

CASA 1000

THE GOVERNMENT OF KYRGYZ REPUBLIC
FINAL RESETTLEMENT POLICY FRAMEWORK

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TABLE OF CONTENTS	5
PROJECT CONTEXT	6
JUSTIFICATION FOR AND FOCUS OF THE RESETTLEMENT POLICY FRAMEWORK	6
RELEVANT LEGISLATION OF THE KYRGYZ REPUBLIC	7
KYRGYZ REPUBLIC LAND CODE AND THE WORLD BANK POLICY OP 4.12	9
ELIGIBILITY CRITERIA AND PROCEDURES FOR VARIOUS CATEGORIES OF AFFECTED PEOPLE	11
RPF AND RAP IMPLEMENTATION ARRANGEMENTS AND PROCEDURES	17
METHODS OF VALUING AFFECTED ASSETS	22
IMPLEMENTATION SCHEDULE	24
GRIEVANCE REDRESS MECHANISMS	25
RPF IMPLEMENTATION BUDGET	27
MECHANISMS FOR CONSULTATIONS AND PARTICIPATION	28
ARRANGEMENTS FOR MONITORING AND EVALUATION	28

GLOSSARY OF TERMS

DEFINITIONS

Unless the context dictates otherwise, the following terms will have the following meanings:

“Project affected persons” (PAPs) means persons means persons who are impacted by involuntary resettlement as defined below.

“Involuntary resettlement” means the involuntary taking of land resulting in direct economic and social impacts caused by:

(a) the involuntary taking of land resulting in:

i) relocation or loss of shelter;

ii) loss of assets or access to assets; or

iii) loss of income sources or means of livelihood, whether or not the PAP has moved to another location.

(b) The involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

“Cut-off date” is the date by which PAPs and their affected assets have been identified and new entrants to the site cannot make claims to compensation or resettlement assistance. Persons whose ownership, use of occupancy prior to the cut-off date can be demonstrated remain eligible for assistance, regardless of their identification in the census.

“Compensation” means the payment in kind, cash or other assets given in exchange for the taking of land, loss of other types of assets (including fixed assets) or loss of livelihoods resulting from project activities.

“Census” is a complete count of the population affected by a project activity including collation of demographic and property information. This will identify and determine the number of Project Affected Persons (PAP) and the nature and levels of impact.

“Resettlement Action Plan (RAP)” is a resettlement instrument (document) to be prepared when subproject locations are identified. RAPs contain specific and legally binding requirements to be abided by to resettle and compensate the affected party before implementation of the project activities causing adverse impacts.

“Resettlement Assistance” means the measures to ensure that project affected persons who may require to be physically relocated are provided with assistance such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement during relocation.

“Replacement cost for houses and other structures” means the prevailing open market cost of replacing affected structures, in an area and of the quality similar to or better than that of the affected structures. Such costs will include: (a) the cost of the materials, (b) transporting building materials to the construction site; (c) any labor and contractors’ fees; and (d) any registration or transfer costs.

“Land acquisition” means the compulsory taking of or alienation of land, buildings or other assets thereon for purposes of the Project. The landowner may be left with the right to negotiate the amount of compensation proposed.

“Economic Rehabilitation Assistance” means the provision of development assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable PAPs to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-project levels.

“The Resettlement Policy Framework (RPF)” is an instrument to be used throughout project implementation. The RPF sets out the resettlement objectives and principles, organisational arrangements and funding mechanisms for any resettlement, that may be necessary during project implementation. The RPF guides the preparation of Resettlement Action Plans of individual sub projects in order to meet the needs of the people who may be affected by the project. The **Resettlement Action Plans (“RAPs”)** for the Project will therefore be prepared in conformity with the provisions of this RPF.

“Replacement cost” means replacement of assets with an amount sufficient to cover full cost of lost assets and related transaction costs. The cost is to be based on **Market rate (commercial rate)** according to Kyrgyz Republic law for sale of land or property. In terms of land, this may be categorised as follows; (a) “Replacement cost for agricultural land” means the pre- project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of: (b) preparing the land to levels similar to those of the affected land; and (c) any registration and transfer taxes.

1. Project Context

The Central Asian (CA) Republics have large energy resource potential relative to their domestic needs. However, hydro-rich countries like the Kyrgyz Republic have not been able to realize their potential, in part because of the significant resources needed to develop the associated transmission lines and the lack of regional cooperation. The result is that a lot of water is wastefully spilled in summer without any electricity generation

The Kyrgyz Republic is heavily dependent on hydroelectric power, with about 90 percent of the electricity generated in the country coming from hydroelectric sources. Their power balance is highly seasonal, resulting in power generation far exceeding demand in summer and deficits occurring in winter. The balance of electricity generation is from fossil fuels.

The electric transmission and distribution system is in serious need of improvement and modernization. As a result, the Kyrgyz Republic is forced both to import and export a significant amount of power. This system has also led to inconsistent power supply to remote areas. More energy producing capacity is needed to resolve domestic energy problems and provide them the ability to export electricity to neighboring countries.

Afghanistan (AF), the Kyrgyz Republic (KR), Pakistan (PK) and Tajikistan (TJ) have been pursuing the development of electricity trading arrangements and the establishment of a Central Asia - South Asia Regional Electricity Market (CASAREM) for a number of years. One of the key components of this initiative is the development of the cross-border transmission interconnection between these countries to facilitate the transfer of surplus power within the region. The development of the first phase of CASAREM, which is to establish the necessary transmission and trading infrastructure and systems to enable a trade of 1000 MW to 1300 MW of electricity between Central Asia and South Asia, is referred to as Central Asia-South Asia Electricity Transmission and Trade Project - "CASA-1000".

The CASA 1000 project comprises construction of a transmission line to enable electricity exports from Tajikistan and Kyrgyz Republic to Afghanistan and Pakistan. The recommended project configuration is as follows:

- A 500 kV AC line from Datka to Khujand (477 km) to transfer the surplus power from the Kyrgyz Republic to Tajikistan, where the internal network transfers this power to Sangtuda;
- A 500kV single-circuit AC line (115km) in Tajikistan between Regar and Sangtuda substations;
- A 1,300 MW AC-DC convertor Station in Sangtuda;
- A 750 km HVDC line from Sangtuda to Peshawar via the Salang Pass and Kabul;
- A 300 MW DC-AC convertor Station in Kabul; and
- A 1,300 MW DC-AC convertor Station in Peshawar.

The length of the HVDC line is 117 km in Tajikistan, 562 km in Afghanistan and 71 km in Pakistan.

The project cost is estimated at about US\$ 900 million based on current market conditions which may change eventually in response to market volatility.

2. Justification for and Focus of the Resettlement Policy Framework (RPF):

The Resettlement Policy Framework (RPF) provides guidelines for the development of appropriate mitigation and compensation measures, for land acquisition impacts caused by project activities whose exact locations are not known.

This RPF will inform all activities involving land acquisition, restriction of access to land, or loss of assets. The World Bank's OP 4.12 on Involuntary Resettlement has been triggered for the project, as the High Voltage Transmission line may go through areas where it may require temporary or permanent land acquisition. In addition there could be rehabilitation or construction of new structures like sub stations involving temporary or permanent land acquisition. There are possibilities of other losses like loss of crops, fruit trees, businesses and other livelihood options.

