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# Uzbekistan: "Electricity Sector Transformation and Resilient Transmission" Project (P171683)

Prepared by the Joint-Stock Company «National Electric Grid of the Republic of Uzbekistan» for the World Bank (WB).

This Resettlement Framework is a document of the Receiver The views expressed herein do not necessarily represent those of WB's Board of Directors, Management, or staff, and may be preliminary.

### ABBREVIATIONS

AHs	Affected Household(s)
APs	Affected Person(s)
ARAP	Abbreviated Resettlement Action Plan
BoQ	Bill of Quantities
СВ	Central Bank of Uzbekistan
CC	Civil Code
CLOs	Community Liaison Officers
CoM / CM	Cabinet of Ministers of the Republic of Uzbekistan
CSC	Construction Supervision Consultant
	Decision of Cabinet of Ministers
DDR	Due Diligence Report
DED	Detailed Engineering Design
DES DI	Detailed Evaluation Survey
DPs	Design Institute Displaced Persons
EA	Executive Agency
EM	Entitlement Matrix
EMC	External Monitoring Consultant
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standards
FGD	Focused Group Discussion
FGFO	Foreign Governmental Finance Organization
FS	Feasibility Study
GoU	Government of Uzbekistan
GRC	Grievance Redress Committee
GM	Grievance Mechanism
На	Hectare
нн	Household
IFI	International Financial Institution
LAR	Land Acquisition and Resettlement
LARC	Land Acquisition and Resettlement Commission
LC	Land Code
LRSCD	Land Resources and State Cadaster Department
M&E	Monitoring and Evaluation
MC	Makhalla Committee
MIFT	Ministry of Investments and Foreign Trade
MIS	Management Information systems
MoE	Ministry of Energy
MoF	Ministry of Finance
MW	Megawatt
NEGU	Joint-Stock Company "National Electric Grid of Uzbekistan"
NGO	Non-Governmental Organization
	Optical Ground Wire Project Affected Persons
PAP PC	Project Affected Persons Public Consultation
PC PCs	Project Consultants
r vð	

PFI	Participating Financial Institution
PIU	Project Implementation Unit
PIC	Project Implementation Consultant
R&R	Resettlement and Rehabilitation
RAP	Resettlement Action Plan
RCF	Republican Centralized Fund under the Cabinet of Ministers
RCM	Resolution of the Cabinet of Ministers of Uzbekistan
RENU	Regional Project Implementation Unit
RoU	Republic of Uzbekistan
RoW	Right of Way
RF	Resettlement Framework
RPIU	Regional Project Implementation Unit
RTUs	Remote Terminal Units
SIA	Social Impact Assessment
SEI	Socio-Economic Investigation
SES	Sanitary Epidemiological Service
SS	Safeguard Specialist
SSS	Social Safeguard Specialist
тс	Tax Code
TL	Transmission Line
TOR	Terms of Reference
USD (US\$)	United States dollar
UZS	Uzbek Sum
WB	World Bank
ZRU	Law of the Republic of Uzbekistan

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#### 1. Glossary

users

**Affected Persons** Affected persons (APs) are the members of the affected households those who experience full or partial, permanent or temporary physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods). They can be impacted from (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. APs could be of three types: (i) persons with formal legal rights to land lost in its entirety or part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claimed to such lands that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land.

A household consists of one or more people who live in the same Affected Household dwelling and also share at meals or living accommodation and may consist of a single family. In the project, the household is the unit for compensation and all the members in an affected household (AH) are considered as affected persons (APs).

Compensation Payment for an asset to be acquired or affected by a project at replacement cost.

Cut-off-date The date, after which people will not be considered eligible for compensation, i.e. they are not included in the list of AHs as defined by the census. Normally, the cut-off date is the date of the detailed measurement survey which is based on the detailed and final engineering design.

**Displaced Persons** In the context of involuntary resettlement, displaced persons are (DPs) those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. In the project, physical displacement is not anticipated.

Loss of land, assets, access to assets, income sources, or means of Economic livelihoods as a result of (i) involuntary acquisition of land, or (ii) Displacement involuntary restrictions on land use or access to legally designated parks and protected areas.

Entitlement The range of measures comprising the cost of compensation, relocation cost, income rehabilitation assistance, transfer assistance, income substitution, and relocation, a business restoration which are due to AH, depending on the type and degree nature of their losses, to restore their social and economic base. All entitlements are given to all affected households as per the entitlement matrix.

Inventory of Loss The inventory of assets getting affected by the project.

Illegal/Non-HHs whose business, agriculture, residential and orchard are not registered and those who have no formalized/recognized rights or legalizable/Nonrecognizable land claims to the land that they are occupying and includes people using private or state land without permission, permit or grant i.e. those people without legal lease to land and/or structures occupied or used by them. The WB Policy Statement makes it clear that such people are entitled to compensation for their non-land assets.

- Khokimiyat Local government authority that interfaces between local communities and the government at the regional and national level. It has ultimate administrative and legal authority over local populations residing within its jurisdiction.
- Land acquisition The process whereby a person/household is compelled by a public agency to alienate all or part of the land s/he owns or possesses, to the ownership and possession of that agency, for public purposes as per the Land Code clauses on eminent domain, in return for fair compensation.
- Land allocation In this report, the term is used to refer to the allocation of the unused/unsettled State Reserve Land under the ownership of local khokimiyats to the Client for permanently/temporarily period to implement construction works and other activities under the project.
- Land Use rights According to Land Code (article 17) real persons (can have the land plot under the right of lifelong inheritable possession and land parcel use transferred as descent. This right is given to individual residential housing construction and collective gardening and vineyard (orchards), peasant farms. Juridical persons (enterprises, stores, and business) can possess land parcels according to the right to permanent possession, permanent use, temporary use, lease, and property. In the above case when a person wants to sell the Property (land and building), he will sell the building & structure and subsequently land parcel will be sold as an attachment (right is being sold).
- Leaseholder Juridical person (farm) running agricultural production with the use of land parcels granted to him on a long-term lease. Lease term is limited up to fifty years but not less than for ten years. Leaseholder cannot sell buy, mortgage, present, exchange the land

Low-Income households/ people The poverty line, the subsistence level, and methodology for estimating the indicators have yet to be established by the national legislation in Uzbekistan. According to Uzbek government decisions, low-income households are referred to as low-income families and are classified by makhalla committees as households where the monthly per capita income is less than the equivalent of 52.7% of the minimum wage. From 1 September 2019, a new definition of minimum wage has been introduced instead of "minimal wage". From 1 September 2020, the amount is 679,330 UZS). Accordingly, the poverty line is 358,007 UZS (approximately US\$1.13 per capita per day).

