| Presidential Decree “On measures to improve the system of protection of rights and legal interests of subjects of entrepreneurship” dated 27 July 2018 # 5490  | Defines the source of Resettlement budget in the investment projects.   |
| Presidential Decree of August 3, 2019  | Specifies rules of the resettlement explicitly.   |

43. Thus, Uzbekistan had/ has adequate safeguards to protect the general citizen from being affected adversely due to involuntary resettlement as depicted in the following:

- a) Withdrawal (or acquisition) of a land plot for public needs shall be carried out with landowner’s consent or upon agreement with the land-user/tenant, by a resolution of the Hokim of a particular jurisdiction (district, region), or by the resolution of the Cabinet of Ministers of the Republic of Uzbekistan.
- b) If the landowner, land-user, or landholder disagrees with the resolution of the Hokim of the relevant jurisdiction or the Cabinet of Ministers on withdrawal of a land plot, then the resolution may be appealed in a court;
- c) A resolution on the withdrawal of a land plot and demolition of residential, manufacturing, or other assets (that is, buildings, facilities, and plantings) shall be made in accordance with the general layouts, as well as the detailed plans for the development of residential areas and neighborhoods in settlements;
- d) Unjustified demolition of residential, manufacturing, or other buildings, facilities, or plantings shall be prevented;
- e) Based on a resolution of the Cabinet of Ministers, the Hokims of the respective districts shall adopt their own resolutions on withdrawing a land plot and demolishing residential, manufacturing, and other buildings, facilities, and plantings;
- f) The Hokimiyats of the respective districts shall notify the owners of relevant residential, manufacturing and other buildings, facilities, and plantings in writing and against a receipt about the resolution at least six months before the targeted demolition date. The notification shall be supported by copies of the respective resolutions on withdrawal of the land plot and demolition of residential, manufacturing, and other buildings, facilities, and plantings located on the land plot;
- g) Landowners may appeal the Resolution of the respective District Hokim on the demolition and approval of the value of residential, manufacturing, and other-purpose buildings, facilities, and plantings subject to demolition in the Hokimiyats of the Regions as well as in the court system;

- h) The value of residential, manufacturing, or other-purpose buildings and facilities built without proper authority shall not be reimbursed;
- i) If the withdrawn lands are allocated to enterprises, institutions, or agencies, those entities will be responsible for the payment of compensation, provision of houses and temporary housing, as well as the reimbursement of all relocation costs based on the decision of the respective District Hokim.

44. **The decree (No 5491) dates to August 3, 2019.** This has emanated following huge outcry and protests from various sections of the society and including national and international social media. This outlines very stringent (additional) **measures to provide guarantees of citizens and entrepreneurs property rights:**

- Land acquisition for state and public purposes can be executed **ONLY after consultation** with affected citizen/entrepreneur and **costs (income/expenses) estimation.**
- **Permission for land acquisition will be given ONLY after compensating** the citizen/entrepreneur cost of property based on market prices and loss/damage associated with land acquisition.
- Losses/damage occurred due to illegal registration of documents by agency (staff) will be compensated at the expense of this agency from any funds except national budget, and/or reimbursing by staff who made this illegal act.

45. From August 3, 2019, land acquisition and demolition of citizen's/entrepreneur's property for state and public purposes, as well as for other purposes will be executed as follows:

--1<sup>st</sup> stage: information on plans for demolition will be submitted by regional Hokims to Cabinet of Ministers

--2<sup>nd</sup> stage: First DPM Ramatov (urban planning requirements) and DPM Kuchkarov (financial calculations) will provide their conclusion

--3<sup>rd</sup> stage: conclusion will be reviewed by Prime Minister who will take a decision

46. Regional, district and city Khokims during land acquisition should strictly follow legislation, specifically:

- **Informing affected citizens and entrepreneurs in due time** on Decision taken with regard to land acquisition, demolition of buildings at this land and moving trees.
- **Prohibition of demolition and land acquisition unless full compensation of loss in advance and in full amount** to citizen/entrepreneur as per market prices.
- **Own personal liability up to two years** with regard to provision of housing and fulfilling other requirements during land development provided as compensation to affected person.
- Ministry of construction along with regional hokimiyats should take into account **to minimize (lowest possible level) land acquisition and property demolition during integrated regional and urban development planning in the future.**
- Regional coordination working groups will be set up in regions **to make inventory** of land acquired and related to it losses occurred
- Road map is approved to provide inventory of losses related to land acquisition and compensate these losses
- Selection of land should be among: **first of all, land with old and requiring emergency maintenance housing ONLY** after open consultations with property owner and secondly, and **land with not-used buildings** (except cultural heritage buildings);
- To make decision on land acquisition **for large investment projects**, state programs, and integrated regional development plans **written agreement should be made among property owner, related agency and local administration stating consent of property owner, order of loss compensation, types, amount and timeframe for compensations, rights and liabilities of all parties.**

#### a. Principles of Resettlement Policy Framework for comparison of the government statutes and World Bank policy

47. The World Bank recognizes that involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. The Bank's Resettlement Policy OP 4.12, includes safeguards to address and mitigate the economic, social, and environmental risks arising from involuntary resettlement. The WB's involuntary resettlement policy objectives are the following:

- i. Involuntary resettlement should be minimized after exploring all viable alternatives in project design;
- ii. Resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to share the benefits to PAPs. PAPs should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs; and
- iii. PAPs should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-project levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

#### **b. Principles of resettlement policy framework**

48. The following resettlement principles will be adopted for this project:
  - 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 census and socio-economic survey of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks. Measures to avoid and minimize involuntary resettlement impacts include the following: (i) explore alternative alignments which are less impacting, (ii) ensure the appropriate technology is used to reduce land requirements, (iii) modify the designs, cross sections, and geometrics of components to ease out and ensure involuntary resettlement is avoided or minimized.
  - ii. Prepare a Social Impact Assessment (SIA) and Resettlement Plan (RP) elaborating on the entitlements of displaced persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
  - iii. Carry out meaningful consultations with displaced persons and concerned government 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
  - iv. Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders.
  - v. Pay compensation and provide all resettlement entitlements before physical or economic displacement and before commencement of civil works in that stretch of the road-project. Implement the resettlement plan under close supervision throughout project implementation.
  - vi. Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of displaced persons.
  - vii. Monitor and assess resettlement outcomes, their impacts on the standard 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.
49. The involuntary taking of land results in relocation or loss of shelter; and loss of assets or access to assets or loss of income sources or means of livelihood, whether or not the PAPs must move to another location or not. Therefore, meaningful consultations with the PAPs (directly and through representatives), local authorities and communal leadership allow for establishing the criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. OP4.12 stipulates the following three criteria for eligibility:
  - (a) those who have formal rights to land;
  - (b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the national and local laws of Uzbekistan or become recognized through a process identified in the resettlement plan;
  - (c) those who have no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from, but are recognized under the World Bank's OP 4.12.

50. Those covered under (a) and (b) above are to be provided compensation for the land they lose, and other assistance in accordance with this RPF. Persons covered under c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this RPF, if they occupy the project area prior to a cut-off date established by the Hokimiats in close consultation with the potential PAPs, local community leaders and the respective local LRSCD, LARC and acceptable to the World Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.
51. All persons included in (a), (b) or (c) above are to be provided with compensation for loss of assets other than land. Therefore, it is clear that all PAPs irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the land before the entitlement cut-off date. Persons who encroach the area after the socio-economic study (census and valuation) are not eligible for compensation or any form of resettlement assistance.

### **c. Comparison of national legislation and WB Policy in Involuntary Resettlement**

52. Analysis of previous resettlement documentation including resettlement plans, frameworks shows that there are some divergencies between World Bank Policy and Uzbekistan's legislation in the sphere of compensation for involuntary resettlement took place in the investment projects. The main discrepancies are in: public consultation before resettlement activities, detail explanation of entitlements to project affected HH, and provision of just compensation instead of full replacement cost, carry out socioeconomic surveys among PAPs. Uzbek Laws only provide compensation for land that is legally owned by PAPs and no compensation to encroachers for the same. The World Bank OP4.12 provides for compensation for land to both legal owners and encroachers. OP4.12 states that where there is a conflict between the Bank and government frameworks, those of the Bank shall take precedence. According to the Presidential Decree № 911 from November 16, 2021<sup>9</sup> "About additional measures for provision of property rights of individuals and legal entities and for improving the procedure for land acquisition and compensation" The following shall be compensated: a) market value of the immovable property located on the land acquired; b) market value of the right for the land acquired; c) expenditures associated with resettlement including temporary acquisition of other immovable property; d) lost profits of individuals and legal entities; e) other expenditures and losses specified in the legislation or in the Agreement. The value of houses, production facilities and other buildings and structures built without proper legal authorization must also be compensated. Types of compensation to be given: a) monetary funds; b) transfer of ownership of other immovable property; c) land plot; d) other types of compensation specified in the Agreement<sup>8</sup>. Based on agreement of the parties, the property owner might be paid few types of compensation with taking into account the appraised value of the immovable property.
53. It is important to note that because of State ownership of lands in Uzbekistan, land use is only possible with the permission of local authorities on the basis of a lease or on other terms. Accordingly, land use issues are fully covered by land legislation and are not governed by provisions of customary law, traditional practices, or neighborhood relationships, etc. According to Uzbek laws, those who use or occupy land without a lease or other type of official permission will not be entitled to legal compensation. The State will have the right to seize the land from those "illegal land users". Persons who take up their residence on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.
54. WB OP 4.12 highlights that particular attention should be paid to the needs of the most vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, and also other categories of displaced

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<sup>8</sup> Agreement – a contract in written form entered into by the initiator and the property owner, notarized in established procedure, specifying the amount of compensation, its type and payment due date, as well as other terms and conditions agreed by the parties.

persons whose interests may not be protected by national legislation with regard to the compensations for the land plots subject to withdrawal.

55. The Bank Policy 4.12 will prevail in cases of discrepancies between WB and Uzbekistan legislation, not just simply in relation to compensation issues but to all issues.
56. A further comparison between the Uzbek Legislations and the World Bank OP 4.12 a harmonization measures are contained in Table below.<sup>9</sup>

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<sup>9</sup> It may be noted that: The latest decree of Uzbekistan on resettlement is issued early August 2019; Categorization of projects (OP 4.12) is based on the nature and extent of impacts and are more for operational purposes as it would decide on the type of the instruments to be used.

**Table 3: Comparison of Uzbek Legislation and WB's OP 4.12**

| ASPECT                                | WORLD BANK  | NATIONAL UZBEK REGULATIONS   | REMARKS  |
|---------------------------------------|---|--|--|
| <b>SOCIAL SAFEGUARDS REQUIREMENTS</b> |   |  |  |
| <b>Involuntary Resettlement</b>       | World Bank Group Operational Policy on involuntary Resettlement. OP 4.12  | <p>The legal and policy framework of the project is based on national laws and legislations related to land acquisition and compensation policy in Uzbekistan, there are:</p> <p>(i) Land Code (30.04.1998);</p> <p>(ii) Resolution of the Cabinet of Ministers dated 25.05.2011, #146 "On measures to improve the procedure for granting land plots for urban development activities and other non-agricultural purposes";</p> <p>(iii) Resolution of the President of the Republic of Uzbekistan dated 16.07.2018 #3857 "On measures to improve the effectiveness of training and realizing projects with participation of international financial institutions and foreign government financial organizations";</p> <p>(iv) Decree of the President of the Republic of Uzbekistan dated on 01.08.2018 #5495 "On measures on cardinal improvement of investment climate in the republic of Uzbekistan"</p> <p>(v) Decree of August 3, 2019 No 5491</p> <p>(vi) Resolution "About additional measures for provision of property rights of individuals and legal entities and for improving the procedure for land acquisition and compensation" dated on 16 November 2019, No 911</p> | Need to draw upon the latest provisions of the latest decree and that of the WB policy as specific to the RIDP |
| <b>Screening and Categorization</b>   | WB carry out project screening and categorization at the earliest stage of project preparation when sufficient information is available for this purpose. | According to legislation there are no categorization in Resettlement documents.  | Categorization is made based on the nature/severity of impacts so as to decide on the instruments.             |
| <b>Compensation</b>                   | A. PAPs with formal title   | A. PAPs with formal title are  | A. Same in   |

| ASPECT       | WORLD BANK  | NATIONAL UZBEK REGULATIONS  | REMARKS  |
|--------------|---|---|--|
| entitlements | <p>have to be compensated for lost land/other assets.</p> <p>B. PAPs with legalizable title have right to be compensated for lost land and assets after the EAs helps them in legalizing their assets.</p> <p>C. PAPs with no legal title are compensated for lost non-land assets.</p>   | <p>compensated for lost land/other assets.</p> <p>PAPs with legalizable or no legal title. Legalizable are not distinguished and considered non-legal as legalization is a burden of the PAPs. Non-legal PAPs have no right to be compensated for land and non-land assets.</p>   | <p>principle/application. No reconciliation needed.</p> <p>Critically different in principle and application.</p>  |
| Compensation | <p>A. Permanent loss of land. Replacement land as preferred option or cash compensation at full market rate. At least for legal/legalizable PAPs.</p> <p>B. Replacement of leased land. Based on replacement of lost income through cash compensation of gross income x the remaining lease years or through a replacement land lease.</p> <p>C. Loss of structures/buildings. Cash compensation at replacement cost for lost item free of depreciation, transaction costs, and other deductions.</p> <p>D. Loss of indirectly affected items. Non-affected parts of an asset no longer usable after impact will have to be compensated as well.</p> <p>E. Business losses. Reimbursement of actual losses plus business re-establishment costs. For application based on tax declared income for period of business stoppage. In absence of tax declaration based on maximum non-taxable salary.</p> <p>F. Loss of trees:<br/>i) Unproductive. Irrespective of legal land occupancy status compensation at market rate. Application based on tree type/ wood volume or other methods</p> | <p>A. Permanent loss of land. Replacement land for legal PAPs.</p> <p>B. Replacement of leased land. Based on lease replacement and compensation in cash all losses including lost profit.</p> <p>C. Loss of structures/buildings. Cash compensation at market cost for lost item free of depreciation, transaction costs, and other deductions.</p> <p>D. Loss of indirectly affected assets. Law requires that all losses including lost profits is to be compensated to all legal PAPs.</p> <p>E. Loss of business. Cash compensation at market value for all damages/opportunity costs incurred. Burden of proving opportunity costs rest on the PAP based on recognized documented evidence but no clear methodology.</p> <p>F. Loss of unproductive and productive trees. Unproductive as well as productive trees affected by a public project are to be compensated.</p> <p>G. Loss of crops. Loss of crops to be compensated. There are two forms of compensation of</p> | <p>A. Same in principle/application for legal PAPs. Reconciliation needed both for principle and application to allow the compensation all non-land losses of legalizable and non-legal PAPs.</p> <p>B. Same in principle. Application to be further improved. No reconciliation needed. To be reflected through an instruction for WB projects.</p> <p>C.No reconciliation of principles and application needed. However, it is required the establishment of a protocol allowing the compensation of structures/ building at replacement cost, when the salvaged materials remain with the developer or landowner provides full reimbursement to the owner. It is hoped that this can be formalized without legal reform but only a Decree for WB projects or through inclusion of additional safeguard covenants into the loan agreements which are</p> |