Since these detailed impacts will only be known once the detailed designs are prepared and the possibility of land acquisition and restrictions in access cannot be ruled out at this stage, an RPF has been prepared. The RPF identifies the possible impacts from project activities, describes the range of potential impacts (temporary and permanent) to land use/access and structures and provides information on how the compensation rates will be determined and procedures for the same. Where there is a gap between national law and World Bank procedures, the latter will prevail for all activities financed under this project. The RPF is intended as a practical tool to guide the preparation of Resettlement Action Plans (RAPs) for activities during implementation of the comprehensive program. If any impacts are identified, the Project Implementing Unit will develop Resettlement Action Plans based on the guidelines and procedures highlighted in this RPF.

This document is prepared by PIU and once the document has been approved by the World Bank, it will be uploaded to WB's web-site and be available through the development centre/Infoshop, in compliance with the WB's policy. The PIU will translate the RPF into Russian and Kyrgyz and further will be distributed in such a way as to be available to central and local government agencies and potential PAPs. Implementation of the planned project investments will only take place following these approvals and disclosure of the final documents.

3. Objectives and Principles of Resettlement Planning

This Resettlement Policy Framework (RPF) outlines the principles and procedures to ensure that if resettlement needs are identified, the PIU will develop a RAP within the CASA-1000 RPF. The RPF sets out the legal framework, eligibility criteria of displaced population, valuation methodology, compensation provision, entitlement matrix, implementation process, consultation procedures, grievance remedy mechanisms, entitlement payment procedures, and monitoring and evaluation procedures for land acquisition and resettlement under this project.

The basic objectives of the RPF are to: (i) guide the national and local self-government¹ (Oblast Administration, Rayon Administration, Ayil Okmotu - in cities and towns, it is Mayor) in properly identifying, compensating, and restoring the livelihoods of Project Affected Persons (PAPs), (ii) serve as a binding document to ensure payment of compensation and assistance to PAPs, and (iii) provide direction in preparing, updating, implementing and monitoring subproject

¹ Provincial- Oblast Administration, District – Rayon Administration, Village Government – Ayil Okmotu

RAPs. The RPF includes measures to ensure that PAPs are (i) informed about their options and rights pertaining to resettlement; (ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and (iii) provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the Project.

The RPF is based on the following principles:

- Involuntary resettlement is to be avoided or at least minimized.
- PAPs are to be suitably assisted in their efforts to improve, or at least restore, incomes and living standards.
- PAPs are fully informed and consulted on compensation options.
- Lack of formal legal land title is not a barrier to compensation or alternative forms of rehabilitation assistance.
- Particular attention is paid to socially vulnerable groups, such as ethnic minorities, female headed households, elderly households, etc. and appropriate assistance is provided to help them adapt to project-related changes.
- Land acquisition and resettlement is conceived and executed as a part of the project, and the full costs of compensation are included in project costs to be covered by the Government of the Kyrgyz Republic.
- Compensation/rehabilitation assistance will be paid prior to ground levelling, demolition, and in any case, before an impact occurs.
- Compensation is to be paid at full replacement cost to PAPs, without deductions for depreciation or any other purpose.

It should be noted that according to World Bank's Policy OP 4.12, the term resettlement encompasses more than the 'physical relocation or resettlement' of affected people. It is defined as the social and economic impacts of a project that are permanent or temporary and are caused by the involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or (iv) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

It should be further noted that no changes to the RPF entitlement matrix, eligibility criteria, compensation rates or other entitlements to assistance can be made without prior approval of the World Bank. Any RAPs prepared on the basis of the RPF will also be subject to prior approval of the World Bank.

4. Relevant legislation of the Kyrgyz Republic

The Kyrgyz Republic's Land Code (1999) regulates all matters of land ownership. It provides for ten cases where a private owner relinquishes rights to land (Article 62), which in turn can be split into four categories. First, there are voluntary transfers by owners such as sales and gifts. Second, there are transfers dictated by change in status of the owner such as, death, revocation of Kyrgyz citizenship for individual owners or reaching below a 80% threshold of Kyrgyz owners of legal entities owning the land parcel (foreign ownership of land is not allowed in the Kyrgyz Republic), invalidation of a prior transfer of land rights which led to the current ownership of the land, or the declaration through court decision of land to be 'without owner' and hence reverting to the State

(i.e. abandonment by the owner). Non-Kyrgyz owners are given a one year grace period to sell land to Kyrgyz nationals or Kyrgyz-owned legal entities. Third, land may be taken in order to cover the owner's financial liabilities, though this requires a court decision. The fourth and final method is expropriation by the state which may occur on the basis of one of seven possible grounds noted in Article 66 in the Land Code:

1. Use of land not according to its targeted purpose.
2. Land needed for state or public purposes (similar to the principle of eminent domain).
3. Non-use of land provided for agricultural use for three years.
4. Non-use of land provided for non-agricultural productive purposes for a period of time stipulated in the original provision.
5. Non-payment of land taxes.
6. Non-payment of social taxes.
7. Annulment of license for mining on the basis of Kyrgyzstan's mining law.

Decisions of court are required to effect expropriation for grounds 1 through 4 listed above.

Meetings with Government officials (Unit of Land Cadastre and Land Development in the Department of Cadastre and Registration of Real Estate Rights) suggest that there are four types of land owners/users: Government, Municipal, private/individuals and individuals who have rental agreement (50 years) with the Government on Government Land. In addition there are individuals who are squatters and do not legally own the land. The numbers of such individuals are unknown but exist.

Article 68 of the Land Code outlines the procedure for expropriation of land. The procedures call for an agreement between the public entity and the private owner/temporary user of land whereby the former pays the latter financial compensation for the land, which may include the provision of another land parcel. The details of compensation are given in Articles 66 and 68. The procedure for permanent or temporary acquisition is same. The decision about compensation is made at the local level (village but also district administration is involved).

In the event that there is no agreement, the state must go to court to force the owner to provide the desired land parcel. The private owner must be fully compensated for the market value of all of the financial interests in the given land parcel. This procedure has never been carried out, and practitioners note that implementing legislation is needed to clarify procedural issues such as appraisal of land values, compensation, demonstration of public/state needs, and other matters. There has been a lack of public investment into infrastructure in settled areas that would have require the exercise of eminent domain in post-independence Kyrgyz Republic. It would seem to be likely that there have been small cases where *de facto* land was taken, but these did not occur in accordance with the Land Code's provision. There are not many recorded cases of private citizens challenging in court a taking of land from them (except for enterprise land sales, discussed below). It should further be noted that only an 'authorized entity' can initiate expropriation, which means either a state or municipal entity or an entity specially designated by the state. A Village Water User Association would not be such an entity.

The major distinctions between the existing legislation in the Kyrgyz Republic and OP 4.12 is the fact that Kyrgyz law does not make any provisions to assist or compensate illegal users of publicly owned land who may be required to move for a sub-project to be realized. Furthermore, it does not take into consideration the possibility that lease holders working on publicly owned

land may have made investments in that land which will also require compensation. Therefore, the focus of this document will be on these categories.

5. The Kyrgyz Republic Land Code and the World Bank Policy OP 4.12.

Differences between the Kyrgyz Republic Law (Land Code) and WB policy are outlined in the table below.