MakhallaA local level community-based organization recognized official by the<br/>GoU that serves as the interface between state and community and is<br/>responsible for facilitating a range of social support facilities and<br/>ensuring the internal social and cultural cohesiveness of its members.<br/>Makhalla leaders are elected by their local communities.

Meaningful A process that (i) begins early in the project preparation stage and is Consultation A process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities arising from the project and other matters.

- **Rangelands** The lands on which the native vegetation (climax or natural potential plant community) including grasses, grass-like plants, forbs, or shrubs grown in the mountains, deserts, many wetlands, tundra, and certain forb and shrub communities. Comparing with pasture land where grasses planted with the purpose of grazing livestock, in rangelands grasses are grown naturally without human involvement.
- **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. Where market conditions are absent or in a formative stage, APs 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. Baseline data on housing, house types, and construction materials is to 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.
- **Severely Affected** Severely affected households are those who would be physically Households displaced from their home or would lose 10 % or more of their productive asset (income generating productive land).

"Uzbekenergo"

JSC

"NEGU"

Significant impact Land acquisition has significant impact when two hundred persons or more will experience major impacts, which are defined as; (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).

> A specially authorized body in the electric power industry. It supplies electric power to the population and different sectors of the economy of the republic.

**"National Electric Grid** A specially authorized body created on March 27, 2019 by the of Uzbekistan" JSC Decree of the President PP-4249, uniting in its structure all the main power transmission lines and 84 substations, formerly a part of JSC 'Uzbekenergo'. It carries out a unified policy in the field of operation TL facilities and substations. the development. of and implementation of investment projects for the construction of new and modernization of existing transmission lines and substations.

**Vulnerable Househo** Low-income households, supported by allowances for low-income lds families via makhalla system or households where the average monthly income does not exceed 52.7% of the minimum wage per person (according to regulations several additional factors are also to be considered including the availability of land, employment status of family members, and presence of persons in need of care); households headed by physically disabled persons; female-headed households and the elderly headed household are considered to be vulnerable only in case a head of the household has no in-family support: according to the national tradition the eldest person is always nominated as the head of household so most of the multigenerational families in Uzbekistan are headed by elderly. But it does not mean that the head of the household carries the burdens all the family expenses because he or she supported with adult

children who usually live together with parents (especially in rural areas). However, elderly/pensioners headed households where the pension is the top most important source of the HH income were also considered to be vulnerable.

### \* The rate of the Central bank (CB) of the Republic of Uzbekistan

#### (As of February 1, 2021)

Currency unit	_	Uzbek Sum (UZS)
UZS1.00	=	\$0.000095066
\$1.00	=	UZS 10,518.99

### 2. Executive Summary

1. The World Bank is supporting the preparation of the Uzbekistan: Electricity Sector Transformation and Resilient Transmission (ESTART) Project in response to the Government of Uzbekistan's request to the World Bank's continued support to the energy sector, including policy dialogue, infrastructure strengthening, institutional development, financial and operational sustainability, corporate governance and market reforms.

2. The proposed Project would have the following four components: (i) Digitalization of the electricity transmission sector; (ii) Power grid strengthening and renewable energy integration; (iii) NEGU institutional development and project implementation support; and (iv) Electricity market development. The power grid strengthening and renewable energy integration component plans to support: (a) modernization of 22 priority substations that were identified for rehabilitation across the country; (b) construction of a new 500/220 kV substation 'Koltsevaya' to release overloading on neighboring substations and to meet the growing demand in the respective regions; (c) construction of new 500 kV and 220 kV overhead transmission lines to connect the aforementioned substation 'Koltsevaya' to the national transmission network.

Civil works to be undertaken for the above purposes will be conducted on public lands that have been designated for this purpose and on the premises of existing public institutions (substations), and partly on the territory of existing farms, for the case of new substation and related transmission lines are constructed. As such, they are not expected to result in involuntary physical resettlement, but temporary and permanent land acquisition is planned. This will involve impacts on farmland and restrictions on land use. All site-specific investments under the project will be screened for adverse land impacts or resettlement and, where such impacts are identified, will follow the compensation and mitigation procedures described in this RF.

3. The project is expected to have primarily positive social and environmental outcomes; however, it also defines measures to be taken in the event of unanticipated negative impacts on the property, assets, or livelihoods of affected persons. Such measures are elaborated in the present Resettlement Framework (RF) and in the Environmental and Social Management Framework (ESMF) of the project.

4. This RF is prepared in order to appropriately identify, address and mitigate adverse socioeconomic impacts that may occur in relation to land acquisition, restrictions on land use, or resettlement. As a first measure, the project will attempt to avoid to the extent possible adverse impacts on private or privately-used land and property, and will clearly document all efforts made to avoid land restriction and resettlement impacts. Where such impacts are unavoidable, they will be minimized to the extent possible, and the project will follow the procedures laid out in the RF to ensure that adequate compensation and rehabilitation measures have been provided to the project affected people. The RF defines he procedures for: (i) acquiring land (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) consultations with affected people and description of Grievance Mechanisms.

5. This RF is based on relevant National laws and Decrees as well as the World Bank Environmental and Social Standard (ESS) 5 on Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement. The provisions of the RF apply to all the investments financed by the Electricity Sector Transformation and Resilient Transmission Project. The RF 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.

6. **The RF serves the following specific purposes:** (i) Reviews the existing national legal framework, compares it with the ESS 5 for gaps, if any, and indicates gap-filling measures; (ii) Describes the approach to the acquisition of private land, assets and other common property resources; (iii) Specifies the scope of the project with a well-defined exclusion list; (iv) Defines he the

eligibility criteria for defining various categories of affected people; (v) Defines the valuation process of impacted assets; (v) Defines the process for preparation of Social Impact Assessment and RAPs and their review; (vi) Defines of the cutoff date for Title and Non-Title holders; (vii) Identifies the consultation mechanisms/approaches to be adopted while preparing and implementing RAPs including public disclosures; (viii) Defines the monitoring and evaluation arrangements including Grievance Mechanisms (GM); and (ix) Defines the institutional and implementation arrangements -- role/responsibilities of different stakeholders, (iix) Integrates environmental and social management into the design and operation of the investments to be financed under the Project to ensure effective mitigation of potentially adverse impacts, while enhancing the benefits accrued.

7. **Site-specific RAPs will be prepared in accordance with the RF.** The corresponding environmental and social instrument for other social and economic impacts not associated with land acquisition and restrictions is the Environmental and Social Management Framework (ESMF).