| ASPECT  | WORLD BANK   | NATIONAL UZBEK REGULATIONS   | REMARKS  |
|---|--|--|--|
|   | <p>ensuring PAP rehabilitation.</p> <p>ii) Productive. Compensation at replacement cost based for application on various methods: tree reproduction cost, income lost (x tree type x market value of 1-year income x full production years lost).</p> <p>G. Loss of crops. Compensation of crop in cash at market price.</p> | <p>loss of crops: i) compensation of uncompleted agriculture production and ii) compensation of lost profit by multiplying four (years) average income for the last three years.</p>   | <p>equivalent of the international treaty or agreement.</p> <p>D. No reconciliation of principles and application needed.</p> <p>E. Same in principle but WB does not consider opportunity cost. Application reconciliation needed to define a clear methodology and distinguish short- and long- term losses.</p> <p>F. Same in principle, different in application. Already adjusted for previous WB projects but Application reconciliation is needed through a decree for WB projects ensuring systematic law implementation and also cash compensation is provided by default, ensuring and use of valuation standards fitting OP 4.12.</p> <p>G. No reconciliation for policy is needed but reconciliation of policy application is necessary to ensure that crops are compensated at the moment close as much as possible to the date of calculation lost profit.</p> |
| <b>Involuntary Resettlement Planning, assessment and valuation of impacts</b> | <p>Resettlement Action Plan (RAP). RAP preparation includes: a) impacts assessment/PAP census; b) definition of entitlements, income/livelihood restoration strategy, compliance &amp;</p>   | <p>Resettlement Plan. There are no requirements to prepare integrated and stand-alone RAPs. LAR planning entails similar but less extensive/simpler assessment/survey efforts than</p> | <p>Partly different in principle and application. No reconciliation needed as law/regulation is silent on this matter and OP 4.12</p>  |



| ASPECT                | WORLD BANK  | NATIONAL UZBEK REGULATIONS  | REMARKS   |
|-----------------------|---|---|---|
|                       | <p>grievance mechanisms, institutional arrangements; c) consultation results; d) monitoring schemes; e) budget and implementation schedule. RAP requires the following surveys:</p> <p>i. Measurement survey. Measures all affected items.</p> <p>ii. PAP Census. Identifies all PAPs and establishes legitimate beneficiaries based on legal status.</p> <p>iii. Socio-economic survey. Provides background information on PAP' socio-economic features.</p> <p>iv. Valuation survey</p> <p>a) Land: If land market exists based on a survey of recent transactions; without land market based on land productivity/ income;</p> <p>b) Buildings and structures. Replacement cost of materials, labor and transport and special features of building/structure without discounting depreciation, salvaged materials and transaction costs;</p> <p>c) Trees/crops. Based on the methodology detailed in section Compensation.</p> | <p>WB Policy, as detailed below:</p> <p>i. Measurement survey. Land and buildings impacts measured. Other impacts identified but not measured;</p> <p>ii. PAPs Identification. Identifies only legal PAPs;</p> <p>iii. Socio-economic survey. No comparable requirements exist;</p> <p>iv. Valuation survey;</p> <p>a) Land: valued at market rate based on a transactions survey. Valuation includes transaction costs/third party liabilities;</p> <p>b) Buildings and structures. Replacement cost but the salvaged materials remain with the developer or landowner provides full reimbursement to the owner;</p> <p>c) Trees/crops. If compensated is provided based on the methodology detailed in section "Compensation" section F. and G. or based on an agreed lump sum.</p> | <p>requirements have been already applied in previous WB projects. Still, clear instructions regarding WB projects ensuring the measurement of all impacts and the counting of all PAP are needed for mainstreaming purposes.</p> <p>i. Detailed Measurement Surveys to be mainstreamed for all impacts;</p> <p>ii. Detailed count of individuals to be mainstreamed;</p> <p>iii. The execution of the survey is to be mainstreamed;</p> <p>iv. Valuation survey;</p> <p>a) Land is not valued because of compensation land to land; there is only measuring land area and valuation of land quality (productivity/soil quality) in order to compensate land to equal land;</p> <p>b) Already reconciled for previous WB projects but Formal reconciliation needed.</p> |
| Procedural mechanisms | <p>A. Information disclosure. Resettlement-related documents to be timely disclosed in the PAP language.</p> <p>B. Public consultation. Meaningful public consultations are to be held with the PAPs. PAPs should</p>   | <p>A. Information disclosure. No disclosure requirement exists.</p> <p>B. Public consultation. Matters of local importance to be publicly discussed with local authorities. But no requirement to consult directly the PAPs.</p> <p>C. Grievance Procedures. Each state agency/ministry must</p>  | <p>A. Different in principle and application. Already reconciled for WB projects.</p> <p>B. Same in principle but different in application. Already</p>   |

| ASPECT   | WORLD BANK   | NATIONAL UZBEK REGULATIONS  | REMARKS  |
|--|--|---|--|
|  | <p>be informed about their entitlements and options, as well as resettlement alternatives.</p> <p>C. Grievance procedure. A Grievance Redress Mechanism (GRM) is to be established for each project. Information on GRM to be communicated to the PAPs.</p> <p>D. Asset acquisition conditions. Property can be acquired only after full compensation is paid to the PAPs.</p> | <p>follow to detail instructions (approved by government) on registering and reviewing the concerns and claims from citizens.</p> <p>D. Asset acquisition conditions. Property can be acquired only after full compensation is paid to PAPs.</p>  | <p>reconciled for WB projects. Better application needed.</p> <p>C. No reconciliation is needed.</p> <p>D. Same in principle, but unsystematic in application. Application to be improved.</p> |
| Assistance to vulnerable and severely affected PAP | <p>A. These PAPs are to be identified and special assistance is provided to restore/ improve their pre-project level of livelihoods.</p>   | <p>A. There are no special laws or regulations for livelihood restoration due to land acquisition and involuntary resettlement impact. However, there are a number of legislative documents related to social support and livelihood improvement measures considered by the government of Uzbekistan to consider social allowances and needy families through two Cabinet of Ministers resolutions (#350, 12 December 2012 and #44, 15 December 2013) and to consider disabled people through the Law on social protection of disabled people (#422-XII, 18 November 1991).</p> <p>Thus, support of vulnerable segments of the population is provided on the regular base by the Government on central and local levels and does not require additional payments in connection with the project implementation.</p> | <p>A. Critically different in application. Formal reconciliation of the application mechanisms details may be needed. To be elaborated in a Decree for WB projects.</p>                        |

57. An Entitlement Matrix has been developed with the consideration of above-mentioned comparisons in compliance with the National Law and World Bank OP 4.12. The type of compensation/assistance to be provided to PAPs is described in detail in the next section.

## **5. ENTITLEMENT MATRIX**

58. Following on the harmonization between the national legislation and world bank operational policy, any person or household, or community who suffers the loss of land, shelter, business, incomes, sources of livelihood because of the Project impact is eligible for receiving compensation and or R&R assistance to offset such loss enabling restoration of living conditions to a state better or equal to the pre-project situation. During preparing the RAP, the eligibility will be determined on the basis of impacts. Whereas the eligibility list provided in the RAP will remain the basis for providing entitlements to the non-titleholder PAPs, in case of the titleholder's eligibility will be determined through scrutiny of title deeds or other legal documents admissible and recognized under law as valid ownership documents.

### **1.1 Cut-Off Date**

59. Cut-off dates are essential in the process of drawing up lists to ensure that ineligible persons do not take the opportunity to claim eligibility. The establishment of a cut-off date is required to prevent opportunistic invasions/rush migration into the chosen land, thereby posing a major risk to the subproject. The cut-off date will be the last date of the census. It is a date, after which people who are not included in the list of PAPs as defined by the census will not be considered eligible for compensation. The census will be carried out to collect data on the affected households. The specific date will be included in the RAP and clearly communicated to affected communities. Thereafter, no new cases of affected people will be considered. Unfinished structures would be identified and secured, and unused materials for individuals' constructions will be gathered at the site so that the cut-off survey can estimate PAPs' investment which should be compensated for in lieu of expenses (including labor) incurred until the cut-off date. Because the time period between the cut-off date and the time that actual productive investments (civil works, etc.) would start, special attention needs to be taken to secure the sites from the rush and opportunistic invasion.
60. These measures could include close consultation with the recognized PAPs, signs that inform the public of the intended use of the site, security patrols to identify opportunistic invaders etc. Further patrols and monitoring of any violation of the cut-off date could be carried out by local hokimiyats and be reported to the local resettlement commission in written form. This could also be done both by the local PAPs representatives or the local community.
61. This process must be in full compliance with the grievance redressal mechanisms in this RPF and this date must be communicated effectively to the potential PAPs and surrounding local communities.

#### **a. Definition of Project Affected People (Paps)**

62. By definition of the World Bank, the RPF considers PAP as those who stand to lose, as a consequence of the project, all or part of their physical and non-physical assets, including homes, communities, productive lands, resources such as irrigated lands, forests, rangelands, or important cultural sites, commercial properties, tenancy, income-earning opportunities, and social and cultural networks and activities. Such impacts may be permanent or temporary. This might occur through land expropriation, using eminent domain or other regulatory measures, and include restricted or reduced access to public parks, playgrounds, and protected areas.
63. In this RPF PAP are people directly affected by the Project through the loss (permanently or temporarily) of land, residences, other structures, business, assets, or access to resources are as follows:
- Persons whose agricultural land will be affected
  - Persons whose residential land/houses will be affected
  - Persons whose leased-houses will be affected;
  - Persons whose businesses, farming activities, occupations. or places of work will be affected
  - Persons whose crops (annual and perennial)/ trees will be affected in part or in total by the Project;

- Persons whose other assets or access to those assets will be affected in part or in total by the Project; and
  - Persons whose livelihoods will be impacted (permanently or temporarily) due to the restriction of access to protected areas by the Project.
  - Persons whose will be impacted due to stopping irrigation water supply and/ or other utility services during construction.
64. The guidelines of the resettlement policy framework apply to investments by the RIDP. The policy framework applies to all economically and/or physically displaced persons regardless of the total number affected by the severity of impact and whether or not they have legal title to the land. Particular attention will be paid to the needs of vulnerable groups among those economically and/or physically displaced especially those women headed household, low income household, household headed by elderly with no support and household headed physically challenged people or other economically and/or physically displaced persons who are not eligible for compensation as of Uzbekistan's land compensation legislation.

#### **b. Entitlement Matrix**

65. All involuntary land acquisitions will be compensated at replacement cost as per the OP 4.12 and the PAPs will be assisted to re-establish their living standards (affected shelter and incomes) to a level to or better than their living condition prior to the project. In according to Presidential Decree № 911 (16.11.2019), a replacement cost, including compensation on market value and losses shall be paid to PAPs. The valuation of affected structures can be valued by independent valuation companies without deducting any depreciation. Land-based compensation is provided by district Hokimiyats on the basis of land acquisition acts at respective makhalla/qishloq.
66. In accordance with the principles of the RPF of RIDP, all displaced households and persons will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets and scope of the impacts including socio-economic vulnerability of the displaced persons and measures to support livelihood restoration if livelihood impacts are envisaged. The displaced persons will be entitled to the following five types of compensation and assistance packages:
- i. Compensation for the loss of land, crops/ trees at their replacement cost;
  - ii. Compensation for structures (residential/ commercial) and other immovable assets at their
  - iii. replacement cost;
  - iv. Assistance in lieu of the loss of business/ wage income and income restoration assistance;
  - v. Assistance for shifting and provision of the relocation site (if required), and
  - vi. Rebuilding and/ or restoration of community resources/facilities.
67. Those DPs which meet the cut-off date requirements will be entitled to a combination of compensation measures and resettlement assistance, depending on the nature of ownership rights of lost assets and scope of the impact, including the social and economic vulnerability of the displaced persons. Unforeseen impacts will be mitigated in accordance with the principles of this RPF.
68. An Entitlement Matrix (Table 4) summarizes the types of losses and the corresponding nature and scope of entitlements and is in compliance with National Laws and World Bank OP 4.12. The entitlement matrix presents the entitlements corresponding to the tenure of the DPs in the following order:
- 1) Loss of Land (agricultural, residential, commercial or otherwise)
  - 2) Loss of residential structure (inhabited structures)
  - 3) Loss of Commercial structures
  - 4) Impact to Tenants (Residential/ Commercial / Agricultural)
  - 5) Impact to trees, standing crops, other properties, perennial and non-perennial crops
  - 6) Loss of Land/ house/shop
  - 7) Impact to Squatters
  - 8) Impact to Encroachers
  - 9) Loss of employment in non-agricultural activities or daily agricultural wages or other wage

- 10) workers
- 11) The impact on Vulnerable HH
- 12) Unforeseen impacts.