Table - Comparison of Kyrgyz Republic and WB Policy

Provisions of Kyrgyz Republic's Land Code	WB's Policy on Involuntary Resettlement
<p>Compensation for acquired land only for titled landowners, those with formal land use shares. This also includes renters who have agreement to work on Government owned land.</p>	<p>Lack of formal title to land will not bar PAPs from entitlements, those people without legal title to land and/or structures occupied or used by them are entitled to various options of resettlement assistance, provided they cultivated/occupied the land before the eligibility cut-off date.</p>
<p>Consultation with PAPs or communities in respect of land or asset confiscation not required.</p>	<p>PAPs are to be fully informed and consulted on compensation, entitlements and resettlement options incl. relocation sites. Includes consultation, participation, information dissemination campaigns, and opportunities to participate in monitoring based on the nature and scale of impacts. Resettlement plans to be developed and prepared in consultation with PAPs and other stakeholders. Grievance redress mechanisms are to be established. Requirement for gender specific consultation and information disclosure.</p>
<p>Land compensation is at replacement rates through provision of land for land or in cash. Normative land prices are established through coefficients. No reference as to whether there are deductions.</p>	<p>Land for land as a priority, with replacement land to be acceptable to PAPs and combination of productive potential, location advantages, and other factors of which is at least equivalent to the advantages of the land taken. If suitable land cannot be found, compensation in cash, or a combination of land and cash, at replacement value, that is current market value, plus any transaction costs associated transfer or purchase of replacement land.</p>
<p>Compensation for other assets (structures, crops and trees and business income) is as per Government's decree and not replacement cost. No provision for severe impacts or vulnerable PAPs. Does not provide for transportation and transition expenses/costs.</p>	<p>The amount of cash or kind needed to replace an asset in its existing condition, at current market price, without deduction for depreciation or any material salvaged, and including the costs of any transaction (administrative charges, taxes, registration or titling costs). Includes provision of transfer or relocation allowances as needed.</p>

At infrastructure planning stage, proposals for acquisition of agricultural or high-yielding land discouraged when other land is available.	Any land acquisition and resettlement is to be avoided, or if it cannot be avoided, it should be minimized by exploring all viable options.
No provision for income/livelihood disruption.	Requires compensation for disruption of livelihoods and loss of income as a result of land acquisition for project purposes.
Compensation for temporary land acquisition limited to compensation at Government rates for standing crop and re-building of any affected legal structures.	Compensation for temporary land acquisition for standing crop, all structures regardless of legal status at replacement cost or re-construction of replacement structure as well as compensation for any disruption in access that may affect income (e.g. for shops) or livelihood (e.g. access to schools).

In principle, the Land Code of the Kyrgyz Republic and the World Bank Policy both adhere to the objective of compensation at replacement cost (although replacement and compensation for structures, crops and trees follows a Government decree). Kyrgyz legislation does not provide for rehabilitation and in practice this has been left to *ad hoc* arrangements taken by project proponents in order to meet international donor requirements.

To clarify these issues and reconcile eventual gaps between Kyrgyz legislation and World Bank Policy, this RPF has been drafted for the Project, ensuring compensation at replacement cost of all items, the rehabilitation of non-titled people and informal settlers, and the provision of subsidies or allowances for PAPs who may be relocated, suffer business losses, or may be severely affected.

The main provisions affording reconciliation of the differences between Land Code and World Bank Policy include:

- Any PAPs, regardless of title or not, will be entitled to compensation (for structures, crops and trees) and rehabilitation measures under the project. This includes land-less people using land and squatters.
- PAPs and affected communities will be consulted on options and any impacts of land acquisition and resettlement.
- If land for land compensation is not technically or sociably feasible, compensation will be in cash at full replacement cost at current market value.
- Compensation for any other assets affected (structures, crops and trees, as well as business/income loss) will be in cash or kind at full replacement cost at current market value. Vulnerable and poor PAPs will be entitled to additional measures as relevant, and gender issues will be addressed.
- Maintenance works will avoid or minimize, as far as possible, the need for land acquisition and resettlement.
- Compensation for temporary loss of land or assets, or for temporary disruption of income will be provided.

It must be especially noted that under the WB OP 4.12, status of those without legal title is clearly defined. In accordance with this policy, **those people who do not possess official legal title or**

judicial rights for the land use, but still use the state land are entitled to receive compensation, taking into account the investments they made into the state land, their labor and lost assets, but not for land ownership as in the case of a titled owner. Instead, alternative sites are allocated for their use, or other forms of assistance in lieu of land compensation, are provided to those informally using or occupying land to the project cut-off date.

In case of disparity of the laws of the Kyrgyz Republic with the requirements of the policy of the WB on involuntary resettlement (OP 4.12), the principles and procedures of OP 4.12 should be applied. This priority of WB norms over the national legislation is required for World Bank financed projects.

6. Eligibility Criteria and Procedures for Various Categories of Affected People

This section sets out eligibility criteria, which are necessary to determine who will be eligible for resettlement and benefits, and to discourage claims of ineligible people.

6.1 Principles

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. Meaningful consultations with the affected persons, local authorities and community leaders will therefore allow for establishment of criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. OP 4.12 suggests the following three criteria for eligibility:

- a) Those who have formal rights to land recognized under Kyrgyz Republic Law.
- b) Those who do not have formal legal rights to land at the time the project or census commences but have a claim to such land or assets provided that such claims are recognized under the laws of Kyrgyz Republic or become recognized through a process identified in the RPF/RAP.
- c) Those having no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from before the cut-off date.

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 project authorities in close consultation with the potential PAPs, local community leaders and the respective local authorities 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. All persons included in (a), (b) or (c) above are to be provided with compensation for loss of assets other than land. It is therefore clear that all project affected persons 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 or had use of it, before the entitlement cut-off date.

Eligibility for assistance under World Bank OP 4.12 also applies for project affected persons even if it is deemed that Kyrgyz legal provisions provide for temporary or permanent acquisition of private land immediately adjacent to existing public roads without compensation.

6.2. Eligibility Criteria and Entitlements

The RPF stipulates eligibility and provisions for compensating all types of losses (land, crops/trees, structures, business/employment, and workdays/wages). All PAPs including non-titled or informal dwellers will be compensated for lost assets (crops, structures, trees and/or business losses), and will receive (i) compensation (as required, to match replacement value), and / or (ii) replacement land, structures, seedlings, other resettlement assistance such as shifting allowance, assistance with rebuilding structures, compensation for loss of workdays/income.

The criteria for eligibility is based on PAPs belonging to one of three groups: (a) those who have title or formal legal rights to land; (b) those who do not have formal legal rights to land at the time of the Inventory of Losses (IOL)/Detailed Measurement Survey (DMS) or census begins but have a claim to such land or assets—provided that such claims are recognized under the laws of the country or become recognized through a process identified in the RAP;² and, (c) those who have no recognizable legal right or claim to the land they are occupying (i.e. non-titled users or informal settlers).

The PAPs who are entitled to compensation under the Project include:

- Persons whose structures are in part, or in total, affected temporarily or permanently by the Project;
- Persons whose residential or commercial premises and/or agricultural land (or other productive land) is in part, or in total, affected (permanently or temporarily) by the Project;
- Persons whose businesses are affected in part, or in total, (temporarily or permanently) by the Project;
- Persons whose employment or hired labor or share-cropping agreement is affected, temporarily or permanently, by the Project;
- Persons whose crops (annual and perennial) and/or trees are affected in part, or in total, by the Project;
- Persons whose access to community resources or property is affected in part, or in total, by the Project.