8. There are some differences between the ESS5 and Uzbekistan's legislation in the sphere of involuntary resettlement. The main area where there are gaps between ESS5 requirements and national law include: (i) no requirement to provide detailed explanations of entitlements to project affected households, (ii) provision of just compensation instead of full replacement cost, (iii) no defined cut-off date, and (iv) no requirement carry out socioeconomic surveys. The RF has been prepared by harmonizing to the extent possible the two policies. The gap filling measures provided in this RF will prevail where differences exist in substance and/ or in the interpretation between WB and Uzbekistan legislation.

9. Each project component 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, assistance in acquiring land / property, in obtaining compensation for women, cash assistance for housing to physically displaced squatters, are some of the provisions contained in the EM.

10. In order to avoid that people move into the affected area with the purpose of claiming compensation, a cut- off date will be established. The cut-off date will be the last date of the census, determining who are living in the affected area and the manner in which they will be affected by the project. It is a date after which people who are not included in the list of Project affected persons (PAPs)<sup>1</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 within30 days from the date of payment of compensation.

11. **The involvement of PAPs in planning prior to the move is critical.** The NEGU, with the support of its community liaison officers (CLOs), will be responsible for organizing and conducting public consultations with all PAPs prior to completion of the site-specific RAP. Consultations with PAPs will be conducted for each draft RAP. Any legitimate issue raised through the consultation should be included in the final RAP. The concerns of PAPs will be taken into account and reflected in project implementation.

12. Land acquisition and resettlement related documents will be disclosed to the public. Such documents include at minimum RF, ARAP/RAP (in case of any type of Involuntary resettlement) and due diligence reports on the above. Public disclosure will be conducted through multiple channels easily accessible to the public such as social media, websites, posters in Makhallas

<sup>&</sup>lt;sup>1</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.

and Khokimiyats. The documents that will be made available in the public domain include: Entitlement Matrix, Grievances Redresses Mechanism, institutional arrangements and the categories of eligible PAPs for various resettlement and rehabilitation (R&R) benefits. The names and specific compensation of individual PAPs will not be disclosed for privacy reasons.

13. The project will establish a Grievance Mechanism (GM) which would function at local and project levels. The GM will be well-fit to receive, evaluate and facilitate the resolution of displaced person's concerns, complaints and grievances, as well as deliver adequate and timely responses to the project affected people on the status and/or resolution of their concerns. GM has been developed based on the existing complaint handling mechanism as well as the latest Decree №911 which specifies in detail the resettlement management including implementation arrangement and the review processes.

14. In order to implement the Resettlement related measures, budgetary provisions will be made inthe Project budget. Budgetary estimates for component where resettlement implementation is necessary, including resettlement management will be incorporated into sub-project 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. The GoU via NEGU will provide an adequate budget for all land acquisition compensation and R&R assistance. The budget estimates and its sources will be reflected in RAPs.

15. **NEGU will be responsible for concurrent Monitoring and Evaluation (M&E) of RF and RAP implementation**. Regular M&E reports to be submitted to the World Bank and to national authorities, where applicable, will include monitoring and verification of processes and activities in RAP implementation. Based on such implementation reports any identified mid-term corrections, as appropriate, will be made.

16. This Resettlement Framework forms a core part of the Environmental and Social **Management Framework.** It may be updated by mutual agreement between NEGU and the World Bank. Such updates may be necessary, for example, if changes or amendments to the applicable laws and policies are made, based on implementation experience and lessons learned, or based on relevant amendments to the Project.

### 3. Introduction

#### 3.1. **Project Description**

17. The Uzbekistan ESTART Project has the following components: (i) Digitalization of the electricity transmission sector; (ii) Power grid strengthening and renewable energy integration; (iii) NEGU institutional development and project implementation support; and (iv) Electricity market development.

18. Four components to achieve the development objective are as follows:

- COMPONENT 1: Digitalization of the electricity transmission sector. This component will take advantage of modern digital technologies to support the enhanced monitoring, automation, and control of the power system in Uzbekistan. Digital technologies to be deployed under this component would comprise SCADA, EMS, and substation Remote Terminal Units (RTUs). The component will also support an upgrade of NEGU' digital telecommunication network to enable those systems to be fully functional. In addition, the intermittency of the solar and wind energy also requires additional sensitivity in management of operations with regards to efficient forecasting of supply and demand as well as faster response to voltage and frequency changes. Accordingly, this component better integration into the grid and management of large-scale variable renewable energy projects implemented through private sector participation.
- <u>COMPONENT 2</u>: Power grid strengthening and renewable energy integration. This component will finance a portion of the NEGU's priority investment program for 2021–2026, including upgrade and modernization of existing high-voltage substations and construction of new transmission substation and lines. This component will accordingly support: (a) modernization of 22 priority substations that were identified for rehabilitation across the country; (b) construction of new 500/220 kV substation 'Koltsevaya' to release overloading on neighboring substations and to meet the growing demand in the respective regions; (c) construction of new 500 kV and 220 kV transmission lines to connect the aforementioned substation 'Koltsevaya' to the national transmission network.
- <u>COMPONENT 3: NEGU Institutional Development and Project Implementation Support.</u> This component will support developing and improving the institutional capacity, financial substantiality and technical capabilities of NEGU to ensure it can effectively carry out its functions of reliable operation of the transmission system and electricity market in Uzbekistan. It will also support the preparation of feasibility studies, environmental and social assessments, preparation and implementation of priority investments, especially for integration of renewable energy resources. The component will include the following 4 subcomponents: 3.1- Modernization of NEGU business process, 3.2- NEGU Financial Sustainability and Preparatory Work to Access Commercial Financing, 3.3- NEGU Institutional Capacity Building and Project Implementation Support, 3.4- Working with Technical Supervision Consultants.
- <u>COMPONENT 4: Electricity Market Development.</u> This component will provide technical assistance for the design and implementation of the electricity sector's transition plan toward the establishment of a wholesale electricity market and will include preparation of secondary legislation, market rules, institutional capacity building as well as design and implementation of systems required for market operation and management. The specific activities will include: (i) establishment of the Energy Market Regulatory Authority (EMRA); (ii) development of a Wholesale Electricity Market; (iii) establishment of a Central Buyer; (iv) establishment of a Balancing Market within NEGU; and (v) implementation support to Ministry of Energy and its Project Office.
- 19. Brief details of each component are given in Table 1 below:

Table 1: Type of	project components

Nº	COMPONENT NAME	ACTIVITIES	ACTIVITIES WITH POSSIBLE LAND IMPACTS
1	Digitalization of the electricity transmission sector.	<ul> <li>Introduction of a new SCADA/EMS for NEGU's central and regional control centers and installation of RTUs in key transmission substations and power plants.</li> </ul>	No
	1.1 Strengthening Power System Control and Dispatch.	<ul> <li>The development of a fast and broad bandwidth telecommunication network at the national level based on optic fiber media.</li> </ul>	
	1.2 Modernization of Telecommunication Networks.		The replacement of existing steel ground wires installed on high-voltage transmission lines and installation of new ground wires with imbedded optic fibers in them, namely optical ground wires (OPGW).
2	Power grid strengthening and renewable energy integration.	<ul> <li>Finance a portion of the NEGU priority investment program for 2021–2026, including upgrade and modernization of existing high-voltage substations and lines and construction of new transmission substations and lines.</li> </ul>	<ul> <li>(a) modernization of 22 priority substations that were identified for rehabilitation across the country;</li> <li>(b) construction of new 500/220 kV substation 'Koltsevaya' to release overloading on neighboring substations and to meet the growing demand in the respective regions;</li> <li>(c) construction of new 500 kV and 220 kV transmission lines to connect the aforementioned substation 'Koltsevaya' to the national transmission network.</li> </ul>
3	NEGU Institutional Development and Project Implementation Support.		No
	3.1 Modernization of NEGU business process	<ul> <li>Finance the procurement, integration, and supervision of ERP at NEGU and its subsidiaries</li> </ul>	

N⁰	COMPONENT NAME	ACTIVITIES	ACTIVITIES WITH POSSIBLE LAND IMPACTS
	3.2- NEGU Financial Sustainability and Preparatory Work to Access Commercial Financing.	<ul> <li>as well as support the capacity development of NEGU key staff.</li> <li>Implementation of financial viability measures, including under the ESRIP, to implement in order to strengthen the financial standing and commercialization of NEGU.</li> </ul>	No
	3.3- NEGU Institutional Capacity Building and Project Implementation Support.	<ul> <li>Finance project implementation support activities and institutional capacity-building programs, develop procedures and introduce systems and tools to improve core functions of strategic departments and the company's business process; support for the Project Management Unit (PIU), conduct key sector studies, including FSs for future priority investment projects.</li> </ul>	No
	3.4- Working with Technical Supervision Consultants.	<ul> <li>Support to NEGU with technical supervision of the implementation of digitalization solutions and greenfield transmission substation design, supply, and installation contract(s).</li> </ul>	No
4	Electricity Market Development	<ul> <li>Technical assistance for the design and implementation of the electricity sector's transition plan toward the introduction of a wholesale electricity market including required policy, regulatory, and market rules and technical codes.</li> </ul>	No

20. The socio-economic impacts of these activities will be mainly positive and related to the improvement of the quality and standard of development of the energy sector in Uzbekistan. The largest-scale construction activities are expected under Component 2: Power grid strengthening and renewable energy integration and especially in the construction of new substation and related transmission lines. The allocation of funds for any project related activities will follow the principles outlined in this RF. Impacts on private sector land, private assets and livelihoods should be avoided as far as possible, such impacts should be minimized and, where impacts are unavoidable,

compensatory and rehabilitation measures should be applied.

21. While the broad category of activities/ impacts is foreseen, exact magnitudes can become known only after detailed designing of the subcomponents are made. Hence, towards preparing a RAP, project preparation has developed a Resettlement Framework (RF). The key objective of the Resettlement Framework is to provide a framework to appropriately identify, address and mitigate adverse socioeconomic impacts that may occur due to the implementation of subcomponents that involve the involuntary acquisition of land, impacts on business and livelihood activities, and/or - albeit unlikely - the resettlement of affected families.

#### 3.2. Objectives, rationale and basic terms of preparation of the Resettlement Framework (RF)

22. The RF is aimed at ensuring that implementing institutions in this project use it in order to ensure compliance with the ESS 5. The RF shall ensure that environmental and social management is integrated into the development and operation of investments to be financed under the Project to ensure effective mitigation of potentially adverse impacts while enhancing accruing benefits.

23. RF will establish a process of environmental and social screening which will permit the institutions in charge of the implementation of Project to identify, assess and mitigate the environmental and social impacts of investments. In addition to the RF, the Project Environmental and Social Management Framework (ESMF) also determines the institutional measures to be taken during the program implementation, including capacity building activities.

#### 24. This RF serves the following specific purposes and tasks:

- Reviews the existing national legal framework, compares it with the World Bank ESS 5 Land Acquisition, Restriction on Land and Involuntary Resettlement 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 eligibility criteria for defining various categories of affected people;
- Defines the valuation process of impacted assets;
- Defines the RAP preparation process and its revision;
- 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 Mechanisms (GM); and Defines the institutional and implementation arrangements-role/responsibilities of different stakeholders. Subcomponent-specific RAPs will be prepared in accordance with this RF. The corresponding Environmental and Social instruments for other social and economic impacts not associated with land acquisition and restrictions is included in the Environmental and Social Management Framework (ESMF).

#### 3.3. Methodology

25. Based on the desk review, the consultant undertook a number of field visits to the project regions to identify potential land use and resettlement issues related to the project in order to draft this RF. In particular, the field visits have been carried out in accordance with the schedule below:

- 1) 30 December 2020 visit to the existing 220 Kv Traktorsoz substation, Tashkent city;
- 2) 17 January 2021 visit to existing 220 kV Guzal substation, Syrdarya region;
- 3) 19 January 2021 visit to the construction site of new 220 kV Koltsevaya substation,

Tashkent region;

4) 20 January 2021 - visit to existing 500kV Tashkent substation, Tashkent region.

26. This RF is based on relevant National laws and Decrees as well as the World Bank ESS 5: Land Acquisition, Restriction on Land and Involuntary Resettlement. The guidelines of the RF apply to all the investments financed by project.

27. 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.

28. Following the preparation of the RF, the consultant and project management will carry out stakeholder consultations on the ESMF and RF. The final version will incorporate the feedback emanating from those consultations. Details of the consultations will also be annexed.

29. This RF will be updated when changes or amendments to the applicable laws and policies are made and based on implementation experience and lessons learned.

### 4. Legal Framework for Land Acquisition and Resettlement

#### 4.1. Uzbek policy and legislation for Land expropriation and Resettlement.

30. In Uzbekistan, land expropriation is provided for the public needs under the Land Code (LC). Expropriation in this context refers to the taking away of private land for a public purpose by the government with or without the owner's consent subject to laws of eminent domain, which stipulates prompt and adequate compensation. In Uzbekistan, there is no separate legal document about land acquisition and resettlement but supported by different Resolutions, Acts and Codes as described below.