**Table 4: Entitlement matrix**

| №   | Impact Category   | Entitlements              |   | Implementation Guidelines  |
|---|---|---------------------------|---|--|
| Section I. TITLE HOLDERS - Loss of Private Property |   |                           |   |  |
| 1   | Loss of Land (agricultural, residential, commercial or other, including resident & nonresident landlords) | a                         | Land for land compensation with a plot of equal value.  | Compensation “land for land” is provided to all the PAPs in case of loss of their land by selection of the similar (equivalent) land plots of the equal value/productivity, of comparable location and additional agricultural means. Transaction costs, including, valuation fee,stamp duty, and registration charges will be borne by the project  |
|   |   | 1.1 Agricultural land     |   |  |
|   |   | a                         | Land for land compensation with a plot of equal value.<br>OR<br>Compensation to ensure lands to the pre-project condition.  | Compensation based on market value for loss harvest equals the average annual income for the past 3 years multiplied by 4 times (years).Unaffected portions of an affected arable plot will also be compensated if the same becomes unviable after impact.   |
|   |   | b                         | One time subsistence allowance of equivalent to three months minimum wage <sup>10</sup> income <sup>6</sup> for severely affected HH  | HH who are losing more than 10% of productive lands.   |
|   |   | 2.1. Inhabited structures |   |  |
| 2   | Loss of residential structure (inhabited structures)  | a                         | In addition to Compensation for land listed above under S.No.1 6-month notice in advance to vacate the structures. Cash compensation at full replacement costs.<br><br>OR<br>Provision of the alternative house of equal in adjacent territories. In case the alternative house’s market value lower than an affected house, then additional cash compensation for the difference will be provided. | Payment of compensations is carried out by the independent Valuation Service on the basic values in local markets in adjacent territories for the actual moment of compensation payment, taking into account inflation and market fluctuation in prices in the real estate sphere. Transaction costs, including, valuation fee, stamp duty, and registration charges will be borne by the project.<br>For partly affected structures, the PAPs will have the option of claiming compensation for the entire structure, if the remaining portion is enviable. |
|   |   | b                         | Right to salvage affected materials.  | There will be no deductions for depreciation or for retention of salvaged materials in the calculation of compensation.  |
|   |   | c                         | One time subsistence allowance of equivalent to three months minimum wage income for the project affected HH who are required to relocate due to the  | HH who need to relocate are provided assistance as part of livelihood restoration  |

<sup>10</sup> In June 2019 the minimum wage in Uzbekistan is equal to

|          |                               |  |   |  |
|----------|-------------------------------|--|---|--|
|          |                               |  | project   |  |
|          |                               | d  | One time allowance of moving costs for those who have to relocate   | One time allowance will be calculated during the census survey based on the actual market value in respective project areas.   |
|          |                               | e  | Rental allowance up to 24 months for affected HH who gets cash compensation for affected residential structure<br>OR<br>Rental allowance for 1 month, who gets an alternative house.  | Monthly allowance will be calculated during the census of PAPs consisting of average market rental value in respective project areas.<br>Information from Real Property Agencies or websites can be taken as reference.<br>One month allowance will be given to HH who will be provided a ready alternative house to live.   |
|          |                               | <b>2.2. Losses of adjoining substructures to the residential houses such as fences, shed /tents etc.</b> |   |  |
|          |                               | a  | Compensation at full replacement cost for affected structure/fixed assets free of depreciation and transaction cost   | PAPs must have the right to salvage materials  |
|          |                               |  |   |  |
| <b>3</b> | Loss of Commercial Structures | a  | <b>In addition to Compensation for Land and Assistances listed above under S.No.1</b><br>Cash compensation at full replacement costs<br>OR<br>Provision of the alternative commercial structure of equal in adjacent territories. In case the alternative structure's market value lower than affected structure, then additional cash compensation for the difference will be provided | Payment of compensations is carried out by the independent Valuation Service on the basis of values in local markets in adjacent territories for the actual moment of compensation payment, taking into account inflation and market fluctuation in prices in the real estate sphere.<br>Transaction costs including, valuation fee, stamp duty, and registration charges will be born by the project.<br>For partly affected structures, the PAPs will have the option of claiming compensation for the entire structure, if the remaining portion is unviable. |
|          |                               | b  | 6-month notice in advance to vacate the structures  |  |
|          |                               | c  | Right to salvage affected Materials.  | There will be no deductions for depreciation or for retention of salvaged materials in the calculation of compensation   |
|          |                               | d  | One time grant equal to one year of wages for loss of trade/selfemployment for the business owner.  | Provision of compensation will be based on tax declaration or official minimum salary.   |
|          |                               | e  | One time subsistence allowance of equivalent to three months minimum wage income for owners of commercial structures who are required to relocate due to the project.   | Owners of Commercial structures who need to relocate are accepted as severely affected entities losing more than 10% of their production capacities.   |
|          |                               | f  | One time allowance of moving costs for those who have to  | One time allowance will be calculated during the census survey based on the  |

|          |  |                                 |   |  |
|----------|--|---------------------------------|---|--|
|          |  |                                 | relocate  | actual market value in respective project areas.   |
|          |  | <b>g</b>                        | Rental allowance up to 3 months for lost income during the interruption.  | Monthly allowance will be calculated during the census of PAPs consisting of average market rental value in respective project areas. Information from Real Property Agencies or websites can be taken as reference.<br>Provision of rehabilitation assistance if required (assistance with job placement, skills training). |
| <b>4</b> | Impact to Tenants (Residential/ Commercial / Agricultural) | <b>4.1 Residential</b>          |   |  |
|          |  | <b>a</b>                        | 1-month notice to vacate the rental premises  |  |
|          |  | <b>b</b>                        | Rental allowance for 1 month  | Monthly allowance will be calculated during the census of PAPs consisting of average market rental value in respective project areas.<br>Information from Real Property Agencies or websites can be taken as a reference.  |
|          |  | <b>c</b>                        | One time allowance of moving costs for those who have to relocate   | One time allowance will be calculated during the census survey based on the actual market value in respective project areas.   |
|          |  | <b>4.2 Commercial</b>           |   |  |
|          |  | <b>a</b>                        | 1-month notice to vacate the rental premises.   |  |
|          |  | <b>b</b>                        | Rental allowance for 1 month.   | Monthly allowance will be calculated during the census of PAPs consisting of average market rental value in respective project areas.<br>Information from Real Property Agencies or websites can be taken as a reference.  |
|          |  | <b>c</b>                        | One time allowance of moving costs for those who have to relocate.  | One time allowance will be calculated during the census survey based on the actual market value in respective project areas  |
|          |  | <b>d</b>                        | Commercial tenants will receive a one-time allowance for loss of trade/self-employment provided under 3(c) above in lieu to the owner           | Provision of compensation will be based on tax declaration or official minimum salary  |
|          |  | <b>4.3 Agricultural tenants</b> |   |  |
|          |  | <b>a</b>                        | In case of agricultural tenants advance notice to harvest crops<br>OR<br>Compensation for the lost crop at the market value of the 1-year yield | Based on 1 year of production costs (inputs) plus an allowance equivalent to 1-year average net income based on the average income over the past 3 years determined by the Agricultural Department (AD) at respective districts of the project area  |



|   |  |   |   |  |  |
|---|--|---|---|--|--|
| 5   | Impact to trees, standing crops, other properties, perennial and non-perennial crops |   | Three months (90 days) advance notification for the harvesting of standing crops<br>OR<br>A lump sum equal to the market value of the yield of the standing crop lost | Based on 1 year of production costs (inputs) plus an allowance equivalent to 1-year average net income based on the average income over the past 3 years determined by the AD  |  |
|   |  | b   | Compensation for timber trees provided based on replacement cost.   | Based on the market value of dry wood volume determined by the AD. Felled trees will be kept by affected HH  |  |
|   |  | c   | Compensation for fruit trees will be provided based on replacement cost.  | Based on market value for loss harvest equal the average annual income for past 3 years multiplied by 4 times (years) plus input costs for trees to reflect the duration from planting to reach the productive stage |  |
| Section II. Additional assistance for Women headed HH (Title and non-title holders) |  |   |   |  |  |
| 6   | Loss of Land / house / shop  | One time subsistence allowance of equivalent to three months minimum wage for women-headed HH who are required to relocate due to the project |   |  |  |
| Section III. NON TITLE HOLDERS - Impact to squatters / Encroachers                  |  |   |   |  |  |
| 7   | Impact to Squatters  | 7.1 Loss of house   |   |  |  |
|   |  | a b   | Cash compensation at market value for the structures.<br>OR<br>Provision of comparable alternative structures.  |  |  |
|   |  |   | Right to salvage the affected materials.  |  |  |
|   |  | c   | One time subsistence allowance of equivalent to three months minimum wage income for project affected HH who are required to relocate due to the project              |  |  |
|   |  | d   | One time allowance of moving costs for those who have to relocate   |  |  |
|   |  | e   | Assistance in the legalization of title.  | Transaction costs including, valuation fee, stamp duty, and registration charges will be born by the project   |  |
|   |  | 7.2 Loss of shop, kiosk, repair shop  |   |  |  |
|   |  | a   | Cash compensation at full replacement costs for the structures.<br>OR<br>Provision of comparable alternative structures.  |  |  |
|   |  | b   | Right to salvage the affected materials.  |  |  |

|   |   |                                   |  |   |
|---|---|-----------------------------------|--|---|
|   |   | c                                 | One time subsistence allowance of equivalent to three months minimum wage income for project affected HH who are required to relocate due to the project.              |   |
|   |   | d                                 | One time allowance of moving costs for those who have to relocate  |   |
|   |   | e                                 | Assistance in the legalization of title  | Transaction costs including, valuation fee, stamp duty, and registration charges will be born by the project  |
|   |   | <b>7.3 Loss of standing crops</b> |  |   |
|   |   |                                   | Three months (90 days) advance notification for the harvesting of standing crops<br>OR<br>A lump sum equal to the market value of the yield of the standing crop lost. |   |
| 8   | Impact to Encroachers   | <b>8.1 Loss of Standing crops</b> |  |   |
|   |   | a                                 | 2-month notice to harvest standing crops or market value of compensation for standing crops, if notice is not given.   | Market value for the loss of standing crops will be decided by the PIU in consultation with the Agriculture Department at respective districts.   |
|   |   | <b>8.2 Structure</b>              |  |   |
|   |   | a                                 | 1-month notice to demolish the encroached structure  |   |
|   |   | b                                 | Compensation at market value for structures without depreciation for the affected portion of the structure.  |   |
| <b>Section IV. Loss of Livelihood Opportunities</b> |   |                                   |  |   |
| 9   | Loss of employment in non agricultural activities or daily agricultural wages or other wage workers |                                   | One time subsistence allowance of equivalent to three months minimum wage income.  | Only agricultural laborers who are in fulltime / permanent employment of the land owner, or those affected full-time employees of the business, will be eligible for this assistance.   |
| <b>Section V. Impact on Vulnerable HH</b>           |   |                                   |  |   |
| 10  | Vulnerable HH (Women headed household, Low-Income household, a household headed by                  | a                                 | Inclusion in existing safety net programs to ensure the continuation, or increase, of previous income  | One adult member of the displaced household, whose livelihood is affected, will be entitled to skill development. The census team will identify the number of eligible vulnerable displaced persons based on the 100% census of the displaced persons and will conduct training need assessment in consultations with the |
|   |   | b                                 | One-time subsistence allowance equivalent to three months minimum wage income.   |   |
|   |   | c                                 | Priority for employment in   |   |

|  |  |  |  |   |
|--|--|--|--|---|
|  | elderly with no support and household headed physically challenged people) |  | projectrelated jobs, training opportunities, self-employment, and wage employment assistance | displaced persons so as to develop appropriate training programmes suitable to the skill and the region. Suitable trainers or local resources will be identified by RIDP's SS at PIU in consultation with local training institutes.<br>It is recommended to involve local NGOs in this process |
|--|--|--|--|---|

### c. Voluntary Land Donation—Dos and Don'ts

69. In case of small sections of land required for micro level subproject activities, the project may seek support from the community to donate lands. However, the community members have the right to make a contribution of their land or other assets without seeking or being given compensation at full replacement value. Voluntary contribution is an act of informed consent. Local Authorities must assure that voluntary contributions are made with the affected person's full and prior knowledge of the availability of other options (including compensation at replacement cost) and are obtained without coercion or duress. Also, voluntary donations are allowed only if the affected people are direct beneficiaries of the investments that cause such impact. Proposals including voluntary contributions will not be submitted for approval where they would significantly harm incomes or living standards of individual owners or users (the size of land contributed on a voluntary basis should not exceed 10% of that individual's total land holding).
70. Specifically, the following protocol will govern voluntary contributions under the project:
- Voluntary contributions are an act of informed consent and affected people are not forced to donate land or other assets with coercion or under duress or misled to believe that they are obliged to do so, without regard to the legal status of their land occupancy.
  - Land alienation should not result in physical or economic displacement.
  - The impacts must be minor. the households contributing land or other assets are direct beneficiaries of the sub-project; the impact is less than 5% of the total productive assets owned by said household.
  - The facilities requiring land should not be site specific.
  - The land in question must be free of squatters, encroachers, or other claims or encumbrances.
  - The land must be identified by the Mahalla Citizens Assembly, and not by PIU or other line agencies or project authorities. However, the project technical authorities should ensure that the land is appropriate for sub-project purposes and that the sub-project will not have any adverse health or environmental safety hazards.
  - Voluntariness will be ascertained by PIU with due signing by a higher level official. A process to this effect will be formulated by PIU and shared with the Bank for approval.
  - Verification of the voluntary nature of land donations must be obtained from each of the persons/ household donating land. This should be in the form of signed statements.
71. PIU/ FP will also create awareness among the community to devise mechanisms to express a sense of gratitude to those households donating lands. These will find a place in the statements. Other things being equal, land donations will not be accepted by FHHs and elderly people.
72. The affected people are fully informed that they have the right to refuse to donate land or other private assets, and instead receive compensation at replacement cost, and that a grievance handling mechanism is available to them through which they can express their unwillingness to donate. Furthermore, people are encouraged to use the grievance handling mechanism if they have questions or inquiries, either in writing or verbally.

### d. Valuation and Compensation of Lost and Affected Assets

73. In accordance with the principles of the RPF, all displaced HH and persons will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of

ownership rights on lost assets and scope of the impacts, including the socio-economic vulnerability of the displaced persons and measures to support livelihood restoration if livelihood impacts are envisaged. The displaced persons will be entitled to the following five types of compensation and assistance packages:

- i. Compensation for the loss of land, crops/ trees at their replacement cost;
- ii. Compensation for structures (residential/ commercial) and other immovable assets at their replacement cost;
- iii. Assistance in lieu of the loss of business/ wage income and income restoration assistance;
- iv. Assistance for shifting and provision of the relocation site (if required), and
- v. Rebuilding and/ or restoration of community resources/facilities.

74. The following methods of calculation shall be adopted for the preparation of the aforementioned standardized asset valuation tables and/or the application of specific, case-by-case valuations in the case of projects that have significant impacts.

#### **e. Valuation of assets**

75. The valuation of the assets, including real estate property, business etc., is carried out on the basis of the Law “On Valuation Activity”, decrees and resolutions of the President and the government state standards, departmental regulations and other provisions of national legislation. Among the legal acts related to the evaluation of real estate and used in determining compensation for alienated land, demolition and resettlement should be highlighted:

- Resolution of the Cabinet of Ministers dated 29.05.2006, №97 “On Approval of the procedure of damages to citizens and legal persons in connection with the withdrawal of land plots for state and public needs”;
- Resolution of the Cabinet of Ministers dated 25.05.2011, №146 “On measures to improve the procedure for granting land plots for urban development activities and other non-agricultural purposes”;
- National property valuation standards of Uzbekistan (IF) N 10 "Valuation of real estate" (registered by the Ministry of Justice of 18.11.2009, N 2044);
- Resolution of the Board of the Central Bank of the Republic of Uzbekistan “On Approval of the Procedure of valuation the right to lease the land plot” (Registered 8.04.2004 by Ministry of Justice, reg. №1336);
- Sequencing of legal acts and their contents characterize the state and public understanding of the theory and practice of market valuation. This confirms by a number of definitions and norms declared in the Law “On valuation activity”. For example:
- “Valuation activities are the activities of appraisal organization, aimed at determining the value of the assessment”<sup>11</sup>
- "Appraisal organization - a legal entity licensed to carry out valuation activities. Appraisal organization in its activity is independent. No interference consumer services (hereinafter - Customer), or other interested parties in the evaluation activities of the organization. Creation of the appraisal organization and realization of valuation activities by public authorities and administrations are prohibited unless otherwise provided by law”<sup>12</sup>

76. While the evaluation activities carried out by independent organizations (private companies having certified evaluators), the state plays an important role in the regulation of evaluation activities. The State Committee for State Property Management and Development of Competition (Goskomkonkurentsii) is responsible for:

- i. developing and approving regulations, including standards for the valuation of the property;
- ii. licensing of valuation activity;
- iii. certification of experts-appraisers, as well as organize their training and professional development.