Where land is to be acquired, titled or legalizable PAPs will receive compensation for land acquired by the Project at replacement cost. This will be in cash at replacement value or land-for-land of satisfaction to the PAP and combination of productive potential, location advantages, and other factors of which is at least equivalent to the advantages of the land taken. Non-titled PAPs are not eligible for compensation for land but will receive compensation for assets attached to land and other assistance as required, in lieu of land compensation.

² This includes people who have not yet completed registration and who are considered as "legalizable" users (this will be identified as a form of land tenure in the IOL), they will be entitled to compensation as if they are legal/titled owners of land. The RAPs prepared will establish that continued facilitation of the registration process will be undertaken as part of livelihoods/wellbeing restoration under the Project's resettlement process.

Households headed by single women with dependents and other vulnerable households will be eligible for further assistance to fully mitigate project impacts. Table below presents the Project's entitlement matrix, based on potential losses.

Compensation eligibility will be limited by a cut-off date to be set for each subproject and PAPs who settle in the affected areas after the cut-off date will not be eligible for compensation. They however will be given sufficient advance notice, requested to vacate premises and dismantle affected structures prior to project implementation. Their dismantled structures will not be confiscated and they will not pay any fine or sanction. Forced eviction will only be considered after all other efforts are exhausted.

6.3 Entitlement Matrix: Eligible PAPs, Assets and Compensation Guidelines

Project Impact	PAP Category	Asset Affected	Compensation Guide
Permanent acquisition of land for works such as construction of transmission towers or sub stations or any other structures associated with the construction of transmission lines.	Land owner	Land	Replacement land of equivalent market value as priority option within 3 km radius. Failing availability of land, cash compensation at replacement cost. If over 10% of land is acquired, an additional 5% of replacement value will be paid (increasing to 10% if over 20%) as a severe impact subsidy. If the remainder of the plot is not economically viable the entire plot will be purchased.
Temporary acquisition of land for works, or construction.	Land owner	Land	Rental value of land based on market rates and restoration of land and all assets thereon to former status.
Temporary acquisition of land for works, or construction	Non-titled PAP	Land	Restoration, replacement or compensation of all assets damaged or removed. In the case of loss of income, disturbance allowance set on the basis of regional average earnings for amount of time of disturbance.
Permanent acquisition of land for works such as construction of transmission towers or sub stations or any	Land renter or share-cropper	Land	In addition to land user compensation. Reimbursement of rent for remainder of contract period, plus 3 months of

other structures associated with the construction of transmission lines.			rent or 3 months of market price of share-cropping produce as disturbance allowance.
Permanent acquisition of land for works such as construction of transmission towers or sub stations or any other structures associated with the construction of transmission lines.	Non-titled PAP	Land	Support to ensure that non-titled PAPs are provided with alternative site, Compensation equal to 2 months of rent/share-cropping benefit as disturbance allowance.
Permanent acquisition of land for works such as construction of transmission towers or sub stations or any other structures associated with the construction of transmission lines.	Owner	Crops	In addition to land compensation, will be allowed to take standing crop and cash compensation for 2 seasons or annual crop yield depending on type of crop.
Permanent acquisition of land for works such as construction of transmission towers or sub stations or any other structures associated with the construction of transmission lines.	Tenant farmer, share-cropper or Non-titled PAP	Crops	Allowed to take standing crop and cash compensation for 2 seasons or annual crop yield depending on type of crop.
Permanent acquisition of land for works such as construction of transmission towers or sub stations or any other structures associated with the construction of transmission lines.	Owner	Business	In addition to land compensation, owner will be paid for the lost income during the transition period, calculated on the basis of documented average daily/monthly income. Further, an additional payment equivalent to three month's income will be paid to restart the business in the new location.
Permanent acquisition of land for works such as construction of transmission towers or sub stations or any	Renter	Business	The renter will be reimbursed the rent for the remainder of the contract. Further, an additional payment

other structures associated with the construction of transmission lines.			equivalent to three month's income will be paid to restart the business in the new location.
Temporary acquisition of land for works, or construction.	Owner	Business	Rental value of land based on market rates and restoration of land and all assets thereon to former status. In addition, owner will be paid for the lost income during the transition period, calculated on the basis of average daily / monthly income.
Temporary acquisition of land for works, or construction.	Renter	Business	In addition to the reimbursement of rent during the transition period, the renter will be paid for the lost income during the transition period, calculated on the basis of average daily / monthly income.
Common Property Uses such as Grazing	User	Grazing land	Grazing can continue. No expected impacts on grazing land.
Fruit tree owner	Owner	Fruit tree	Allowed to take standing crop. Price of a sapling and associated planting costs and cash compensation for the value of a mature tree harvest multiplied by number of years it will take for the sapling to reach maturity.
Fruit tree renter	Renter	Fruit tree produce	Allowed to take standing crop. Cash compensation for the value of a mature tree harvest multiplied by the number of years remaining on the rental agreement.
Commercial tree owner	Owner	Commercial trees	Price of a sapling and cash compensation for the market value of the commercial tree. Any costs associated with

			planting of saplings in the new plot.
Permanent acquisition of legal structure.	Owner of structure	Any structure including house, fence, or sanitation structure etc.	Replacement structure or cash compensation at replacement value of a new structure including full compensation for all fees needed to make replacement structure legal.
Permanent acquisition of illegal structure	Owner of structure	Any structure including house, fence, or sanitation structure etc.	Replacement structure or cash compensation at replacement cost full compensation for all fees needed to make replacement new structure legal.
Temporary acquisition of legal structure	Owner of structure	Any structure including house, fence, or sanitation structure etc.	Structure restored to original condition. If inconvenienced then build a temporary replacement structure to service the affected person.
Temporary acquisition of illegal structure	Owner of structure	Any structure including house, fence, or sanitation structure etc.	Structure restored to original condition. If inconvenienced then build a temporary replacement structure to service the affected person plus full compensation for all fees needed to make replacement new structure legal
Vulnerable people	Identified on the basis of social payments (disability payments, pensioners, widows, female-headed households, and impoverished households) and only if project renders them vulnerable	Residential and commercial assets (and or structures / trees / crops mentioned above)	In addition to compensation for assets lost, if any additional impacts are identified payments will be made depending on the impacts. Payments may include a lump-sum equivalent to one year of total social assistance payments (for example, for widows and the disabled), logistical support for moving, assistance in the

			restoration of livelihoods, as necessary.
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6.4 Methods to Determine Cut-Off Dates

Once the design of an activity has been finalized and legal procedures completed, a RAP will be prepared for the activity. As part of the RAP, a census will be undertaken to identify all the PAPs and the related levels of impact. The date when the census begins is the cut-off date for eligibility for resettlement and compensation. Hence, it is important that this date is fully communicated to all potential PAPs in the project affected area with sufficient time for these people to ensure their availability for the census.

This communication will be done through CASA 1000 Project Implementation Unit (PIU). The potential PAPs will be informed through both formal notification in writing and by verbal notification delivered in the presence of the community leaders or their representatives.

7. RPF and RAP Implementation Arrangements and Procedures

7.1 Overview

The overall coordination of the project will be provided by CASA 1000 Project Management Unit which will oversee all resettlement planning and coordinate all issues relating to the compensation. Given that the transmission lines will cross a number of rural and urban areas, CASA 1000 Project Management Unit will collaborate closely with Head, Ayil Okmotu, Rayon Administration, Oblast Administration and at city level, with Mayor.