#### 4.1.1. Civil Code (29 August 1996)

31. The Civil Code (CC) defines the legal status of participants of civil relations, the grounds, and procedure of implementation of property rights and other proprietary rights, rights on the intellectual property, regulates the contractual and other obligations, as well as other property and related personal non-property relations. The CC defines general rules of property seizure, determination of property cost and rights for compensation, terms of rights termination.

32. The CC provides that: a person whose right has been violated may demand full compensation for damages unless the law or the contract provides compensation for losses in a smaller size (Article 14, Clause 1). The Civil Code (Article 14, Clause 2) also specifies that losses are understood as:

- expenses that the person whose right is violated, made or must make to restore the violated right;
- the loss of or damage to property (real damage);
- the revenues that this person would have received under normal conditions of civil turnover if his right had not been violated (lost profits)

33. According to article 14, Clause 3 "If the person has violated the law, revenues received as a result of this, the person whose rights were violated, has the right to demand compensation along with other losses, lost profits in the amount not less than such profits".

34. According to article 7 "If an international treaty or agreement stipulates other rules than those stipulated by civil legislation, rules of the international treaty or agreement." This rule is a common rule for all of Uzbekistan's laws.

35. According to Article 8, Clause 3, the rights to the property which are subject to state registration shall arise upon the registration of the relevant rights to it, unless otherwise provided by law. Article 84, Clause 1 provides that the right of ownership and other real property rights, creation, transfer, restriction, and termination of these rights are subject to state registration. This means that without registration the right to real estate property does not enter into the force. This statement is very important for the further understanding of LAR processes related to land acquisition and building's demolition.

#### 4.1.2. Land Code (30 April 1998)

36. The Land Code (LC) is the main regulatory framework for land-related matters in Uzbekistan. The LC regulates allocation, transfer, and sale of land plots, defines ownership and rights on the land. It describes responsibilities of different state authorities (Cabinet of Ministers, province, district and city khokimiyats) in land management; rights and obligations of the land possessor, user, tenant, and owner; land category types, land acquisition, and compensation issues, resolution of land disputes and land protection. The LC also defines the terms of rights 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 provides that:

• Withdrawal of the land or part thereof for state and public needs is made by agreement with the land user and tenant by decision respectively khokim of district, city, region or by the decision of the Cabinet of Ministers (Article 37, Clause 1). In case of disagreement the land user or tenant of the land with a decision of district (city, region) khokim, or the

decision of the Cabinet of Ministers to withdraw the land, this decision may be appealed in court (Article 37, Clause 2);

- Losses caused by violation of the rights of land users, tenants and landowners (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 a 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 khokims 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).

37. According to Article 39, Clause 1 land user, tenant, and landowner 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).

38. 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.

39. 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. Losses of agricultural and forestry production are compensated by legal and natural persons:

- which removes withdrawn agricultural and forest lands for purposes not related to agriculture and forestry;
- around objects of which protection sanitary and protection zones are established with the exclusion of agricultural and forest lands from the turnover or through transferring them into less valuable lands' category.

# 4.1.3. Resolution of Cabinet of Ministers № 146 (25 May 2011) with amendments based on Resolution of Cabinet of Ministers №1024 (20 December 2019)

40. This Resolution previously named "About the Measures of Improvement the Order of Provision of Land Plots for the Implementation of Urban Development Activity and for Other Non-Agricultural Needs" and renamed in late 2019 into the "Regulation on the procedure for compensation for losses of owners, users, tenants and possessors of land, as well as losses of agricultural and forestry production" is aimed to improve the procedure of granting land plots, protect the rights of legal entities and individuals on land and improve the architecture of settlements and the efficient use of their (settlements) land for construction by the Land Code and the Town Planning Code. This resolution has approved two Regulations: (i) Regulation on the procedure for granting land for urban development and other non-agricultural purposes, (ii) Regulation on the procedure of compensation

for land possessors, users, tenants, and owners, as well as losses of agriculture and forestry. The Regulation on the procedure for granting land for urban development and other non-agricultural purposes contains the following provisions:

- Order of land plot location, preparation and approval of site selection and land allocation documents without approved planning documentation;
- Order of placement, selection and land allocation with approved planning documentation,
- Order for rejection in the selection and land allocation for construction;
- Provision (sale) of land plots for individual housing construction;
- Elements of urban planning documents and development regulation lines.
- Based on Regulation №498 (14 June 2019) losses of possessors, users, tenants and owners of land, as well as losses of agricultural and forestry production are to be determined by the UzDavYerLoyiha Institute, or by cadaster bodies or by departments of the Ministry of Construction with the involvement of the evaluating agency. The defined sizes of losses are to be considered, respectively, by the commissions under the Cabinet of Ministers or khokimiyats and subject of the approval by public authorities along with materials for the selection and allocation of land plot(s).

41. The Regulation on the procedure of compensation for possessors, users, tenants and land owners, as well as losses of agriculture and forestry includes the following:

- Compensation for losses of owners, users, tenants and land owners;
- Compensation for losses of agriculture and forestry;
- Cost of irrigation and developing the equal new land plot in return for seized irrigated agricultural land;
- Cost of fundamental improvement of grassland and pasture;
- Scheme for determination of losses of land possessors, users, tenants, and owners, as well as losses of agriculture and forestry;
- Coefficients on the location of seized land plots (Not active since January 1, 2020)<sup>2</sup>.

42. The losses of land possessors, users, tenants, and owners, as well as losses of agriculture and forestry, should be compensated before granting of documents certifying rights on land plot. The regulation also orders that demolition of the house or building shall be done only after agreeing on compensation and providing replacement premises — the regulation orders that compensation has to be paid before starting any construction work. The land possessors, users, tenants and owners, whose land plots are seized and to whom land plots are granted, in case of disagreement with a defined amount of losses, can appeal to the court. In case of acquisition and temporary occupation of land plot or part thereof, the following would be subject to compensation:

- · Cost of the land plot, owned by individuals and legal entities;
- Cost of residential houses, constructions, and installations, including incomplete constructions, and also located outside of the allocated plot, if its further utilization is impossible due to seizing of the land plot.
- · Cost of fruits and berries, protection and other perennial plants;
- · Cost of incomplete agricultural production;
- Lost profit.

43. Above described Laws and Regulations mention that non-titled and squatters on land and building/structures are ineligible for any compensation.

44. Collectively, these regulations provide a sound basis for acquiring land for public purposes and for compensating land users according to the registered user of the land in Uzbekistan.

<sup>&</sup>lt;sup>2</sup> Chapter II of the Annex #3 of this Resolution that regulated coefficients has been terminated in accordance with the Resolution #911 dated November 16, 2019.