<sup>11</sup> Law “On Valuation Activity”, Article 3, Clause 1, dated 19 August 1999, last amended 14 May 2014

<sup>12</sup> Law “On Valuation Activity”, Article 4-1, Clause 1,2,5, dated 19 August 1999, last amended 14 May 2014

77. The NGO Society of Appraisers of Uzbekistan is a helpful media to protect the rights of appraisers, increase their capacity, provides an independent expert opinion, when requested, to validate findings of the valuation report, etc.
78. The land valuation is still based on old approach which focused on land use in agriculture. LRSCD evaluates land from the perspective of soil types (bonitet), climate, rainfall and other criteria relevant to agriculture production and without consideration of its market value.

#### **f. Use of standard valuation**

79. In case of anticipated subproject interventions result in any type of temporary or permanent impact to land, structures or trees, then a Valuation Company will be hired. It is therefore proposed that an evaluation expert is contracted by the Implementing Agency at the project outset to develop a standardized procedure for asset valuation, which can then be applied by PIU and local level Hokimiyats. This standardized procedure would include a series of 'look-up' tables for estimating asset value by type according to the approximate size and condition of the existing assets.
80. The qualified independent appraisal company will be hired and mobilized by PIU in defined timeframes to ensure the evaluation of compensation and allowances for AHs during the RAP finalization by MoED. The draft ToR for valuator is given in the following statements.

#### **i. Objective and scope of work**

81. The main objective of this company will be: To carry out valuations of affected assets, as well as the calculation of applicable allowances under the finalized RAP/RPF to comply with Uzbekistan's legislation and policies and WB's OP 4.12 referring to the prepared draft RAP's provisions. Particularly, the valuator shall ensure that all valuation is done based on "Replacement cost" as it is defined by WB's OP 4.12, namely:
82. **Replacement cost:** Replacement cost is the principle to be complied with in compensating for lost assets. Calculation of which should include: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any.
83. Where market conditions are absent or in a formative stage, PAPs and host populations will be consulted to obtain adequate information about recent land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project area and region, and other related information.
84. If necessary, the baseline data on housing, house types, and construction materials will also be collected. Qualified and experienced experts will undertake the valuation of acquired assets. In applying this method of valuation, depreciation of structures and assets should not be taken into account.
85. The Valuator will act under the direct supervision of PIU's social specialists. The Valuator shall be familiarized with the provisions of draft RAP prepared for the Project and carry out the valuation of affected assets and calculation of applicable allowances in accordance with defined entitlement matrix in draft RAP. PIU's social specialists will provide the valuator with the training prior to the start of works. The Valuator will provide at least 2 samples of valuation reports for prior review and approval by the Client. Below are presented the main tasks of the Valuator under the assignment:
  - 1) To carry out an inventory of affected assets (building, crops, trees, other improvements to be affected by the project) in the presence of PAPs, and if it is impossible to ensure their presence, the works shall be implemented with the participation of the local hokimiyat's representative. The inventory shall be carried out in a way to ensure that all details are available required by RAP provisions (types of crops, types, and age of trees, materials of buildings and other improvements etc.). The inventory shall be carried out also for temporary impacts.
  - 2) The inventory data shall be included accurately in the forms agreed with the Client beforehand and shall be analyzed by comparing the information provided by cadaster data and property rights certificate/technical document where available.

- 3) All data shall be entered into the consolidated database. The format of the database shall be agreed with the Client.
- 4) The Valuator shall prepare Valuation Report for each unit (property) with clear separation of each asset/property and losses with final summary particularly:
  - Valuation of affected properties/assets (building, crops, trees and other improvements)
  - Calculation of compensation for business and affected employees
  - Calculation of transportation costs for movable assets.
  - Calculation of allowances defined by RAP (allowance for relocation, severe impact, vulnerability etc.). The list of AHs entitled for allowances will be provided by the Client.
- 5) The calculation for the applicable allowances (if any) can be included in the Valuation Report or separate Calculation Report can be prepared to be agreed with the Client.

## **ii. Compensation for land**

86. Compensation for land is aimed at providing a farmer whose land is acquired and used for project purposes with compensation for land labor and crop loss. Compensation for agriculture land will be on a “land for land” basis, with land being provided to owners by the District Hokimiyat following assessment by the LARC. Such land will be of equal value/productivity in a nearby location and with comparable associated services/ facilities, or compensation to provide such services.
87. Alternatively, cash compensation for agricultural land at replacement cost will also be provided in case the PAPs refuses land-for-land compensation. The compensation for the permanent loss of land use rights over the affected agricultural land will be compensated equivalent to 4 years net average income of the past 3 years (of the affected annual crop).
88. In cases where in all or parts of the lease holding become unviable, unaffected portions of a plot will also be compensated. Given that all land in Uzbekistan is state-owned, loss of land is not compensated in cash. Enterprises or businesses that are expropriated will be compensated by a new plot of land and building, thus allowing affected people to pursue their activities.

## **iii. Compensation for crops**

89. Loss income from crops planted on the affected land will be compensated in cash at replacement cost based on 1 year of production cost (inputs) plus an allowance equivalent to 1-year average net income computed based on the average income over the past 3 years (Table XI). Loss income from fruit trees will be compensated in cash based on the average annual income for the past 3 years multiplied by the 4 times to reflect the duration from planting to reach the productive stage. In the case of loss of timber trees, compensation will be based on the market value of their dry wood volume. The compensation for trees will be free of deduction for the value of the wood left to the PAPs.

**Table 5: Sample calculation method to compensate for crops**

| <b>Item Compensated</b> | <b>Basis of Value</b>  | <b>UZS / ha</b> |
|-------------------------|--|-----------------|
| Value of Crops          | An allowance equivalent to 1-year average net income computed based on the average income over the past 3 years yield. |                 |
| Production cost         | Input costs preparing a replacement land for 1 year  |                 |
| Total                   | Replacement value of crops   |                 |

## **g. Compensation for Buildings and Structures.**

90. Following compensations will be given to affected building and structures:
  - Full compensation of the inhabited structures (full replacement cost of affected assets in local markets), adjacent territories and objects in this territory;
  - Calculation of compensation is based on the results of the market estimation of the cost of the

specified objects, including all the related payments; depreciation and transaction costs. No deductions shall be made for salvage materials.

- Relocation assistance;
- Rental assistance for temporary accommodation (rental allowance sufficient to get accommodation equivalent to their current homes) in the form of 1 to 24 months' rent in cash for those who plan to construct a new house themselves.
- Full compensation of the affected substructures (full replacement cost of affected assets in local markets), adjacent to the house; No deductions shall be made for salvage materials.
- Calculation of compensation is based on the results of the market estimation of the cost of the specified objects.

**Table 6: Sample calculation method to compensate for building & structures**

| Item Compensated       | Basis of Value                  | UZS/sq.m |
|------------------------|---------------------------------|----------|
| Building and Structure | Market value                    |          |
| Relocation Assistance  | Relocation of salvage materials |          |
| Rental Assistance      | Up to 24 months rental fee      |          |
| Total                  | Replacement value of B & S      |          |

#### **h. Rebuilding and/ or restoration of community**

91. Any impact to the social infrastructures of local communities will be rehabilitated as of pre-project condition. The contractor will restore to the local communities or other agency responsible to maintain any affected social infrastructures.

#### **i. Compensation for Timber and Fruit Trees**

92. In the case of loss of timber trees, compensation will be based on the market value of their dry wood volume of the affected tree. The compensation for trees will be free of deduction for the value of the wood left to the PAPs. Fruit trees will be compensated at replacement cost equivalent to the average yearly net income from last three years plus input costs multiplied by 4 times (years) to reflect the duration from planting to reach the productive stage. Not yet fruit bearing trees will be compensated at replacement cost equivalent to the 1-year net income. The estimate has taken into account view of the affected HH through consultation, information from valuers and other relevant authorities. In order to provide a replacement cost, market value for average annual income from fruit trees and input costs per fruit tree will be taken into consideration.

**Table 7: Sample calculation method to compensate Timber Trees**

| Item Compensated | Basis of Value                    | UZS/ha |
|------------------|-----------------------------------|--------|
| Timber Tree      | Market value                      |        |
| Total            | Replacement value of Timber Trees |        |

**Table 8: Sample calculation method to compensate Fruit Trees**

| Item Compensated | Basis of Value  | UZS/ha |
|------------------|---|--------|
| Fruit Tree       | average yearly net income from last three years multiplied by 4 times (years) |        |
| Input costs      | The price of the market value of Trees  |        |
| Total            | Replacement value of Fruit Trees  |        |

93. Assessment of the affected crops and trees according to the market value and the principles of WB's OP.4.12 and regulations Resolution №146 of CoM.

#### **j. Compensation for Vulnerable Groups**

94. Vulnerable HH, including women headed HHs, Low-Income HHs, a HH by elderly with no support and HH headed physically challenged people will be provided with a one-time additional allowance equivalent to 3 months minimum wage income in accordance with proof provided by Makhalla. In addition, members of vulnerable HHs are to be prioritized<sup>16</sup> in project related employment. The Makhallas and district government have a record of all HHs in the communities and will be tapped in identifying and certifying vulnerable HH. Encroachers who are found to be vulnerable group will be provided compensation in the form of replacement cost for affected building and structures.

#### **k. Methods of Compensation**

95. Individual and HH compensation will be made in cash, in kind, and/or through assistance. The type of compensation will be an individual choice. The table below describes the forms of compensation.

**Table 9: Forms of Compensation**

|                      |  |
|----------------------|--|
| Cash Payments        | Compensation will be calculated in Uzbek sums. Rates will be adjusted for inflation.   |
| In-kind Compensation | Compensation may include items such as land, houses, other buildings, building materials, seedlings, agricultural inputs, and financial credits for equipment. |
| Assistance           | Assistance include onetime payment, moving allowance, transportation and labor, training.  |

96. Such monetary issues as inflation, security, and timing must be considered. One purpose of providing in-kind compensation is to reduce inflationary pressures on the costs of goods and services. Local inflation may still occur; thus, market prices will be monitored within the time period that compensation is being made to allow for adjustments in compensation values. The question of security, especially for people who will be receiving cash compensation payments needs to be addressed by the local administration. Local banks and microfinance institutions should work closely with the local administration at this level to encourage the use of their facilities, which will positively impact the growth of the local economies. The time and place for in-kind compensation payments will be decided upon by each recipient in consultation with the LARC. Applicants should meet eligibility requirements in terms of qualification and skills.

#### **l. Procedures for Payment of Compensation**

97. Compensation payments will be made before any project use of land, loss of assets or physical resettlement takes place unless those payments are staggered to enable affected people to begin preparation of new sites. The overall responsibility for payments on expropriation claims for the Project is under the Cabinet of Ministers. The Cabinet of Ministers is responsible for issuing the expropriation decision and authorizing the funds required. The land acquisition transfer must be fully completed, and payment made before any Works can be executed on the expropriated property. Each PAP will receive the compensation payable into a bank account opened by the owner for purposes of the expropriation. Such sums will be approved by a DCM and the funds will be passed to the bank account of each PAP(s), according to the banking documentation provided by them. The PAPs will be individually informed by the bank within upon the transfer of compensation into the account. Any cost associated with account opening and maintenance will be covered by RIDP and the banking service will be offered free of costs to each PAPs. The transfer of payment will be made after the publication in the Official Gazette of the Decision of Expropriation. The Decision of the Cabinet of Ministers (DCM) for expropriation is effective (enter into power) immediately and is published in the Official Gazette. In the event of an appeal in the Court, when no agreement is reached, if the compensation payable is not agreed upon between the government and the landowner, such compensation shall be determined by the Court. In these conditions, the person gets the money from the bank, but depending on the judicial decision he is entitled to receive an additional benefit.



## **6. PROCESS FOR SCREENING, PREPARING AND APPROVING RAPS AND REPUTATIONAL RISKS**

### **6.1 Negative / Exclusion List**

98. It has been agreed that **no activities which could result in permanent physical displacement (consequent to acquisition of lands/ structures) will be financed under the project.** Thus, this forms the first level of screening. Further, once, it is established that no physical displacement will occur, the project will proceed further to decide on the likely impacts and the relevant instruments to be adopted. Further, towards insulating RIDP against any reputational risks, it has been decided that the country's main Obod Qishloq program will not be implemented in the RIDP villages. Thus, these two would form the first level of filters.

#### **a. Screening for Involuntary Resettlement**

99. Screening is a Mandatory Procedure for the identification of possible involuntary resettlement. The purpose of screening is to determine the appropriate extent and type of the involuntary resettlement to be conducted. Each subproject will be screened for social impacts based on the given designs for the proposed improvements envisaged. Farmers' lands and built-up sections will be identified during screening requiring different treatment and accordingly suitable modifications to the design/alignment cross section/detours should be proposed to minimize social impacts. Further the screening exercise should identify all aspects that could lead to adverse environmental and social impacts and involuntary resettlement, regardless of the source of financing; from all activities that are necessary to achieve project objectives as set forth in the project documents; and are carried out, or planned to be carried out, contemporaneously with the project. The social screening serves to ensure that the process for screening remains simple and concise. Specific questions based on each activity of the RIDP might be added as seen relevant by external consultants and the PIU Social Safeguard Specialist (SSS). The list of project activities that have potential resettlement issues will then be subjected to a comprehensive sensitization and consultation process with the potentially impacted communities and the outcome of this process would be documented for each subproject. The list and the outcome of the consultative process for each site/project activity on the list would then be sent to the respective implementing agencies in the jurisdiction mandated to confirm, approve, disapprove, refer for further consultation and/or take a final decision on each proposed site/project activities. Carrying out the screening process in this way is designed to give it the integrity and transparency it needs to allow all stakeholders to have confidence in the process.

100. For project activities that do not have any resettlement issues and do not trigger World Bank OP 4.12, the provisions of the RPF /social provisions of the ESMF does not apply. Then the reference is the Environmental Focus of the Environmental and Social Management Framework (ESMF).

101. The screening and categorization of impact on involuntary resettlement in subprojects will be initiated by PIU/RPIU either with its own social safeguard specialist and other relevant staff or, if there are no such skills, with the help of external consultants. The social screening report will be prepared by the Consultant or PIU/RPIU's SSS and reviewed by an Authorized person of the Implementing Agency and PIU Director for clearance. The SSS and Director at PIU will finally endorse the social screening and safeguard categorization of the proposed subproject.