The implementation arrangements of the RPF build on:

- Experiences from implementing China’s Exim Bank funding of Datka Kemin and Datka South; and
- The implementation arrangements for resettlement and compensation activities in line with the Kyrgyz Republic legislation outlined in this document.

This section describes the optimal arrangements that build on responsibilities already in place to ensure that the requirements of this RPF are met for each project activity. These are based on the institutional structure at the time of writing the RPF. Should these institutional structures change, this will need to be reflected in the arrangements outlined.

7.2 Screening of Project Activities

The first step in the process of preparing individual RAPs is the screening process to identify the land/ areas that may result in resettlement impacts. This screening is used to identify the types and nature of potential impacts related to the activities proposed under this project, and to provide adequate measures to address them. It also ensures that the avoidance or minimization of resettlement is a key criterion when designing project activities.

Screening will be undertaken in accordance with established screening criteria and procedures, by consultants contracted to design the construction of transmission towers and sub stations under

the supervision of CASA 1000 Project Implementation Unit (PIU)³ who might be given the responsibility to oversee the construction process. No design will be finalized unless it is clearly determined that every effort has been made to minimize resettlement impacts.

7.3 Socio-Economic Profiling and Inventory of Losses

Should the screening process show that land acquisition⁴ will be required, the next step will be the socio-economic identification and profiling of Project Affected Persons (e.g. their age, asset dependence, income, family status etc). This is the equivalent of a census conducted for large-scale resettlement. Similar to a census, 100% of PAPs will be profiled. This step should take place at the same time as the inventory and valuation of all assets affected for each individual PAP.

Once these steps are completed and there is evidence of resettlement issues, a Resettlement Action Plan (RAP) will be developed on the basis of the data collected. This RPF provides a framework for the preparation of RAPs to address resettlement associated with the activities of this project.

The screening process will involve direct consultation with the PAP(s) who will work with the representative of CASA 1000 Project Implementation Unit (PIU) and Ayil Okmotu and Rayon Administration (or Mayor / Municipal Corporation in case of cities / towns) on-site to verify the affected assets and discuss their socio-economic situation. Consultation with local village leaders and community members will be critical in determining all the landowners or asset owners especially in cases where the landowners or asset owners may be absent. The PIU will make every effort to identify missing or absent landowners using local consultations, inquiry, and mass media as necessary. Absent PAP assets will be valued and included in the RAP. Compensation will be set aside in an escrow account for future payment. Compensation will be paid, as indicated in the RAP, if the owner makes him/herself known and his/her identity is validated. Before the process begins, the PAP(s) will be advised in writing and verbally of their rights and will be consulted throughout the resettlement process. This will include sharing a copy of the grievance redressal procedure and the entitlement matrix.

7.4 Development of the RAP

Following the socio-economic census and identification of affected parties, a RAP will be developed. This will be coordinated by CASA 1000 PIU with inputs from different ministries, NEGK, Ayil Okmotu and Rayon Administration.

The RAP will be prepared in consultation with affected parties, particularly in relation to the cut-off date for eligibility, disturbances to livelihoods and income-earning activities, methods of valuation, compensation payments, potential assistance, grievance redress mechanisms, and timeframes. The basic elements of a RAP, as outlined in OP 4.12 are provided below. Each element of a RAP is described in this RPF, but more detailed guidelines for preparing a RAP are available on the World Bank's website (www.worldbank.org) or in the World Bank's Involuntary Resettlement Sourcebook.

³ Discussions with NEGK and Ministry of Energy and Industry Officials suggest that NEGK which is a joint stock company and responsible for transmission may be given the overall responsibility and oversight for CASA 1000 .

⁴ Discussions with Ministry of Energy and Industry official and Advisor to NEGK suggest that the transmission line will go through a number of habitations where there may be land acquisition.

It is assumed that there will be some impacts on the displaced population in this project although at this stage its extent or absolute numbers are not known. If the data on the number of displaced population and their impact reveals that affected people are **not** likely to be physically displaced, less than 10% of their productive assets will be lost and fewer than 200 people would be affected in any activity, then, an abbreviated RAP (as defined in OP 4.12) may be prepared.

RAP will contain a number of standardized sections (project description, legal and institutional framework, eligibility and entitlement matrix etc.) that are already found in the RPF, followed by a section specific to the affected site (socio-economic profile of the PAP (s), inventory of losses, compensation and resettlement costs and budget etc.). While household-level data is essential to the RAP, for the purposes of privacy, information identifying individuals or households in the RAP need not be publicly disclosed. A typical table of contents for a RAP will contain the following elements, among others:

- Description of the project.
- Resettlement objectives
- Legal and institutional framework.
- Eligibility and entitlement matrix
- Valuation of and compensation for losses
- Consultation and participation
- Grievance procedures
- Monitoring and evaluation
- Organizational responsibilities
- Site Specific resettlement impacts and compensation:
 - PAP(s) socio-economic profile
 - Inventory of losses
 - Cost and budget
 - Implementation schedule
- *7.5 Disclosure and Approval of RAP*

Following RAP preparation, a number of steps must be followed:

CASA 1000 Project Implementation Unit's (PIU's) Project Social Officer must submit the RAP to the Director⁵ of CASA 1000 Project Implementation Unit (PIU) for his / her review. The Director PIU will submit to the General Director, NEGK who will approve the RAP⁶ after they

⁵ Since some of these processes are yet to be agreed, it was suggested by Ministry Officials, we term the head of CASA 1000 PIU as Director

⁶ As in other projects, NEGK may be given the responsibility to manage the CASA 1000 project including resettlement issues

have consulted with Ministry of Energy and Industries. Capacity for RAP review and approval will be built at CASA 1000 Project Implementation Unit (PIU). This will be through training and technical assistance to ensure that all stakeholders involved discharge their different responsibilities effectively.