#### 4.1.4. Resolution of Cabinet Ministers №317 (21 September 2016)

45. The resolution "On amending and adding to some decrees of the Republic of Uzbekistan, aimed the further improvement of registration of cadastral document on real property" defines responsible design institution which calculates the agricultural and forest-related losses belonging to legal land users, tenants. This institute is "UzDavYerLoyiha" and its branches in the regions.

46. It defines that in case of the following type of construction works, compensation for agricultural and forest-related losses will not be compensated:

- individual housing construction and maintenance of a residential house;
- the construction of pre-school, general secondary, secondary special, professional educational and medical institutions;
- construction of water management facilities, land reclamation facilities and hydraulic structures;
- the formation of protected natural areas.

47. By this resolution, the Government defined the procedure of legalization of cadastral document of titled and not-titled (illegal) land users. The main requirements for the legalization of non-titled land users are to provide i) explanation of circumstances of not legalized use of land, ii) certificate from local self-governed bodies on possession of last 15 years, iii) payment of land tax for the last five years.

48. Compensation mechanism of agricultural and forest-related losses is updated by this resolution.

#### 4.1.5. Resolution of Cabinet Ministers №3857 (16 July 2018)

49. The resolution "On measures to improve the effectiveness of preparation and realization of projects with participation of international financial institutions and foreign government financial organizations" partly provides that payment of compensation for the land acquisition, demolition of houses, other structures, plantings within the framework of projects with the participation of International Financial Institutions (IFIs), if it is agreed and stated in agreements, then will be carried out by authorized bodies in accordance with the requirements of IFIs or Foreign Governmental Finance Organizations (FGFOs).

#### 4.1.6. Decree of the President of the Republic of Uzbekistan №5490 (27 July 2018)

50. The Decree "On measures to further improvement of the system for protecting the rights and legitimate interests of business entities" has established a Centralized Fund under the Cabinet of Ministers of the Republic of Uzbekistan for compensation of losses to citizens and business entities in connection with the seizure land plots for state and public needs, as well as the procedure for mandatory coordination with this fund of land acquisition for state and public s needs.

#### 4.1.7. Decree of the President of the Republic of Uzbekistan №5495 (1 August 2018)

51. Decree "On measures on cardinal improvement of investment climate in the Republic of Uzbekistan" partly provides that the adoption of decisions on the seizure of land for state and public needs is allowed only after an open discussion with interested parties whose land plots are planned to be seized, as well as assessing the benefits and costs; demolition of residential, industrial premises, other structures, and structures belonging to individuals and legal entities, with the withdrawal of land plots is allowed after the full compensation of the market value of immovable property and losses caused to owners in connection with such withdrawal.

# 4.1.8. The Law of the RoU "On Privatization of Non-agricultural Land" №552, August 13, 2019

52. This normative document regulates the procedures, rules and mechanism of privatization of non-agricultural land. According to the Law, the following land plots are subject for privatization: (i) land plots on which the buildings and structures belonging to legal entities, industrial infrastructure facilities are located, as well as the land adjacent to them in the extent necessary for the conduct of production activities; (ii) land plots provided to Uzbekistan citizens for individual housing construction

and its upkeep; (iii) free land plots; (iv) land plots that are provided to the Urban Development Fund under the Ministry of Economy and Industry of the Republic of Uzbekistan.

53. The Law forbids privatization of land plots that are: (i) located in territories that do not have approved and published layout plans; (ii) that are part of the lands of environmental, recreational, recreational and historical-cultural purposes, as well as lands of forest and water funds, general use of cities and towns (squares, streets, driveways, roads, embankments, squares, boulevards); (iii) infected with hazardous substances and susceptible to biogenic infection; (iv) provided to residents of free economic and small industrial zones.

54. Within implementation of this project the order of compensations payment to these persons in case of loss of property and other objects of property is also governed by the following standard and legal documents:

- (i) Law of the Republic of Uzbekistan "On Evaluation Activity" as for 19.08.1999. No. 811-I;
- (ii) Decree of the President of the Republic of Uzbekistan "On further improvement of activity of evaluation companies and increases of their responsibility for the quality of rendered services" (No. PP-843 as for 24.04.2008).

#### 4.1.9. Resolution of Cabinet of Ministers № 1047 (26 December 2018)

55. This resolution "On the procedure for the formation and use of funds of centralized funds for the compensation to affected individuals and legal entities for the expropriation of land for the state and public needs" appoints Republican Centralized Fund (RCF) under the Cabinet of Ministers for land acquisition compensation payments to affected households and affected entities in course of the projects to be implemented for the needs of the state and society. RCF will be established for the projects that are accepted on the Governmental level. This resolution establishes the procedure of compensation payments to affected physical and legal entities. The Supervisory Board is established under RCF, and its decisions are compulsory to execute. The Board will also monitor the allocation of funds to AHs during the resettlement implementation period. Local managing bodies (khokimiyats) should start the process by application to RCF on the allocation of necessary funds for LAR. This application will be reviewed by the Board, and the necessary decisions will be accepted. The Decree on the allocation of RCF. The Decree serves legal instrument to pay compensation to affected physical and legal entities.

#### 4.1.10. Presidential Order №P-5491 (August 5, 2019.)

56. The Order "On Additional Measures to Unconditionally Guarantee the Right of Ownership of Citizens and Business Entities" governs the procedures, mechanism of making decisions on the seizure of land for state and public needs which is (i) allowed only after an open discussion with interested parties whose land is planned to be withdrawn, as well as assessing the benefits and costs; (ii) the demolition of residential, industrial premises, other buildings and structures belonging to citizens and business entities upon the seizure of land is permitted after full compensation of the market value of real estate and losses incurred by the owners in connection with such seizure: (iii) Losses caused to citizens and business entities as a result of the unlawful administrative act of a state body (official) are subject to compensation by the state, primarily at the expense of extra budgetary funds of the relevant bodies, followed by recovery from the guilty person in recourse. According to this Order, from August 5, 2019, the seizure of land and the demolition of real estate owned by citizens and businesses for state and public needs, as well as for other purposes, is carried out in the order consisting of the following steps: (i) at the first stage, a collection of materials on the territory planned for demolition is submitted to the Cabinet of Ministers of the Republic of Uzbekistan by the chairman of the Council of Ministers of the Republic of Karakalpakstan, khokims of the regions and the city of Tashkent; (ii) at the second stage - in the Cabinet of Ministers of the Republic of Uzbekistan, an opinion is prepared on urban planning requirements and for financial calculations; (iii) at the third stage - the prepared opinion is submitted to the Prime Minister of the Republic of Uzbekistan for consideration and decision.