102. Subproject screening is used to identify the types and nature of potential impacts related to the activities proposed under the Project and to provide adequate measures to address the impacts. Screening for resettlement issues shall be part of the environmental and social screening, as is detailed in the ESMF. Measures to address resettlement ensure that PAPs are:

- Informed about their options and rights pertaining to resettlement;
- Included in the consultation process and given the opportunity to participate in the selection of technically and economically feasible alternatives;
- Provided prompt and effective compensation at full replacement cost for;
- Losses of assets and access attributable to the subproject(s).

103. For projects not anticipated to result in displacement, and where loss of assets is anticipated to be negligible, then this information will also be indicated in the subproject application form along with a request to waive the requirement for a RAP.

#### **b. Screening Checklist**

104. The screening checklist form will be incorporated into the Project's Implementation Manual. The screening checklist will be completed by an SSS at PIU/RPIU or external consultants and submitted to PIU for a decision. Based on screening results an appropriate social safeguards instrument will be developed.
- **Due Diligence Report (DDR)** explaining the procedures adopted to minimize negative impacts and measures taken to mitigate construction induced impacts will be prepared for subprojects which will result in minor impacts affecting access to residences, improvement of existing properties.
  - **Resettlement Action Plan (RAP)**. If 200 people or more are affected.
  - **Abbreviated Resettlement Action Plan (ARAP)** is prepared for investments of subprojects of the RIDP which will result in affecting less than 200 people, but not physically displaced and/or less than 10% of their productive assets are lost. Detail outline of ARAP is given in Annex 5 attached to this RPF.
105. The **ESMF** serves as an environmental and **social safeguards instrument** to address those issues not related to 'lands' but others such as those affecting inclusion, equity, transparency, accountability, labor, quality control, and construction delays.

#### **c. Baseline and socio-economic data**

106. **Socio Economic Survey:** The purpose of the baseline socioeconomic sample survey of impacted persons is to establish monitoring and evaluation parameters. It will be used as a benchmark for monitoring the socio-economic status of displaced persons. The survey shall cover all major impacted DPs and the survey shall also collect gender-disaggregated data to address gender issues in resettlement.
107. The socio-economic survey shall be carried out using a structured questionnaire, that would capture details of standard of living, inventory of assets, sources of income, level of indebtedness, profile of household members, health and sanitation, access to services and facilities, perceived benefits and impacts of the project and resettlement preferences of all major impacted households likely to be displaced. This information along with the census survey data would facilitate the preparation of a resettlement plan to mitigate adverse impact.
108. As part of socio-economic survey, wide range of consultations with different impacted groups as well as other stakeholders will be conducted to ascertain their views and preferences. Based on the outcome of these consultations the designs changes, if required, and mitigation measures will be incorporated. Consultations will include women and their concerns and reactions to the project will be addressed through appropriate mitigation plan.
109. **Resettlement Plan:** The resettlement plan will be prepared based on the findings of the census and socio-economic survey and consultations. It will include the findings of the census of displaced persons, and their entitlements to restore losses, socio economic characteristics of the displaced persons, institutional mechanisms and implementation schedules, budgets, assessment of feasible income restoration mechanisms, development of resettlement sites and relocation, grievance redress mechanism, coordination of implementation in conjunction with civil works procurement and construction schedules and internal and external monitoring mechanisms. The resettlement plan should be structured as per the outline in Appendix-V and will be detailed as needed depending upon the magnitude and nature of impacts. The impacts and mitigation measures will be presented village/activity wise so to coordinate with the procurement and construction schedules of the activity.

110. The PAPs, thus, will be determined according to an appropriate socio-economic and census baseline Data. This is the source of information to identify the persons who will be displaced by the individual subproject, to determine who will be eligible for compensation and assistance, and to discourage inflow of people who are ineligible for these benefits. Based on the census, the following decisions can be made:
- 1) for providing initial information on the scale of resettlement to be undertaken;
  - 2) for an indication of further socioeconomic research needed to quantify losses to be compensated and, if required, to design appropriate development interventions;
  - 3) for establishing indicators that can/be measured at a later date during monitoring and evaluation.
111. This baseline data for subproject RAPs will include a number of persons; number, type, and area of the houses to be affected; number, category, and area of residential plots and agricultural land to be affected; and productive assets to be affected as a percentage of total productive assets. A Resettlement Consultant or Company based on the data from Land Resources and State Cadaster Department will decide based on a review of this data the scope of the RAP.

#### **d. Preparation of a Subproject RAP/aRAP**

112. A full-scale RAP is prepared if the resettlement impacts are categorized as Significant (Category 1) when about 200 or more people may experience major impacts, that is, or losing 10% or more of their productive (income-generating) assets.
113. Abbreviated RAP is prepared if the resettlement impacts are categorized as Relatively Significant (Category 2) when fewer than 200 people will be impacted or lose less than 10% of their productive (income-generating) assets. ARAP/RAP will be prepared by PIU's SSS, preferably with the support of consulting service providers or mobile extension teams, for subprojects that have been determined to result in potential involuntary resettlement and/or land acquisition. When an ARAP/RAP is required, the PIU submits completed studies along with their RAP's subproject application to the Resettlement Commission for appraisal, and subsequently to the World Bank.
114. After clearance from the LARC, the compensation, resettlement and rehabilitation activities of the RAP will be satisfactorily completed and verified by the communities before funds can be disbursed for civil works under the subproject. The RAPs will comply with the principles outlined in this RPF adopted for the project. The SIA and RAP for each subproject will be reviewed by MoED and by the World Bank to ensure that they are produced in line with the World Bank OP 4.12. RAP must be approved by MoED and disclosed on MoED's and the World Bank's portals prior, to the invitation of bids for civil works. Disbursement of compensation payments and entitlements will be made prior to displacement and prior to handing over of the land parcels to civil work contractors.

## **7. IMPLEMENTATION ARRANGEMENTS**

### **a. Institutional Arrangements – Role and responsibility matrix, preparation and review of subproject plans.**

#### **i. Project coordination**

The Ministry of Economic development and poverty reduction (MoED) was appointed by the Government of Uzbekistan as Implementing Agency for RIDP.

115. MoED is responsible for control and approval of feasibility studies under the project. In May 2019, to prepare the Rural Infrastructure Development Project (RIDP) a Project Implementation Unit (PIU) is established at the MoED at the national level to coordinate and implement the project.

#### **ii. Project Implementation Unit**

116. Responsibilities of PIU will include issues related to the preparation of the project, including the development of the **ESMF**, the procurement strategy and plan, and other work widgets. The PIU is led by a Project Director with relevant staff. The PIU will oversee overall coordination of RAP implementation, reporting to MoED, and to the WB regarding safeguards issues, as well as of integrating safeguards requirements into bidding and contracting documents. It is the responsibility of PIU for interacting with the environmental authorities, ensuring an efficient implementation of safeguards documents and PIU will undertake, randomly, field visits and environmental supervision and monitoring, assessing environmental compliance at worksites, advising project Regional Project Implementation Units (RPIUs) on environmental and social safeguards issues. The PIU will be, also, responsible for identifying EA training needs of all parties involved in RAP implementation. The PIU will cooperate with all local institutions to provide a successful implementation of the Resettlement Procedure (RAP/ARAP).

#### **iii. Regional Project Implementation Units**

117. It is assumed that the project would be implemented at the local level through RPIUs which will be working closely with the respective district and region Hokimiyats. At this stage the issues related to the establishment of RPIU is under discussion between MoED and WB.
118. For the RPIUs to be effective and consistent, a District Project Committee representing 14 districts hokimiyats will be established for coordination. The RPIUs will also include regional ESSS, whose main duties would be to ensure that the project activities are implemented in compliance with the WB safeguards Operational Policies, and national EA rules and procedures. Among major responsibilities of the RPIU ESSS will be the following:
- a) ensuring that contractors comply with all ESMPs requirements;
  - b) coordinating of all environmental and social related issues at the city and district level;
  - c) conducting ESMP supervision and monitoring and assessing environmental and social impacts and efficiency of mitigation measures, as well as identifying noncompliance issues or adverse trends in results, and putting in place programs to correct any identified problems;
  - d) when in need, providing advises and consulting contractors in RAP implementation; and
  - e) reporting to the PIU with regard to implementation of the Resettlement Procedure.
119. PIU/ RPIU/ SSS will draw upon the services of Facilitating Partners (FP) (NGOs/ CSOs) in reaching out to the communities.

#### **iv. Land Resources and State Cadaster Department (LRSCD)**

120. LRSCD for each District in the Project is responsible for identifying and verifying property boundaries and ownership. They also will clarify land allotment certificates for agricultural land that has been formally registered and transferred to the Immovable Property Registration Offices.

#### **v. The Local Hokimiyats**

121. District Hokimiyats and local communities (makhallas) are the final beneficiaries of the project implementation; it is required continuous assistance and presence during all the progress of

the project. They will be responsible for the coordination of the implementing procedures and execution of the compensation together with MoED/PIU.

122. In the Table XVIII respective institutional arrangement is presented. The table describes in detail the steps of a Resettlement Action Plan (if any) to be implemented.

**Table 10: Institutional Arrangements for Implementation of the Resettlement and/or Land Acquisition Procedure**

| Steps         | Institutions/Responsible  | Description of responsibilities   | Remarks  |
|---------------|---|---|--|
| <b>Step 1</b> | PIU (ESS, SSS, regional ESSS) FP  | Identification of PAPs, public information, calculation of RAP value  | Information on project effects needs on RAP, evaluation, and verification of PAPs  |
| <b>Step 2</b> | District Khokimiyat with consultation with PIU (ESS, SSS, regional ESSS)          | Requests departments of Construction and district branches of the State Enterprise of Land Registry and Real Estate Cadastre                                      | for obtaining relevant conclusions and other information (within 5 working days after receiving request)   |
| <b>Step 3</b> | District Khokimiyat with consultation with PIU (ESS, SSS, regional ESSS)          | Determine the initial amount of compensation to be paid to the affected property owners.  | within five working days from the date of receiving the relevant conclusions and other information   |
| <b>Step 4</b> | District Khokimiyat with consultation with PIU (ESS, SSS, regional ESSS)          | gets approval from Supervisory Board of the Centralized Fund for compensation of losses caused to individuals and legal entities and Council of People's Deputies | for the cost benefit analysis in regard of the land acquisition.   |
| <b>Step 5</b> | Council of People's Deputies with consultation with PIU (ESS, SSS, regional ESSS) | Issues decree on holding open discussion between PAP and Khokimiyats  | open discussion must be held with participation of mass media; minutes of meeting shall be disclosed   |
| <b>Step 6</b> | PIU (ESS, SSS, regional ESSS) FP  | PAP Consultation  | Explanation on assets to be affected, identification of the best way for compensation, explanation of time of compensation, main actors on the implementation process, procedures to be undertaken and the rights for Grievances   |
| <b>Step 7</b> | Council of People's Deputies with consultation with PIU (ESS, SSS, regional ESSS) | Issues decree on land acquisition for state and public needs  | Decree should be disclosed   |
| <b>Step 8</b> | District Khokimiyat with consultation with PIU (ESS, SSS, regional ESSS)          | <i>Khokimiyats</i> and the property owner shall sign the bilateral Agreement  | and notarize it in established procedure and registered by Khokimiyat. Compensation amount, types and payment schedule shall be provided in the Agreement. The property owner signed the Agreement is considered as given his (or her) consent for the land acquisition and demolition of the immovable property located on this land. |
| <b>Step 9</b> | PIU (ESS, SSS, regional ESSS) FP  | Preparation of final RAP report   | Preparation of RAP Report considering comments of WB and MoED  |

|                |   |   |  |
|----------------|---|---|--|
| <b>Step 10</b> | PIU (ESS, SSS, regional ESSS), WB, MoED   | Submit RAPs to WB Task Team for review and no objection before implementing. Approval of the final report   | No objection from World Bank experts for the RAP. Formalizing the RAP report and including at project implementation POM                                     |
| <b>Step 11</b> | PAPs  | Opening a Bank Account and reporting it at the MoED.  | Institutional support of the compensation process  |
| <b>Step 12</b> | District Khokimiyat with consultation with PIU (ESS, SSS, regional ESSS) and MoED | Compensation is paid before civil works begin   | Based on agreement of the parties, the property owner might be paid few types of compensation with considering the appraised value of the immovable property |
| <b>Step 13</b> | PIU (ESS, SSS, regional ESSS) FP  | Grievance Committee Creation  | The Grievance Committee needs to be formalized and specific contacts need to be given to the PAPs.   |
| <b>Step 14</b> | District Khokimiyat with consultation with PIU (ESS, SSS, regional ESSS)          | Issues decree on demolition of the immovable property objects located on the land to be acquired  | Decree should be cleared by justice authorities and disclosed  |
| <b>Step 15</b> | PIU (ESS, SSS, regional ESSS) FP /Grievance Committee                             | If needed, the assistance of PAPs on grievance procedures for administrative bodies, RAP procedures, compensation values etc and support PAPs grievances on the Court | If PAPs have grievances  |
| <b>Step 16</b> | PIU (ESS, SSS, regional ESSS) FP  | Ensure that the process implementation has considered all pretend by both interested parties  | Ensure that compensation is done in respect (amount and time) of agreements signed by interested parties   |
| <b>Step 17</b> | PIU (ESS, SSS, regional ESSS)   | Prepare the final report on RAP implementation  | Considering that compensations will be finished before starting the project implementation.  |
| <b>Step 18</b> | PIU (ESS, SSS, regional ESSS), PAP  | Assignment of the disclosure process according to the interested parties demands and in respect of DCM  | Ensure a signed document that shows the RAP is finished and the compensation is done.  |
|                |   |   | This document also will verify that in the future the expropriate lands are ownership of PIU.  |

123. Depending on the technical design if the RAR to be undertaken the specifications must be updated by the PIU Safeguards Unit in accordance with the project activities developments. The preliminary linkage of project activities and resettlement is in ANNEX 6.

124. It is crucial that the PAPs are informed about their rights and options, at which point they may discuss matters that need clarification. All information regarding cash compensation amount and size of land offered for compensation must be presented to each eligible PAP for consideration and endorsement before cash payment or land compensation can be affected. A committee of peers will be set up for grievance redress.

#### **b. Consultations**

125. The public consultations are the important part of the RAP implementation. PIU/MoED is responsible for organizing and conducting public consultations with different target groups (title and non-title holders, HH with low income, women headed HH etc) affected by each subproject prior to the move and involvement of PAPs in planning prior to completion of the site-specific RAP. The purpose of the public consultation is to inform affected community groups about the subproject. It is important for success of the project and its sustainability to offer PAPs the opportunity to express their opinion of any adverse environmental and social issues they feel may develop during

subproject implementation. Any legitimate issue raised through the public consultation should be taken into account, included in the RAP and reflected in subproject implementation.