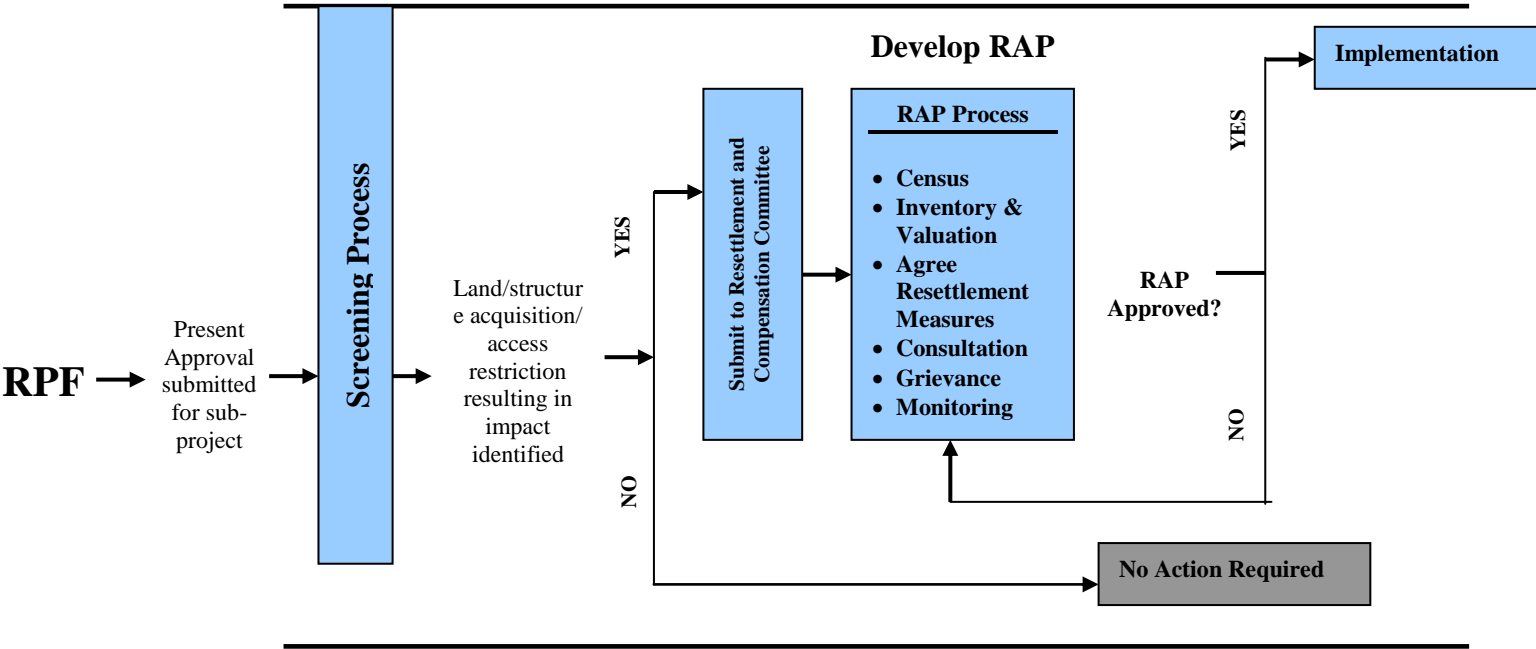
CASA 1000 Project Implementation Unit (PIU) discloses the RAP on its website, disseminates and shares with local authorities and interested NGOs, and the affected persons (especially the site specific sections) in a place and language accessible to them and allows two weeks for comments.

Following incorporation of comments from disclosure, and CASA 1000 Project Implementation Unit (PIU) management approval, the RAP must also be formally sent to the World Bank for review to ensure compliance with OP4.12 and any other relevant policies / procedures.

Following approval of the RAP by the World Bank, it will be disclosed on the World Bank's info-shop website, re-disclosed on the CASA 1000 Project Implementation Unit (PIU) website and disseminated again to all interested parties.

No changes to the RPF entitlement matrix, eligibility criteria, compensation rates or other entitlements to assistance can be made without prior approval of the World Bank. Any RAPs prepared on the basis of the RPF will also be subject to approval of the World Bank before displacement and/or initiation of civil works.

Figure 1. Outline of the RAP process.



7.6 Estimates of Affected Population and Assets in the Project Affected Areas

Cases of temporary or permanent encroachments on private land cannot always be avoided as suitable public land may not be available for construction purposes. More likely is the case of temporary acquisition of part of fields to construct the transmission towers or sub stations. The extent to which any temporary or permanent land acquisition will be necessary in these cases or whether the access and use of land will be constrained on a temporary or permanent basis is not yet known and can only be fully determined after each sub-project design is completed. CASA 1000 PIU does not expect any demolition of capital structures during implementation of the Project, though the destruction of smaller-scale structures (fences etc.) cannot be fully precluded at this stage. Given that the impact on affected populations and/or assets are not yet clear, estimates will be produced when the project design is completed. It is anticipated that the number of people and assets impacted will not be high. The Transmission line will run 452 km through the three provinces of low population density: Jalal-Abad, Osh, and Batken. It is anticipated that less than two dozen towns/villages will be affected.

8. Methods of Valuing Affected Assets

This section sets out the guidelines for determining the value of affected assets.

8.1 Type of Compensation Payments

Compensation for all land use and assets in kind or cash as guided by the entitlement matrix will be required for the following:

- Land;
- Residential buildings, structures and fixtures;
- Cultivated crops (both cash and food crops) and trees; and
- Business houses like shops and restaurants.

In addition, disturbance allowance, storage of goods, replacement of lost services and other assistance will be given, as outlined in the Entitlement Matrix above. However this is for guidance only, and it is essential that at the time of detailed RAP preparation current market values and replacement cost values are used to establish actual compensation. In addition, any additional allowances as deemed appropriate may be given to vulnerable individuals/families.

8.2 Preparation of Asset Inventory

During the survey, each asset will be enumerated and inscribed on an inventory and a valuation of the asset carried out using the principles and guidance of the RPF. The total list of affected assets and their assigned values including any additional compensatory measures will be recorded in a register and shown to the affected person for agreement. The register will be signed and a copy given on the spot to the affected person. The document will indicate when the affected person will be notified, and that the inventory will not be official until a second signed copy, verified by project supervisory staff, is returned to the affected person. At this time, a copy of the grievance procedure will also be given to the affected person as stated in the grievance redressal mechanism.

8.3 Valuation Methods

8.3.1. Compensation for Land

In the event of permanent land acquisition of titled land, the first premise is provision of replacement land. In the case where no alternative land is available within a reasonable distance such as to minimize disruption to other aspects of socio-economic life, cash compensation at full replacement value should be provided. This should be valued based on the prevailing market value in the locality to purchase an equally productive plot of land in the same locality. In addition, any associated costs of purchasing the land i.e., taxes, registration fees will need to be included in the compensation.

In addition, the PAP will be compensated for any permanent improvements made to the land (for instance irrigation structures). This will be calculated based on the price of making the permanent improvement at current prevailing market rates for labor, equipment and materials.

Where land lost is only a small proportion of total land owned by the PAP, but renders the remaining land as unusable, the compensation provided should be calculated based on the total land affected (i.e., the actual land lost plus the remaining unusable land).

Where land is temporarily acquired, standing crop will be compensated at fully matured market rate or government rate, whichever is higher. The compensation will be paid to the tiller rather than the owner, where the tiller is not the owner (e.g. tenant or share cropper). There will hence be no adjustment in the terms of the rent of share cropping agreement. Aside from the payment for standing crop, the project will ensure that the land is returned to its original form so it is suitable to resume its former use.

8.3.2 Calculation of Crops and Fruit Trees Compensation Rate

The current prices for the crops will be determined, taking into account the Government recommended rate and the highest market price, whichever is higher. Where land is rented, 2 seasons or annual crop estimate, depending on the crop will be compensated. Where land is owned, aside from the replacement land or cash compensation for land, the owner will also get compensation for 2 seasons or annual crop estimate whichever is higher. The crops used will be the ones that are currently or have most recently been cultivated on that land. In addition, PAPs will be encouraged to harvest their produce before loss of land. In order to ensure that this is possible, and that appropriate market prices are received for yields, there needs to be sufficient consultation before hand so that harvesting can be properly planned.

The value of the labour invested in preparing agricultural land will be compensated at the average wage in the community for the same period of time. The rate used for land compensation should be updated to reflect values at the time compensation is paid.

Fruit trees will be compensated to the owner based on the price of a replacement sapling along with the annual value of the fruit produced by that tree for the number of years it will take the sapling to reach full maturity, using Government or highest market price, whichever is higher.

8.3.3 Compensation for Structures

The preferred option is to provide alternate structures (latrines, storage facilities, fences etc.) of at least equal quality, and of improved quality where possible. The second option is provision of cash compensation at full replacement value.