57. There is the personal responsibility of local authorities for full compliance with legislative acts when seizing land, in particular for: (i) notification of owners in the prescribed manner and terms of the relevant decision on the seizure of the land and the demolition of residential, industrial and other

buildings, structures and plantings located on the land; (ii) prevention of demolition of houses, other buildings and structures on confiscated land plots before preliminary and full compensation of losses at market value; (iii) the provision in the prescribed manner of temporary housing for the period of development of the land provided as compensation to displaced citizens for up to two years, as well as for compliance with other requirements.

#### 4.1.11. Resolution of Cabinet of Ministers № 911 (16 November 2019)

58. On November 16, 2019, the Cabinet of Ministers approved the "Regulation on the procedure for seizure of land plots and providing compensation to the owners of real estate objects located on the seized land plot". This Regulation determines the procedure for the seizure of a land plot for the State and public needs. The Regulation shall apply if the land plot *is in possession, use or temporary use of individuals or legal entities (individual entrepreneurs, citizens of Uzbekistan, foreign citizens, business entities, NGOs) and does not apply to land plots owned (private property right) by individuals and legal entities. In this regard it is not clear whether this regulation is not applicable only to lands, that will be privatized in accordance with the Law "On Privatization of Non-agricultural Land" №552 (August 13, 2019).* 

59. This key LAR related document envisages the introduction of new regulations pertaining to the compensation procedure for land seizure for public needs and replaces Resolution of Cabinet of Ministers № 97 (29 May 2006)<sup>3</sup>. To date, the process has not been transparent and lacked adequate protection for property owners. This regulation applies to cases where land occupied by real property is owned based on the rights of permanent or temporary use.

60. The document clearly defines the term "State and public needs", which, among others, includes implementation of investment projects aimed at improving infrastructure facilities, including the construction and rehabilitation of energy systems and power transmission lines.

61. As per the procedure introduced by the document, land seizure is allowed given that both of the following conditions are met:

- (i) the owner/user/leaseholder explicitly provides his/her consent and;
- (ii) the project is approved by the local Kengash (Council) of Peoples' Deputies, or an investment project is specially mentioned in the Presidential Decree or by a Resolution of the Cabinet of Ministers.

According to this resolution:

- (i) both local municipalities (khokimiyats) and investors may initiate land seizure following the procedures provided in the regulations;
- (ii) if there is a need to withdraw the land plot, an open discussion is to be held with the participation of the khokimiyat representatives and investors and owners;
- (iii) preliminary valuation of losses will be carried out by the khokimiyat or by cadastral bodies. The Regulation mentions that "the full list of immovable property objects, located on the plot is to be prepared as well as other information is to be provided in regards of the immovable property". Trees and standing crops are not mentioned as a subject of valuation and further compensation, thus, the Resolution of the Cabinet of Ministers №146 (25/05/2011) will be applied for the compensation of these assets);
- (iv) the Kengashes of people's deputies will consider the benefits and costs of the seizure of land, and, if there are sufficient resources, as well as in case of excess of benefits and costs, a decision will be made on the seizure of land.
- (v) evaluation of the property that is going to be seized is done at the expenses of the initiator. When 75% of property owners provide their consent to land seizure, the initiator

<sup>&</sup>lt;sup>3</sup> The Resolution №97 (29 May, 2006) "About approval of the regulations on procedure of compensation payments to citizens and legal entities due the withdrawal of land plots for the state and public needs" was the key act that regulated compensation for losses to individuals and legal entities due to the seizure of land plots for state and public needs. <u>This regulation is not active since January 1, 2020</u> in accordance with the Appendix 3 to the Resolution of the Cabinet of Ministers #911 – see further details on next page.

has the right to apply to court in order to get a compulsory sale order for the rest 25% of the owners. In such cases, the compensation is to be determined in a court ruling rather than by a compensation agreement. This procedure, anyhow, guarantees a full replacement cost.

- (vi) new objects being part of a compensation for seizure must be provided within 2 years, otherwise fines are applied for each day of delay.
- (vii) demolition of real estate objects is permitted only after their owner is compensated in full as provided in a compensation agreement (or a court decision in case of a dispute). Khokimiyats are not authorized to make decisions on the seizure of land;
- (viii) the khokimiyat or the investor and the owners, and this agreement is notarized;
- (ix) an initiator and an owner of a property must conclude the relevant compensation agreement subject to notarization. The agreement must include the type of compensation(s), its amount and terms of payment and/or provision of other compensatory measures;
- (x) The demolition of real estate objects without the agreed compensation is not allowed.
- 62. After providing agreed compensation to the owners:
  - (i) real estate/property is released by the owner
  - (ii) the draft resolution on the demolition is sent by the khokimiyats to the justice bodies for the issuance of a conclusion. The resolution on demolition of real estate is accepted only in the presence of the positive conclusion of justice departments
  - (iii) Transfer of the real estate objects located on the withdrawn land plot to another person is allowed only if there is a written consent of the initiator after signing of the Agreement, or in case of termination of the Agreement (in the order provided by the Agreement, with the consent of the parties or in court).
  - (iv) The owner who has acquired the object of real estate subject to demolition is the legal successor of the rights and obligations of the previous owner arising from the Agreement concluded in accordance with this Provision.
  - (v) Control over execution of requirements of the legislation at withdrawal of the land plots, demolition of objects of real estate, resettlement of citizens, and also granting of compensations is carried out by bodies of Prosecutor's office.
  - (vi) The owner, based on agreement with the initiator/investor, now has the right to carry out at his own expense the demolition of the property/structures with the further removal of all materials (salvages) and construction waste and with the proper cleaning of the territory for construction needs.

63. This procedure come into force on January 1, 2020. It is important to mention also that in case of untimely or incomplete provision of compensation by the project initiator, khokimiyat must provide compensation with a subsequent appeal to the court to recover compensation from the guilty persons.