126. The best practice of previous WB projects demonstrates the efficiency of “a *two-way flow of information*” approach at the meetings in the subproject sites when PIU describe their activities to local communities, and local communities ask questions or raise their concerns in return. The requirement is documenting public consultations results and including them in RAPs.

127. To achieve the main of RAP’s goals, to obtain cooperation, participation, and feedback and make process transparent PAPs must be systematically informed and consulted during preparation of the resettlement plan about their options and rights, their ability to choose from a number of acceptable resettlement alternatives. Particular attention must be given to vulnerable groups to ensure that they are represented adequately in such arrangements.

128. Successful resettlement requires a timely transfer of responsibility from settlement agencies to the displaced persons themselves. Otherwise, a dependency relationship may arise, and agency resources may become tied up in a limited number of continually supervised schemes. Local leadership must be encouraged to assume responsibility for environmental management and infrastructure maintenance. All public consultations with **Public Participation of the PAPs** may be classified as follows:

1. At the planning stages when the technical designs are being developed and at the land selection / screening stage would initiate the compensation process.
2. The Resettlement committees together with community leaders and representatives are responsible to notify their members about the established cut-off date and its significance. The PAPs will be informed through both a formal notification in writing.
3. A compensation dossier containing necessary personal information on, the affected party and those that s/he claims as household members, total land holdings, inventory of assets affected, and information for monitoring their future situation is compiled by The Land Acquisition and Resettlement Commission (LARC) which arranges meetings with affected individuals to discuss the compensation process. This Documentation of Holdings and Assets information is confirmed and witnessed by representatives of Makhalla and members of LARC. These Dossiers are used for monitoring PAPs over time. All claims and assets will be documented in writing.
4. All types of compensation are to be clearly explained to the individual and HH involved. An Agreement on Compensation and Preparation of Contracts process includes the drawing up by the respective Resettlement Committees a contract listing all property and land being surrendered, and the types of compensation (cash and/or in-kind) selected. A person selecting in-kind compensation has an order form which is signed and witnessed. The compensation contract and the grievance redress mechanisms are read aloud in the presence of the affected party and the members of LARC and representative from makhalla
5. At the stage of Compensation Payments all handing over of property such as land and buildings and compensation payments will be made in the presence of the affected party, the Chairman or members of LARC and representative from Makhalla.

### c. Disclosure

129. This is very crucial for RAP implementation that the Resettlement Policy documents including ESMF, RPF, ARAP/RAP (in case there will be any type of Involuntary resettlement), displacement announcement in regard to the relocation of residence/business structures are subject to disclosure to the public through social media, websites, posters in makhalla and hokimiyats.

130. The main purpose of the meetings on June 24-28 in the 9 makhallas covered by the project was to introduce the information to explain the main statement of WB’s safeguards policies in connection with RIDP (Annex 1).

131. The objectives of these public consultations were: to inform the public and stakeholders about the objectives and project developments and the expected of environmental and social impacts; to collect information and data from the public and/or the communities that will be affected by the

project; and to ensure participation of the public and local communities in a process and support for the project. The consultants explained about album influx, restrictions of forced and child labor in this project. The minutes of the consultation meetings can be found in Annex 1 and the minutes of RPF disclosure meetings Annex 4.

132. After completing the technical design public consultation meetings with all stakeholders will be carried out in the field for the dissemination of information regarding the rehabilitation process and entitlement framework for making the RAP preparation and implementation process transparent. Several documents of RPF, RAP and the R&R policy in Uzbek and Russian languages must be introduced to public. The documents available in the public domain will include Entitlement Matrix and RAP (summary in local language) and the list of eligible PAPs for various R&R benefits. All documents will be kept in PIU of MoED. As per Access to Information Policy of the WB, all safeguard documents will also be available at the World Bank Portal. The MoED/PIU will be responsible for disclosure and information dissemination on community level including a community display, meetings, and consultations.

#### **d. Updating of Resettlement Policy Framework**

133. This Resettlement Policy Framework will be updated as and when changes or amendments to the applicable laws and policies are made and based on implementation experience and lessons learnt.

#### **e. Management Information System (MIS)**

134. According to the “**Component 2: Project management, monitoring and evaluation, and capacity building**” these activities are planned: Introduction of digital technologies and management systems for planning, control and user feedback at the level of the district khokimiyat and MCAs. Examples include the implementation of a geographic information system (GIS) -based database to track all investments of the RIDP, a mobile-based joint planning system for use by makhalla committees and district khokimiyats, the development and provision of infrastructure gap indices and services, the introduction of assessment maps provision of services in pilot areas.

135. This component supports the PIU, preparatory work, beneficiary feedback and grievance mechanism, development and implementation of a geo-referenced management information system on the Internet, and monitoring of baselines, milestones and outcomes.

136. It is suggested that establishment of such a management information system (MIS) helps providing relevant information to the appropriate persons at the right time for decision-making, and for the coordination, control, analysis, and visualization of information in the project.

137. The best practice of WB project demonstrates the advantages of the MIS to help managers at all levels of the organization in such activities as:

- i. plan its activities in the short- and long-term;
- ii. organize the tasks necessary for the plan;
- iii. monitor the execution of the tasks and activities to compare and control actual results with the plan;
- iv. take any necessary corrective measures or re-plan the activities.

138. Such decision support system (DSS) software can help PIU increase efficiency of RAR planning and implementation while making choices and taking decisions (f.e. by ranking, prioritizing or choosing from a number of options). In RIDP the traditional MIS Routine may be applied including:

- The data directly input at central and local levels by staff responsible for specific activities.
- Senior staff of the vertical chain of command shall control and be responsible for data input.
- Specialists will have an access to MIS within the limits of their competence.
- Senior staff of units also has an access to financial section and procurement section.
- Project coordinators and an M&E specialist will have full access to MIS without authorization for changes.



139. The data will be processed and consolidated in different reports. The project indicators are calculated by means of data summary.

#### **f. Monitoring and Evaluation**

140. Monitoring Indicators on the Social Impacts among others the general project acceptance by community; success/acceptability of the compensation/ resettlement process; restoration of areas temporarily disrupted by construction.
141. The responsibilities for monitoring and evaluation are shared between the PIU Safeguards Unit and the MoED. The PIU Safeguards Unit is responsible for record-keeping, management and internal monitoring of the GRM. The MoED is responsible for coordinating external monitoring and evaluation of the project implementation. It's worthy to get opinion of PAPs representatives of the impacts and the effects of the project through a household survey to be undertaken as a monitoring and evaluation exercise.

#### **i. Internal and external monitoring**

142. At this stage it is not yet decided if any Consulting company (CC) would be contracted to undertake concurrent M&E of RAP implementation. As usual the project must involve a Cadastral and civil engineer who can assess the provided land and in case provision of suitable houses, quality of houses built and the common properties that are being rebuilt/relocated.
143. In a case if the M&E CC to be hired this undertakes monitoring and verification of processes and activities in RAP implementation and would submit quarterly reports. The CC would also undertake an end-term evaluation post RAP implementation to ascertain if the RAP objectives have been achieved. It is the responsibility of the CC to identify gaps based on desk reviews and field visits and provide timely inputs for course-correction to MoED to improve implementation and outcomes, to recommend measures necessary to build capacity and provide requisite training to implementation staff and other stakeholders such as civil works contractor. Some of the key activities would include monitoring and verification of:
- (a) timely payment of compensation and assistance and prior to the commencement of civil works;
  - (b) processes followed in the dissemination of information on the project and eligible entitlements as
  - (c) well as the quality of consultations;
  - (d) processes followed in the relocation of PAPs as per relocation plan, if displaced;
  - (e) provision of replacement cost (towards the cost of structures, shifting and replacement house);
  - (f) relocation of all common properties such as toilets, temples, etc.
  - (g) the provision on livelihood support measures, training towards rehabilitation;
  - (h) provision of work opportunities to PAPs and other community members during civil works;
  - (i) grievances received and redressed.

#### **ii. Impact Evaluation**

144. Impact evaluation of the project must be taken up twice – during the project's midterm and again as an end term at the end of RIDP. End term impact evaluation exercise to be carried out within two months of completion of RAP implementation. This includes evaluation the RAP implementation – activities, processes, and outcomes; ascertainment if there are any pending issues and making recommendations towards the improvement of outcomes, if any. The key socio-economic indicators developed during SIA and as presented in the RAP must be used for impact evaluation. It is recommended prior to commencing the evaluation exercise, these indicators will be further refined and improved upon by the agency in consultation with MoED/PIU.

#### **g. Coordination with Civil Works**

145. The land acquisition and resettlement implementation will be co-coordinated with the timing of procurement and commencement of civil works. The required co-ordination has contractual implications and will be linked to procurement and bidding schedules, the award of contracts, and release of cleared COI sections to the contractors. The project will provide adequate notification,

counseling, and assistance to affected people so that they are able to move or give up their assets without undue hardship before the commencement of civil works and after receiving the compensation. The bid documents will specify the extent of unencumbered land to be handed over at the time commencement of works and subsequent milestones and this will be strictly followed to ensure that land is provided on a timely basis to the contractors and also plan the implementation of land acquisition and resettlement in line with procurement and civil work timetable.

146. The bidders are required to submit the following as part of their technical bid: ESHS strategy and implementation plan; code of conduct; and declaration of past ESHS performance. Prior to starting construction, the contractor will prepare and submit the ESMP to the PIU for acceptance. The ESMP will include a detailed explanation of how the contractor will comply with the project's safeguard documents and demonstrate that sufficient funds are budgeted for that purpose. The ESMP must be approved prior to the commencement of construction activities. The approved ESMP will be reviewed, periodically (but not less than every six (6) months), and updated in a timely manner, as required, by the Contractor to ensure that it contains measures appropriate to the civil works activities to be undertaken.

## 8. GRIEVANCES REDRESS MECHANISM (GRM)

147. Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to the project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). Project specific GRM is developed on the existing complaining handling mechanism. Grievances may arise from members of communities who are dissatisfied with:

- (a) the eligibility criteria,
- (b) community planning measures,
- (c) actual implementation.

### a. Existing complaint handling mechanism in Uzbekistan

148. Any citizen in Uzbekistan has several channels to air his/ her complaints.

#### ➤ On village (mahalla) level:

- Physical visit to Mahalla Citizens' Assembly Office to meet with Chair;
- Call to President's Virtual reception (tel number is 1000 or 0-800-210-00-00) or send message to President's Virtual reception online ([www.pm.gov.uz](http://www.pm.gov.uz));
- Call to hotlines established at each district or regional Khokimiyat;
- Send written complaint (letter) to district/regional Khokim/ line Ministry/President;
- Attend meetings with district/regional Heads of Sectors on integrated socio-economic development of regions (4 sectors established in each district);
- Attend meetings with leadership of line ministries and agencies that have to regularly meet with citizens in rural areas.

*If citizen is not satisfied with reply provided by Mahalla Chair, or he has received incomplete response, citizen can apply to upper level, specifically to District Khokimiyat.*

#### ➤ District level:

- Physical visit to Khokimiyat on citizens reception days to meet with district Khokim or deputy Khokims
- Call to hotlines established in each Khokimiyat
- Physical visit to Public reception offices under President's Virtual reception and established in each district nationwide
- Call to President's Virtual reception (tel number is 1000 or 0-800-210-00-00) or send message to President's Virtual reception online ([www.pm.gov.uz](http://www.pm.gov.uz))
- Send written complaint (letter) to district Khokim/ line Ministry/President
- Attend meetings with district/regional Heads of Sectors on integrated socio-economic development of regions (4 sectors established in each district)
- Attend meetings with leadership of line ministries and agencies that have to regularly meet with citizens in rural areas

*If citizen is not satisfied with reply provided on district level, or he has received incomplete response, citizen can apply to upper level, specifically to Regional Khokimiyat.*

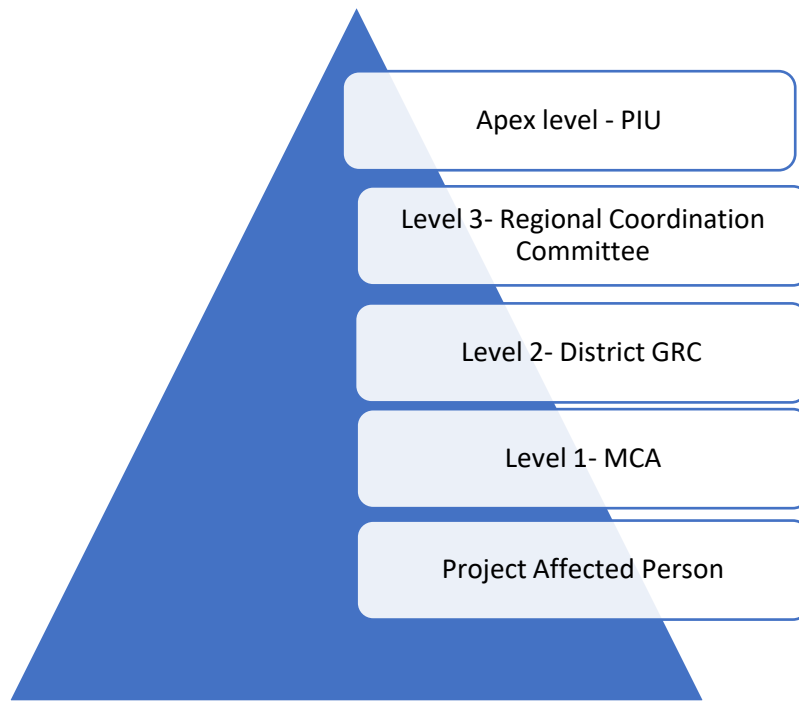
#### ➤ Regional level:

- Physical visit to Khokimiyat on citizens reception days to meet with regional Khokim or deputy Khokims
- Call to hotlines established in each Khokimiyat
- Physical visit to Public reception offices under President's Virtual reception and established in each regional center nationwide
- Call to President's Virtual reception (tel number is 1000 or 0-800-210-00-00) or send message to President's Virtual reception online ([www.pm.gov.uz](http://www.pm.gov.uz))
- Send written complaint (letter) to regional Khokim/ line Ministry/President
- Attend meetings with regional Heads of Sectors on integrated socio-economic development of regions (4 sectors established in each district)
- Attend meetings with leadership of line ministries and agencies that have to regularly meet with citizens in rural areas

## 8.2 Overview general concept of GRM

149. Grievance Redressal Committee (GRC) will be established at four-levels, one at Mahalla level and the others at district, region, and PIU to receive, evaluate and facilitate the resolution of displaced persons concerns, complaints and grievances. The GRC will provide an opportunity to the DPs to have their grievances redressed prior to approaching the State Authority. The GRC is aimed to provide a trusted way to voice and resolve concerns linked to the project, and to be an effective way to address displaced person's concerns without allowing it to escalate resulting in delays in project implementation.
150. The GRC will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the project. The GRC is not intended to bypass the government's inbuilt redressal process, nor the provisions of the statute, but rather it is intended to address displaced persons concerns and complaints promptly, making it readily accessible to all segments of the displaced persons and is scaled to the risks and impacts of the project.
151. The RP will have a mechanism to ensure that the benefits are effectively transferred to the beneficiaries and will ensure proper disclosure and public consultation with the affected population. The GRCs are expected to resolve the grievances of the eligible persons within a stipulated time.
152. The GRC will continue to function, for the benefit of the DPs, during the entire life of the project including the defects liability periods. The response time prescribed for the GRCs would be three weeks. Since the entire resettlement component of the project has to be completed before the construction starts, the GRC, at Mahalla and District will meet at least once in three weeks to resolve the pending grievances. Other than disputes relating to ownership rights and apportionment issues on which the State has jurisdiction, GRC will review grievances involving all resettlement benefits, relocation and payment of assistances.
153. The Facilitating Partner (NGO) will assist the impacted persons in registering their grievances and being heard. The complaint / grievance will be redressed in 3 weeks time and written communication will be sent to the complainant. A complaint register will be maintained at Mahalla/ District/ PIU level with details of complaint lodged, date of personal hearing, action taken, and date of communication sent to complainant. If the complainant is still not satisfied s/he can approach the jurisdictional State Authority. The complainant can access the appropriate Authority at any time and not necessarily go through the GRC. The grievance redressal procedure is shown in the following figure.