Replacement values will be based on:

- Measurements of structures and detail of materials used.
- Average replacement costs of different types of household buildings.
- Structures based on collection of information on the numbers and types of materials used to construct different types of structures (e.g. poles, bricks, rafters, bundles of straw, corrugated iron sheets, doors etc.).
- Prices of these items collected in different local markets.
- Costs for transportation and delivery of these items to the acquired/ replacement land or building site.
- Estimates of construction of new buildings including labor required.
- Compensation will be made for structures that are (i) abandoned because of relocation or resettlement of an individual or household, or (ii) directly damaged by subproject activities.

8.3.4 Compensation for Community Assets

Compensation will be provided for community assets identified through the socio-economic survey. In all cases these will be provided in kind and new facilities will be provided even if there are existing facilities at the new location.

8.3.5 Compensation for Sacred Sites

This policy does not permit the use of land that is defined to be cultural property by the Banks Safeguards OP 4.11. Sacred and genocide war memorial sites include but not restricted only to; museums, altars, initiation centers, ritual sites, tombs and cemeteries. It includes other such sites or places/features that are accepted by the legislation of the Kyrgyz Republic (including customary), practice, tradition and culture as sacred. To avoid any possible conflicts between individuals and/or communities, the use of sacred sites for any project activity, is not permitted under this project.

8.3.6 Compensation for Loss of Businesses

Any structures will be replaced in an appropriate location as outlined above. In addition, compensation will be paid for the lost income and production during the transition period (time lag between losing the business and re-establishment). This will be estimated based on the daily or monthly income of the affected parties.

9. Implementation Schedule, Linking Resettlement Implementation to Civil Works

9.1 Overview

Before site-specific civil works for sub projects begin implementation, PAPs will need to be compensated in accordance with the provisions of a disclosed and approved Resettlement Action

Plan which is based on this Resettlement Policy Framework. For activities involving land acquisition or loss, denial or restriction to access, it is further required that these measures include provision of compensation and of other assistance required for relocation prior to displacement. Taking of land and related assets may take place only after compensation has been paid and, if applicable, resettlement sites and moving allowances have been provided to displaced persons.

The measures to ensure compliance with this RPF will be included in the RAPs that will be prepared for each activity involving resettlement or compensation. The schedule for the implementation of activities will be prepared by CASA 1000 PIU and will have to be approved by the General Director, NEGK⁷. The approved schedule for the implementation of activities must be agreed with Ayil Okmotu and PAPs. These include the target dates for start and completion of civil works, timetables for transfers of completed civil works to PAPs, and dates of possession of land/structures/services that PAPs are using. The dates must be after transfer date for completed civil works to PAPs and payments of all compensation. How these activities are linked to the implementation of the overall subproject must also be agreed between the parties. The screening process must ensure that RAPs contain acceptable measures that link resettlement activity to civil works in compliance with this policy.

The timing mechanism of these measures would ensure that no individual or affected household would be displaced (economically or physically) before compensation is paid and resettlement sites with adequate facilities are prepared and provided for to the individual or homestead affected. Once the RAP is approved by the designated authority, the RAP should be sent to the World Bank for final review and approval.

Compensation will be paid to individual PAPs only after a written consent of the PAPs, including both husband and wife.

10 Grievances Redress Mechanisms

10.1 The Overall Process:

Grievance redress mechanisms⁸ exist in the Kyrgyz Republic and include the following:

- a) The project would negotiate with the individual on the compensation. If they don't agree, then they go to the Head of Ayil Okmotu, followed by Rayon Administration and finally to Oblast Administration. Sometimes complaints are directly sent to the Governor, Oblast Administration and even to PM's office.
- b) Settlement commission exists at Oblast (Province) and Rayon (District) level to address different types of complaints although its membership is constituted on an as-needed basis. Depending on the issue, members are invited to sit in the commission. On issues related to land resettlement and its compensation, the Commission includes a representative from NEGK, Rayon Administration, an independent evaluator and at least one representative from the community.

⁷ This is with an assumption that NEGK will be given the overall responsibility of CASA 1000 project.

⁸ This is based on Kyrgyz Republic's experience primarily with funding from Exim Bank. At present there are no official decree on this.

- c) Experience has been to settle all complaints at individual level and complaints are rarely sent to the commission for discussion and decision.

For CASA 1000, the following steps for grievance handling and redressal needs to be followed. This procedure will be followed as a first step as resolution through this procedure is expected to be quicker:

- a) The first step in the grievance process is to contact a representative from the CASA 1000 Project Implementation Unit (PIU) either by phone, SMS or written letter (a cell phone number and physical address will be provided). The complaint must be logged by the representative of CASA 1000 Project Implementation Unit (PIU) in the complaints register. All forms of grievances, formal and informal should be written down in the presence of the aggrieved person and signed / thumb printed by the aggrieved person. The representative of CASA 1000 Project Implementation Unit (PIU) should raise and discuss all grievances during their regular meetings.
- b) The Project Social Officer or another representative of CASA 1000 Project Implementation Unit (PIU) should investigate the validity of all claims. If valid (that is, related to the project), then the complainant will be notified and s/he will be assisted. A response will be given within 14 days during which time any meetings and discussions to be held with the aggrieved person about the nature of his / her complaint. If the grievance relates to valuation of assets, a second or even a third valuation will be undertaken until it is accepted by both the parties. If no agreement after third evaluation, one proceeds to the next step. These can be undertaken by independent valuers other than the person who carried out the initial valuation. The Project Social Officer will provide assistance at all stages to the complainant to facilitate resolution of their complaint and ensure that the matter is addressed in the optimal way possible.
- c) If the problem cannot be resolved to the PAPs satisfaction within 5 days, then the grievance is moved to the next level, which is the Director of CASA 1000 Project Implementation Unit (PIU). A record of the resolution or decision to take it to the next level must be recorded in the complaints register and signed by the appropriate authority.
- d) At this stage the complaint goes to a Grievance Committee (to be formed under a Government decree and the Government of Kyrgyz Republic will give an appropriate name to this committee). The Grievance Committee will be comprised of at least 5 members of whom 2 are from the CASA 1000 Project Implementation Unit (PIU) including from NEGK. The other 3 members should be independent of the project implementing authorities and Government of Kyrgyzstan Republic. They should be from (i) a recognised NGOs/CBOs operating in Kyrgyzstan, (ii) an eminent person of appropriate standing (e.g. respected lawyer or professor) if accessible, (iii) a representative from the Ayil Okmotu. These professionals will be paid sitting fees for these sessions and will not be regular employees of any of the project agencies. In addition, at least one representative of the Project Affected Persons will sit on the Committee. Decisions made by the committee and agreed by all parties shall be legalized in terms of a resolution and communicated to the complainant.

Should there be objection regarding the decision of the Grievance Committee, the case can be taken to court by the PAP.

10.2 Grievance Log

A Representative from CASA 1000 PIU will ensure that each complaint has an individual reference number, and is appropriately tracked and recorded actions are completed. The log should contain the following information:

- Name of the PAP, their location and details of his / her complaint.
- Date of reporting by the complainant.
- Date when the Grievance Log was uploaded onto the project database.
- Details of corrective action proposed, name of the approval authority.
- Date when the proposed corrective action was sent to the complainant (if appropriate).
- Details of the Grievance Committee meeting (if appropriate).
- Date when the complaint was closed out.
- Date when the response was sent to the complainant.