Figure 1: Grievance flow.



**Table 11: Grievance Redress Mechanism and Levels**

| <b>Level/Steps</b>   | <b>Process</b>   |
|--|--|
| <b>Level 1- local makhalla committee</b>                             | The aggrieved person applies directly to local makhalla committee or working office of Contractor. PIU WB safeguard specialist will be in charge for receiving and registration complaints and PIU WB will collect information about received complaints from makhalla committee and working Contractor offices on weekly base. If the issue is not resolved, then, either the applicant and/ or MC raises it to the next level – Project specific GRC at District level, headed by the District Hokimiyat.  |
| <b>Level -2 working office of Contractor and district Hokimiyats</b> | <p>The alternative entry point for complaints will be also Hokimiyats due to their obligations defined by national legislation: (i) Hokimiyats of the respective districts (cities) are obliged to notify owners of residential, production and other buildings, constructions and plantings on the made decision in writing for signature not later than six months prior to demolition, (ii) there is a 1<sup>st</sup> deputy of khokim responsible for industry, capital construction communications and utilities, who is usually responsible for any issues/complaints regarding the construction and land allocation.</p> <p>After registration of received complaints, PIU WB safeguard specialist will review nature/specificity of the complaint and will forward it to relevant party for resolving. In parallel, district Hokimiyats representatives will inform PIU in Tashkent about received complaint and further actions undertaken for its solution. Depending on nature of complaint it may go to Contractor, Land Resources and State Cadastre Department (LRSCD), Makhalla or district branch of Nature Protection Committee. At this level complaint are to be resolved within 2 weeks. Failing which, the issue can be escalated to level 3.</p> |
| <b>Level 3</b>   | Regional Hokimiyat. Regional Coordination Committee set up by the GOU will hear the matter. Most issues are expected to be resolved at this level.   |
| <b>Apex Level – PIU WB secretariat in Tashkent</b>                   | <p>In case the grievance was not redressed on the first stage or applicant is not satisfied with the decision made/solution, s/he can submit the grievance directly to secretariat PIU WB in Tashkent. In accordance with established procedure, the secretariat of PIU WB will review the complaint and will forward complaints to respective department to made decision on its redress. In case the grievance is not related directly to the project, the further instance will be recommended to the applicant where s/he should apply for the decision making.</p> <p>In case, if the complaint is required more time and resources for resolution, the PIU WB may establish complaint handling team with following members such as representatives from secretariat PIU WB, district kokimiyat: LRSCD and makhalla or village assembly of Citizens or/and farmer's councils, or/and women association. All complaints will be resolved within 15 days after the receipt of the complaint, and in case additional details are required, a maximum of 30 days will be used to resolve and close the complaint with prior notification of complainant.</p>  |
| <b>Court</b>   | If the issue was not solved or the applicant is dissatisfied with the decision/resolution, the aggrieved person may submit grievance to Economic Court (Court of Law) where decision will be made in accordance with relevant national legislation. However, PAPs can approach the court of law at time during the grievance redressal process independent of GRM and the grievance mechanism should not impede access to the country's judicial or administrative remedies  |

154. The GRM for the current project takes into account the national legislation, the specificity of the project sites and results of public consultations.

155. The purpose of GRM is also to enhance accountability to project beneficiaries and to provide channels for feedback to project stakeholders on project activities. Such a mechanism allows for the identification and resolution of issues affecting the project, including: complaints regarding security measures, staff misconduct, and misuse of funds, abuse of power and other misconduct. By increasing transparency and accountability, GRM aims to reduce the risk that the project/sub-projects will unintentionally harm citizens/beneficiaries and serve as an important feedback mechanism to improve the impact of the project. The following flow diagram depicts the GRM process.

### **1.3 Organization of complaints mechanism**

156. The responsible body for the establishment and functioning of the GRM is the PIU at MoED whose functional responsibilities include

- Development of procedures for consideration of complaints/complaints/comments from PAPS;
- Creation, functioning and informing about the channels of appeals;
- Ensuring confidentiality and avoiding conflicts of interest;
- Collection/receipt of complaints, sorting/ categorization, registration/recording;
- Notification to the applicant of the acceptance of the complaint for consideration;
- Investigation and Response to Applicant, Notice of Possibility of Appeal.
- Publication of information on the outcome of complaints in available sources.

Project specific GRM will set up additional technologically innovative channels specified below to provide more opportunities for people to raise their issues and send complaints. Public awareness campaign and GRM related capacity building programs will be provided at village, district and regional levels. Anonymous complaints will be received and handled by project specific GRC.

#### **Village (mahalla) level:**

- Special boxes will be established in each MCA Office to collect complaints from citizens. MCA Project committees to be established at each mahalla will be responsible for checking this box and deliver to Facilitating partner, District implementation team or Project Implementation Unit.
- Project web page (MIS) and mobile applications with integrated GRM
- Hotline established at PIU

#### **District level:**

- Special boxes will be established in each District Khokimiyat to collect complaints from citizens. District implementation team to be established in each district will be responsible for checking this box and deliver to Facilitating partner or Project Implementation Unit.
- Project web page (MIS) and mobile applications with integrated GRM
- Hotline established at PIU

#### **Regional level:**

- Project web page (MIS) and mobile applications with integrated GRM
- Hotline established at PIU

### **b. GRM- WB Window**

157. Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance

Redress Service (GRS), please visit <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. For information on how to submit complaints to the World Bank Inspection Panel, please visit [www.inspectionpanel.org](http://www.inspectionpanel.org).



## **9. ANNEX 1. MINUTES OF PUBLIC CONSULTATION IN FERGHANA VALLEY**

### **1. Venue: Namangan viloyat, Mingbulak district, “Baland Gurtepa” makhalla gathering**

**Date: June 24, 2019**

Rural Infrastructure Development Project (RIDP)

**PUBLIC CONSULTATION:** Land Acquisition and Resettlement Issues within RIDP

**Participants:** Bahodir Dadabaev, the head of team for implementation “Rural Infrastructure Development” project in Namangan viloyat, chair and members of NGO “**Baland Gurtepa**” makhalla gathering, representatives of NGO “Women’s Committee” of Mingbulak district, NGO “Youth Union”, representatives of hokimiyats and NGO of Mingbulak districts, local authorities involved in environmental performance and land acquisition and resettlement activities (Land Resources and State Cadastre Departments, a Committee of Ecology and Environmental Protection, Financial Department, Civil Construction Department)

#### **Topics discussed:**

Social policy of GoU and WB on rural development and social-ecological consequences. Brief description of RIDP, relevant WB OP’s requirements, safeguard documents and grievance mechanism to be developed under RIDP for subprojects.

#### **Suggestions raised:**

1. Roads are in poor quality. It creates troubles for kids to go to school located 1 km from home in other settlement
2. Outdated water supply system doesn’t provide adequate service (2 hours a day)
3. Women’s and youth involvement to decision making on resettlement issues must be increased

#### **Questions:**

1. What are the WB rules for compensation if any resettlement happens?
2. What types of subproject will be considered in this district?

### **2. Venue: Namangan viloyat, Pap district, “Chiganok” makhalla gathering**

**Date: June 24, 2019**

**Participants:** Bahodir Dadabaev, the head of team for implementation “Rural Infrastructure Development” project in Namangan viloyat, chair and members of NGO “**Chiganok**” makhalla gathering, representatives of NGO “Women’s Committee” of Pap district, NGO “Youth Union”, representatives of hokimiyat of and NGO of Pap district, local authorities involved in environmental performance and land acquisition and resettlement activities (Land Resources and State Cadastre Departments, a Committee of Ecology and Environmental Protection, Financial Department, Civil Construction Department)

#### **Topics discussed:**

Social policy of GoU and WB on rural development and social-ecological consequences. Brief description of RIDP, relevant WB OP’s requirements, safeguard documents and grievance mechanism to be developed under RIDP for subprojects.

#### **Suggestions raised:**

1. Outdated water supply system doesn’t provide adequate service and brings to raising of groundwater
2. Roads are in poor condition
3. Electricity system needs to be rehabilitated
4. Local transportation is crucial for connection with district center
5. Women’s and youth need sport facilities. We have unoccupied site that may be used for reconstruction without any resettlement issues to happen

#### **Questions:**

How will be compensation made if any resettlement happens?

**3 Venue: Namangan violate hokimiyat administrative building, city of Namangan**  
**Date: June 25, 2019**

**Participants:** Bahrom Nurmatov, the Deputy of Hokim of Namangan viloyat, Bahodir Dadabaev, the head of team for implementation “Rural Infrastructure Development” project in Namangan viloyat, Iroda Kuchkarova, chair, NGO “Women’s Committee” of Namangan viloyat, Bahtiyor Mirzatov, deputy chair, NGO “Youth Union”, representatives of hokimiyats and NGO of Mingbulak, Pap and Chartak districts, Regional and local authorities involved in environmental performance and land acquisition and resettlement activities (Land Resources and State Cadastre Departments, a Committee of Ecology and Environmental Protection, Financial Department, Civil Construction Department)

**Topics discussed:**

Social policy of GoU and WB on rural development and social-ecological consequences. Brief description of RIDP, relevant WB OP’s requirements, safeguard documents and grievance mechanism to be developed under RIDP for subprojects.

**Suggestions raised:**

1. Women’s and youth needs and requirements to social infrastructure development are to be priority when decision made on subprojects development in districts
2. Outdated water supply system is the main concern in rural areas
3. Women’s involvement to decision making on resettlement issues must be increased

**Questions:**

1. What is the WB OP regarding the resettlement?
2. What types of subproject will be considered in Namangan regains?

**4 Venue: Namangan viloyat, Chartak district, “Xazratishax” makhalla gathering**  
**Date: June 25, 2019**

**Participants:** Bahodir Dadabaev, the head of team for implementation “Rural Infrastructure Development” project in Namangan viloyat, chair and members of NGO ““Xazratishax”” makhalla gathering, representatives of NGO “Women’s Committee” of Chartak district, NGO “Youth Union”, representatives of hokimiyat of and NGO of Chartak district, local authorities involved in environmental performance and land acquisition and resettlement activities (Land Resources and State Cadastre Departments, a Committee of Ecology and Environmental Protection, Financial Department, Civil Construction Department)

**Topics discussed:**

Social policy of GoU and WB on rural development and social-ecological cosequenses. Brief description of RIDP, relevant WB OP’s requirements, safeguard documents and grievance mechanism to be developed under RIDP for subprojects.

**Suggestions raised:**

1. Water supply for gardening is not enough since in Kyrgyzstan the flow of rivers coming to Uzbekistan is blocked. The new canal is in need.
2. It is urgent to restore the portable drinking water supply system
3. The building of kindergarten is in poor condition
4. Poor access to the Internet
5. Women’s and youth need sport facilities. We have unoccupied site that may be used for reconstruction without any resettlement issues to happen

**Questions:**

What is national legal base for valuation assets?

**5 Venue: Andijan Hokimiyat administrative building, city of Andijan**  
**Date: June 26, 2019**

**Participants:** Bahtiyor Abdurahimov, the senior specialist of Department construction of Hokimiyat of Andijan viloyat, the representatives of team for implementation “Rural Infrastructure Development” project in Andijan viloyat, representatives of NGO “Committee” of Andijan viloyat, NGO “Youth Union”, representatives of hokimiyats and NGOs of Buston, Ulugnar and Paxtaabad districts, Regional and local authorities involved in environmental performance and land acquisition and resettlement activities (Land Resources and State Cadastre Departments, a Committee of Ecology and Environmental Protection, Financial Department, Civil Construction Department)

**Topics discussed:**

Social policy of GoU and WB on rural development and social-ecological consequences. Brief description of RIDP, relevant WB OP’s requirements, safeguard documents and grievance mechanism to be developed under RIDP for subprojects.

**Suggestions raised:**

1. The experience of ongoing state programs shows that success depends on involvement of communities to decision-making and implementation
2. No any resettlement issues occurred while reconstruction/rehabilitation conducted in rural areas

**Questions:**

1. What is the WB OP regarding the resettlement?
2. What types of subproject will be considered in Andijan region?

**6 Venue: Andijan viloyat, Buston district, “Sarbon” makhalla gathering**

**Date: June 26, 2019**

**Participants:** Bahtiyor Abdurahimov, the senior specialist of Department construction of Hokimiyat of Andijan viloyat, the representatives of team for implementation “Rural Infrastructure Development” project in Andijan viloyat, chair and members of NGO “Sarbon” makhalla gathering, representatives of NGO “Women’s Committee” of Buston district, NGO “Youth Union”, representatives of hokimiyat of and NGO of Buston district, local authorities involved in environmental performance and land acquisition and resettlement activities (Land Resources and State Cadastre Departments, a Committee of Ecology and Environmental Protection, Financial Department, Civil Construction Department)

**Topics discussed:**

Social policy of GoU and WB on rural development and social-ecological consequences. Brief description of RIDP, relevant WB OP’s requirements, safeguard documents and grievance mechanism to be developed under RIDP for subprojects.

**Suggestions raised:**

1. Waste management system needs to be modernized to provide waste processing in rural area. No need for any land acquisition since the polygons for waste collection exists.
2. It is urgent to restore the portable drinking water supply system
3. The building of school is in poor condition
4. Poor condition of inner roads and roads to the district center

**Questions:**

What kind of compensation for loss of land?