10.3 Monitoring Complaints

The **Project Social Officer** will be responsible for:

- Providing a weekly report detailing the number and status of complaints (this report will be provided to, for example, the PIU or Committee on Resettlement, as currently exist for other energy projects).
- Any outstanding issues to be addressed.
- Monthly reports, including analysis of the type of complaints, levels of complaints, and actions to reduce complaints.

11. RPF Implementation Budget

At this stage, it is not possible to estimate the exact number of people who may be affected since the technical designs and details have not yet been developed. It is therefore not possible to provide an estimated budget for the total cost of resettlement that may be associated with implementation of this project. However, when these locations are known, and after the conclusion of the site specific socio-economic study, information on specific impacts, individual and household incomes and numbers of affected people and other demographic data will be available, a detailed and accurate budgets for each RAP will be prepared. Each RAP will include a detailed budget which will provide costs of the following:

- Compensation may include, for example: costs for land, structures, crops; restoring structures; community structures and services.
- Relocation costs may include, for example: costs of resettling PAPs, administrative costs of resettling PAPs.
- Income restoration costs may include, for example: temporary income support for PAPs.
- Administrative costs may include, for example: staff costs, training and capacity building costs, monitoring and evaluation.

The project will prepare the resettlement budget and will finance this budget through the administrative and financial management rules and manuals like any other activity eligible for payment under the project. All responsibilities for implementing the Resettlement Policy Framework including payment of compensation, provision of other types of assistance, implementation of the grievance redress mechanism, training of staff, and monitoring and evaluation activities are to be covered by Government contributions to the CASA 1000 Project Implementation Unit (PIU) (either a new entity or additional responsibility delegated to one of the existing PIUs) through a resettlement budget under the allocated Project funds.

12. Mechanism for Consultations and Participation of Displaced Persons in Planning, Implementation and Monitoring

PAPs will be consulted in the following manner at each stage of the project:

- a) Community level consultation will be undertaken throughout the preparation of subsequent Resettlement Action Plans.
- b) Following the identification of their plot, a Representative of CASA 1000 Project Implementation Unit (PIU) will visit the PAP, discuss and collect information on valuation of assets including land and livelihoods. The representative will advise them of their rights under the project and will include sharing information on their entitlements to compensation and grievance redressal mechanisms. This will take place in the presence of a representative of the Ayil Okmotu and Rayon Administration. Feedback from PAPs will be solicited and integrated, as relevant, into the preparation and implementation of the RAP.
- c) Once the inventory and valuation of assets is completed, the Representative of CASA 1000 Project Implementation Unit (PIU) will present and discuss the details with the PAP(s) and whether or not the inventory is accurate and the valuation is acceptable to them.
- d) Once the RAP is complete, the PAPs will be provided with the relevant sections as per the disclosure procedures described above.
- e) Prior to implementation of the sub project the amount of cash or in kind (land) offered for compensation will be discussed with each eligible PAP for consideration and endorsement before transfer of the asset is effected. PAPs are entitled to have a third party present at this crucial time or at the other steps leading up to this final transfer. At any point PAPs can instigate a complaint using the grievance redressal process described above.

13. Arrangements for Monitoring and Evaluation

13.1 Overall Arrangements and Scope:

The arrangements for monitoring will fit with the overall monitoring plan of the entire project which will be implemented through CASA 1000 Project Implementation Unit (PIU). All RAPs will set major socio-economic goals by which to evaluate their success which will include (i) affected individuals, households, and communities being able to maintain their pre-project standard of living, and even improve on it, (ii) the local communities remaining supportive of the project and

(iii) the absence or prevalence of conflicts. In order to assess whether these goals are met, RAPs will indicate parameters to be monitored, institute monitoring milestones and provide resources necessary to carry out the monitoring activities. CASA 1000 Project Implementation Unit (PIU) will institute an administrative reporting system that will:-

- Provide timely information about all resettlement arising as a result of project activities;
- Identify any grievances that have not been resolved and require resolution through the involvement of the grievance committee or higher authority.
- Document the timely completion of project resettlement obligations for all permanent and temporary losses.
- Evaluate whether all PAPs have been compensated in accordance with the requirements of this RPF and that PAPs have higher living standards in comparison to their living standards before physical or economic displacement.
- Evaluate whether livelihood restoration efforts have been successful and identify justifiable challenges and measures to address them.
- Collect data on impacts on vulnerable households including how gender issues have been addressed.
- Alert project authorities to the necessity for land acquisition in the project's planned activities.
- Document any conflict and its amicable solution.

The objective will be to make a final evaluation in order to determine;

- If affected people have been paid in full and whether the compensation has been paid before the implementation of any project activity that is causing resettlement.
- If people who were affected by the project activities have been affected in such a way that they are now living a higher standard than before, living at the same standard as before, or are they actually poorer than before; and specific impacts on vulnerable households.

The project will not be considered complete until all the objectives of the site-specific RAPs are achieved as determined by regular monitoring and the submission of RAP completion report that is satisfactory to the World Bank.

13.2 Indicators

Indicators will be set within each RAP. Data will be gathered from communities or information collated through surveys, as required. The information for these indicators should be collated at regular intervals (e.g., quarterly or half yearly depending on circumstances) and compared over time. The pre-project Census information should provide most, if not all of the required information to set a baseline against which performance can be tracked.

13.3. Monitoring RAP Implementation

CASA 1000 Project Implementation Unit (PIU) staff responsible for the RPF and resettlement and compensation issues will manage the compilation of basic information on all physical or economic

displacement arising from the project, on a quarterly basis. They will compile the following statistics:

- a) Number of activities requiring preparation of a RAP.
- b) Number of households and individuals physically or economically displaced by each activity.
- c) Length of time from design finalization to payment of compensation to PAPs.
- d) Timing of compensation in relation to commencement of physical works.
- e) Amount of compensation paid to each PAP household (if in cash), or the nature of compensation (if in kind).
- f) Number of vulnerable households received compensation (cash / kind) and additional support provided.
- g) Number of people raising grievances in relation to each sub-project.
- h) Number of unresolved grievances.

CASA 1000 Project Implementation Unit (PIU) will review these statistics in order to determine whether the resettlement planning arrangements as set out in this RPF are being adhered to. For reasons of objectivity, it must be ensured that the staff who are doing this check are not the same staff who have prepared the report. They will alert the Director of CASA 1000 Project Implementation Unit (PIU), if there appears to be any discrepancies. Financial records will be maintained by CASA 1000 Project Implementation Unit (PIU) to permit calculation of the final cost of resettlement and compensation per individual or household. The statistics will also be provided to an independent consultant that will be contracted on an annual basis.

CASA 1000 Project Implementation Unit (PIU) will maintain a complete database on every individual impacted by the project land use requirements including relocation, resettlement and compensation, land impacts or damages, and it will provide a copy to the Ayil Okmotu (Village) Authorities. Each time land is used by the project; the database will be updated to determine if the individual or household is being affected to the point of economic non-viability and eligibility for compensation or its alternatives. Periodic reports on the database will be sent to the Ayil Okmotu Authorities and World Bank. This will become part of the official documents of the project.

The impact of resettlement implementation will be measured by repeating the exercise of socio-economic profiling (census) six months after the implementation of all sub-projects. This exercise will determine whether or not PAPs are well off as they were before the project, and if not whether their circumstance have declined as result of the project, and what remedial measures may be necessary.