**7 Venue: Andijan viloyat, Ulugnar district, “Oqtom” makhalla gathering**

**Date: June 26, 2019**

**Participants:** Bahtiyor Abdurahimov, the senior specialist of Department construction of Hokimiyat of Andijan viloyat, the representatives of team for implementation “Rural Infrastructure Development” project in Andijan viloyat, chair and members of NGO “Oqtom” makhalla gathering, representatives of NGO “Women’s Committee” of Ulugnar district,

NGO “Youth Union”, representatives of hokimiyat of and NGO of Ulugnar district, local authorities involved in environmental performance and land acquisition and resettlement activities (Land Resources and State Cadastre Departments, a Committee of Ecology and Environmental Protection, Financial Department, Civil Construction Department)

**Topics discussed:**

Social policy of GoU and WB on rural development and social-ecological consequences. Brief description of RIDP, relevant WB OP’s requirements, safeguard documents and grievance mechanism to be developed under RIDP for subprojects.

**Suggestions raised:**

1. It is urgent to restore the portable drinking water supply system
2. The gas system is need to be repaired
3. Water supply for gardening is not enough since in Kyrgyzstan the flow of rivers coming to Uzbekistan is blocked. The new canal is in need.

**Questions:**

What kind of compensation if any resettlement happens?

**8 Venue: Andijan viloyat, Paxtaabad district, “Madaniyat” makhalla gathering**

**Date: June 26, 2019**

**Participants:** Bahtiyor Abdurahimov, the senior specialist of Department construction of Hokimiyat of Andijan viloyat, the repiveresentatives of team for implementation “Rural Infrastructure Development” project in Andijan viloyat, chair and members of NGO ““**Madaniyat**”” makhalla gathering, representatives of NGO “Women’s Committee” of Paxtaabad district, NGO “Youth Union”, representatives of hokimiyat of and NGO of Paxtaabad district, local authorities involved in environmental performance and land acquisition and resettlement activities (Land Resources and State Cadastre Departments, a Committee of Ecology and Environmental Protection, Financial Department, Civil Construction Department)

**Topics discussed:**

Social policy of GoU and WB on rural development and social-ecological consequences. Brief description of RIDP, relevant WB OP’s requirements, safeguard documents and grievance mechanism to be developed under RIDP for subprojects.

**Suggestions raised:**

1. The inner roads and road to the district center are in poor condition. No resettlement issues.
2. Electricity system needs restoration/rehabilitation
3. Portable drinking water supply is not sufficient-new well and source for water supply must be constructed.
4. The building of kindergarten is in poor condition

**Questions:**

What kind of compensation if any resettlement happens?

**9 Venue: Fergana viloyat, Furqat district, “Hayit” makhalla gathering**

**Date: June 27, 2019**

Rural Infrastructure Development Project (RIDP)

**Participants:** Oybek Rahimov, the senior specialist of Department construction of Hokimiyat of Fergana viloyat, the repiveresentatives of team for implementation “Rural Infrastructure Development” project in Fergana viloyat, chair and members of NGO ““**Hayit**”” makhalla gathering, representatives of NGO “Women’s Committee” of Furqat district, NGO “Youth Union”, representatives of hokimiyat of and NGO of Furqat district, local authorities involved in environmental performance and land acquisition and resettlement activities (Land Resources and

State Cadastre Departments, a Committee of Ecology and Environmental Protection, Financial Department, Civil Construction Department)

**Topics discussed:**

Social policy of GoU and WB on rural development and social-ecological cosequenses. Brief description of RIDP, relevant WB OP's requirements, safeguard documents and grievance mechanism to be developed under RIDP for subprojects.

**Suggestions raised:**

1. Electricity system needs restoration/rehabilitation
2. Portable drinking water supply is not sufficient-new well and source for water supply must be constructed
3. The medical care center is in poor condition

**Questions:**

What kind of compensation if any resettlement happens?

**10 Venue: Fergana viloyat, Kushtepa district, "Oqtapa" makhalla gathering**

**Date: June 27, 2019**

Rural Infrastructure Development Project (RIDP)

**Participants:** Oybek Rahimov, the senior specialist of Department construction of Hokimiyat of Fergana viloyat, the repiveresentatives of team for implementation "Rural Infrastructure Development" project in Fergana viloyat, chair and members of NGO "Oqtapa" makhalla gathering, representatives of NGO "Women's Committee" of Kushtepa district, NGO "Youth Union", representatives of hokimiyat of and NGO of Kushtepa district, local authorities involved in environmental performance and land acquisition and resettlement activities (Land Resources and State Cadastre Departments, a Committee of Ecology and Environmental Protection, Financial Department, Civil Construction Department)

**Topics discussed:**

Social policy of GoU and WB on rural development and social-ecological cosequenses. Brief description of RIDP, relevant WB OP's requirements, safeguard documents and grievance mechanism to be developed under RIDP for subprojects.

**Suggestions raised:**

- 1 Portable drinking water supply is not sufficient the inner roads and road to the district center are in poor condition. No resettlement issues
- 2 Electricity system needs restoration/rehabilitation
- 3 The building of kindergarten is in poor condition
- 4 Waste management system needs to be modernized to provide waste processing in rural area. No need for any land acquisition since the polygons for waste collection exist.

**Questions:**

What kind of compensation if any resettlement happens?

**11 Venue: Fergana viloyat, Yozyovon district, "Suvli ariq" makhalla gathering**

**Date: June 27, 2019**

**Participants:** Oybek Rahimov, the senior specialist of Department construction of Hokimiyat of Fergana viloyat, the repiveresentatives of team for implementation "Rural Infrastructure Development" project in Andijan viloyat, chair and members of NGO "Suvli ariq" makhalla gathering, representatives of NGO "Women's Committee" of Yozyovon district, NGO "Youth Union", representatives of hokimiyat of and NGO of Yozyovon district, local authorities involved in environmental performance and land acquisition and resettlement activities (Land Resources and

State Cadastre Departments, a Committee of Ecology and Environmental Protection, Financial Department, Civil Construction Department)

**Topics discussed:**

Social policy of GoU and WB on rural development and social-ecological consequences. Brief description of RIDP, relevant WB OP's requirements, safeguard documents and grievance mechanism to be developed under RIDP for subprojects.

**Suggestions raised:**

1. It is urgent to restore the portable drinking water supply system
2. The building of kindergarten is in poor condition
3. Restoration of roads
4. Electricity system rehabilitation

**Questions:**

What is procedure for determining the size and type of compensation if any resettlement happens?

**12 Venue: Fergana Hokimiyat administrative building, city of Fergana**

**Date: June 28, 2019**

**Participants:** Oybek Rahimov, the senior specialist of Department construction of Hokimiyat of Fergana viloyat, the representatives of team for implementation "Rural Infrastructure Development" project in Fergana viloyat, representatives of NGO "Women's Committee" of Fergana Region, NGO "Youth Union", representatives of hokimiyats of of Kushtepa, Furqat and Yozyovon districts, specialists involved in environmental performance and land acquisition and resettlement activities (Land Resources and State Cadastre Departments, a Committee of Ecology and Environmental Protection, Financial Department, Civil Construction Department)

**Topics discussed:**

Social policy of GoU and WB on rural development and social-ecological consequences. Brief description of RIDP, relevant WB OP's requirements, safeguard documents and grievance mechanism to be developed under RIDP for subprojects.

**Suggestions raised:**

- 1 The experience of ongoing state programs shows that success depends on involvement of communities in decision-making
- 2 No any resettlement issues occurred while reconstruction/rehabilitation conducted in rural areas. The Regional and District Hokimiyats try avoiding land acquisition since land is a major issue in populous Fergana region. Usually unoccupied lands which in possession of Hokimiyats are taken for any construction

**Questions:**

- 1 What is the WB OP regarding the resettlement?
- 2 What types of subproject will be considered in Fergana region?

## 10. ANNEX 2. OUTLINE OF THE RESETTLEMENT ACTION PLAN AND ABBREVIATED RESETTLEMENT ACTION PLAN

### Table of content Resettlement Action Plan (RAP)

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,
- (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.

1. **Description of the project.** General description of the project and identification of the project area.
2. **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.
3. **Objectives.** The main objectives of the resettlement program.
4. **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
    - ii. program and to exclude subsequent inflows of people from eligibility for compensation and
    - iii. resettlement assistance;
    - iv. standard characteristics of impacted households, including a description of production systems, labor, and household organization; and 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;
    - v. the magnitude of the expected loss--total or partial--of assets, and the extent of displacement-economic;
    - vi. information on vulnerable groups or persons as provided for whom special provisions may have to be made; and
    - vii. provisions to update information on the impacted 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 the following:**
    - i. land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, 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. (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. (iii) public infrastructure and social services that will be affected; and
    - iv. (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.
5. **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 timeframe for such procedures, and 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.

**6. 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
- (b) project implementation;
- (c) an assessment of the institutional capacity of such agencies and NGOs; and
- (d) any steps that are proposed to enhance the institutional capacity of agencies and NGOs responsible for
- (e) resettlement implementation.

**7. Eligibility.** Definition of DPs and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

**8. Valuation of and compensation for losses.** The methodology to be used in valuing losses to determine their replacement cost; and 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.

**9. Resettlement measures.** A description of the packages of compensation and other resettlement measures that will assist each category of eligible DPs to achieve the objectives of the policy. 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.

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

- (a) institutional and technical arrangements for identifying and preparing relocation sites, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of 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
- (d) legal arrangements for regularizing tenure and transferring titles to resettlers.

**11. 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); plans to ensure comparable services to host populations; any necessary site development, engineering, and architectural designs for these facilities.

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

**13. Community participation.** Involvement of resettlers and host communities,

- (a) a description of the strategy for consultation with 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 DPs 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); and



- (d) institutionalized arrangements by which DPs 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. *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.

**16. *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.

**17. *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.

**18. *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.

**19. *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 DPs 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.

#### **Table of Content for Abbreviated RAP**

An abbreviated plan covers the following minimum elements:

- a. 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. a timetable and budget.

## **11. ANNEX 3. OUTLINE OF A RESETTLEMENT PLAN (RP)**

The Resettlement Plan document for the project must include the following components.

- 1) Description of the project
- 2) Potential impacts
- 3) Socioeconomic studies
- 4) Legal framework
- 5) Consultation and community participation
- 6) Institutional Framework
- 7) Eligibility and entitlement
- 8) Valuation of and compensation for losses
- 9) Resettlement measures
- 10) Site selection, site preparation, and relocation
- 11) Housing, infrastructure, and social services
- 12) Environmental protection and management
- 13) Community participation
- 14) Integration with host populations
- 15) Grievance procedures
- 16) Organizational responsibilities
- 17) Implementation schedule
- 18) Costs and budget
- 19) Monitoring and evaluation

**Note:** For detail documentation requirement, refer World Bank OP 4.12 – Annex A

## 12. ANNEX 4. MINUTES OF PUBLIC CONSULTATIONS (DISCLOSURE OF RPF)

**Venue:** Gulistan city hokimiyat's administrative building, Syrdarya region

**Date:** 27<sup>th</sup> of august 2019

### "Rural Infrastructure Development" Project

**Public Consultations:** Environmental and Social Management Framework and Resettlement Policy Framework

**Prepared by:** "Eco standard" consulting company, World Bank, Project Implementation Unit "Rural Infrastructure Development"

**Presented by:** Boburhon Mirbabev, Ilhom Ruziyev, Munajat Muradova

**Participated:** Representatives from World Bank, specialist PIU, Syrdarya and Namangan region hokimiyat, regional and local authorities (specialists from Regional Department for ecology and nature protection, Department of employment and labor relations, Department of communal services, Regional Department of construction, Regional Department for land resources, geodesy, cartography and state cadaster, Regional Single Engineering Companies, Regional Center for Sanitary -Epidemiologic Surveillance, Regional Department of Women's committee, Regional Department of Youth Union, Regional Federation of Trade Unions and Mahalla Citizens' Assembly Chairs, e.t.c.)

### Discussed main topics on the Public Consultations:

Project description and its components-subcomponents, development objectives; amount of financing, types of investments, project location (regions); the scope and objectives of Environmental and Social Management Framework, project's potential environmental and social impacts; national environmental policy, legislations, normative documents and requirements for environmental and social assessment; world bank safeguards policies and their requirements, its categories and screening; comparison of national and World Bank requirements for environmental assessment; applicable environmental standards; social economic characteristics; land acquisition and involuntary resettlement; gender, citizen engagement and labor; social process for screening, preparing and approving RPFs and reputational risks

| Questions  | Answers  |
|--|--|
| How will payment be made to contractors?   | Payment will produce the PIU directly to the contractor                        |
| How will contractors be determined for construction and installation work?                             | The contractor will be determined by the results of the Republican tenders     |
| Is there a new construction of social facilities?  | New construction is not provided, if necessary, can be further built extension |
| How an environmental expertise will carry out? For the area as a whole or for each village separately? | Ecological expertise will be carried out in each village                       |

**After the presentation, there were some questions from the participants:**

**Suggestions Raised:** Use solar panels for street lighting, build a library near the MCA building.

**Venue:** Namangan city hokimiyat's administrative building, Namangan region

**Date:** 28<sup>th</sup> of august 2019

**After the presentation, there were some questions from the participants:**

| Questions  | Answers  |
|--|--|
| Who will be responsible for violations of environmental and social requirements? | Contractor will be responsible for violations.   |
| Will there be a local drainage system in the villages covered by the project?    | If there is an existing drainage system in the villages within the project, it can be upgraded.              |
| Will this project involve citizen to work or help to construction works?         | The project does not provide employment, as the project is aimed at improving the infrastructure of villages |
| Does the project provide for the reconstruction of markets                       | The project does not provide for the reconstruction and construction of markets                              |

**Suggestions Raised:** N/A

**Venue:** Ministry of Economic Development and Poverty Reduction of Republic of Uzbekistan administrative building, Tashkent city

**Date:** 29<sup>th</sup> of august 2019

After the presentation, there were some questions from the participants:

| Questions   | Answers  |
|---|--|
| Who will be the customer for the construction and installation works? | It is planned that the customer for construction and installation work will be the engineering company "single customer Service" of the Regional hokimiyat |
| according to which norms Contractors will be determined?              | Contractors will be determined based on the results of tenders under the Law of the Republic   |

|  |   |
|--|---|
|  | of Uzbekistan “On Public Procurement” adopted on April 9, 2018, № 3PY -472.   |
| What are the deadlines of the project?   | It is planned that the project implementation period will be 5 years (2020-2024).   |
| For example, how much is the amount of allocated funds of the Namangan region? | As the preparatory work for the project is currently under way, the amount of funds allocated has not been determined. The amount allocated to the areas will be determined after the approval of the feasibility study of the project. |
| Do you guarantee that a demolition of citizen’s houses will not happen?        | This project will not do demolition of houses, no at all.   |

**Suggestions Raised:** create public places for village citizens (parks and squares, playgrounds).