64. A possibility to keep salvage materials is a very important issue for relocated households (because they can use salvages for the construction of new houses<sup>4</sup>). The previous Resolution N<sup> $\circ$ </sup>97 (25 May 2006) defined that all the salvages are the property of the investor (after the compensation is provided in full to relocated AH). However, even with this strong requirement, the vast majority of the projects supported by IFIs in Uzbekistan (including WB financed projects) allowed relocated APs to keep salvages as an additional protection measure. During this RF preparation, the issue of salvage materials was reviewed by NEGU in the light of the new Resolution N<sup> $\circ$ </sup>911. A new option/privilege given to the relocated AHs permits that, based on agreement with the project initiator (NEGU), AHs will have the right to carry out at his own expense the demolition of the property/structures with the further removal of all materials (salvages) and construction waste and with the proper cleaning of the

<sup>&</sup>lt;sup>4</sup> Even having a fair compensation for the demolished houses the AHs may have problems with purchasing and delivery of necessary materials for new construction. It is still the reality for the remote and mountain areas.

territory for construction needs. Except for the economic burden for relocated AHs, related to complete "proper cleaning" of territory (while some of the affected houses have strong and large concrete basements, see Figure 1.5), there are several concerns to be considered:

- (i) There is no definition of the "proper cleaning" in the Regulation. This may cause obstacles for project realization.
- (ii) Construction waste utilization issues are very important. Cleaning of the dwelling yards may cause hundreds of tons of waste to be thrown in the neighboring areas, instead of relatively remote specially allocated places. So, this process is to be controlled by Contractor only.
- (iii) The Regulation does not contain a specific timeframe for the self-demolishing of houses. Practically, people will be not able to fit the civil work schedule and Contractor will wait until AHs will clean everything.

# 4.1.12. Resolution of Cabinet of Ministers № 44 (15 February 2013) with amendments based on Resolution of Cabinet of Ministers №1046 (28 December 2019)

65. This resolution determines the procedure for the appointment and payment of Makhalla allowances for: a) low-income families with children under the age of 14 years, b) allowances for low-income parents for child care until the age of two years and c) allowance for low-income families. According to this resolution the following types of families are entitled to allowances:

- families where the average monthly income does not exceed 52,7% of minimum wage per person during the last three months. Along with incomes household members gain officially, additional factors are also to be considered by makhalla committee members, including the availability of land, employment status of family members, and presence of persons in need of care;
- 66. The preferential rights for makhalla allowances have families:
  - who have lost both parents and children are in care of relatives;
  - families where one or both parents are disabled;
  - widow(er), raising two or more children under the age of 14, living separately from other relatives;
  - family with disabled children;
  - mothers or fathers who are bringing up the children in a single-parent family. In this case the fact of child rearing mother (father) in an incomplete family established by makhalla;
  - families in which one or both parents are unemployed who have been registered at state employment bodies (regional and city departments of the Ministry of Employment and Labor Relations) as job-seekers;
  - single retired persons.

#### 4.1.13. Resolution of Cabinet of Ministers №165 (30 March 2017)

67. Uzbekistan's legislation does not define compensation as targeting the rehabilitation of APs' livelihood. They focus on paying compensation for measurable physical impacts or incomes. The Presidential Resolution №3857 of 2018 (described above) requires that the donor-funded projects follow the specific safeguards requirements of the donor. This resolution theoretically removes any disparity between the country's legislation on LAR issues and WB's requirements under ESS5. However, there are still questions to EAs from state budget controlling authorities that are related to the amount of the rehabilitation allowances provision.

68. This Regulation №165 determines the procedure for the allocation of a one-time financial allowance to needy families in the Republic of Karakalpakstan and the Khorezm region, primarily, single retirees, families with a disabled breadwinner and other low-income groups and families. This allowance to needy families can be appointed by a special decision of makhalla Social Protection Commissions to families (citizens) who find themselves in difficult life situations. The definition of a difficult life situation includes among others the damage to property as a result of emergency circumstances or force majeure. The specific amount of this one-time financial assistance is determined by the Commission for each case individually, taking into account the complexity of the

"difficult life situation". According to regulation №PP-4086 since 28 December 2018, the minimum and maximum amount of this allowance are annually regulated by a special Decree of the President of Uzbekistan. For the year 2020, this amount was determined in the Decision of President №PP-4555, Annex 2 (December 30, 2019) and vary from 434,000 UZS and up to 1,085,000 UZS.

69. Considering that a) there are no other norm to compensate the loss of livelihood and b) absence of the specialized social protection body in the country, it is suggested in this project, based on Resolution №165 (on analogy), to allocate a one-time allowance amounting of maximum value of the allowance envisaged by the Decision of President №PP-4555 to all the displaced AHs as severe impact relocation allowance.

#### 4.1.14. Tax code

70. The Tax Code (TC) is a regulatory framework for taxation related matters of individuals and legal entities. This law regulates compensation for a vulnerable group of people regarding applying for discounts or exemption from property taxes, land tax, income tax and other taxes stipulated in this TC.

#### 4.1.15. Labor code and Law on employment

71. These two documents are main legislation regulating labor relations of individuals employed with labor contract by enterprises, institutions, organizations of all type ownership form, including contracted by individuals. These legislations are considering interests of employees and employers provide the efficient function of the labor market, just and secure labor conditions, protection of labor rights and employees health, promote to the growth of labor productivity, an increase of work quality, raising on this matter welfare and social livelihood level of the population.

72. Uzbekistan's legislation and the World Bank ESS5 on involuntary resettlement provide for compensation to affected persons who have suffered losses due to land/asset removals under state and public interest projects. However, there are significant differences in how resettlement issues are conceptualised and implemented in practice. The WB standard considers this issue as a matter of rehabilitation of livelihood and, thus, requires that the actual income lost by the affected persons be fully compensated to them. This approach covers both temporary and permanent losses and is generally achieved by paying the affected persons their declared monthly salary (which must be substantiated by supporting documentation) for a period of suspension of not more than 12 months, which is the criterion for permanent loss of employment. For informal permanent jobs without a declared wage, this approach is the same but is based on the national minimum wage. In order to ensure proper application of the Policy, benefits for loss of employment should be paid by the initiator of the project to directly affected persons.

73. The national legislation of Uzbekistan, instead, limits the matter to the payment as mandated by the Labor Code of fixed employment termination indemnities due by an employer to his employees and to the obligation of the project proponent to reimburse the employer of the cost of those indemnities mandate by the Civil Code. Such an approach excludes informal employees without a declared salary (and confirmed payments of taxes) from job loss compensation, applies only to permanently affected jobs and does not automatically guarantee that the APs receive their job termination dues<sup>5</sup>.

# 4.1.16. Land acquisition norms for the construction of the TL: KMK 2.10.08-97 and Resolution of the CoM №1050 (26 December 2018).

74. The Government Construction norms for KMK 2.10.08-97 provides standard and guidance for design, construction, and operation of transmission line particularly with its requirement for land acquisition. For transmission line having a voltage of 220 kV, the requirement is as follow:

 Single-circuit TL requires a temporary alignment corridor of 15 m in width for stringing cables for single-circuit TL in case of steel supports. For concrete supports the corridor is 12 m.

<sup>&</sup>lt;sup>5</sup> Based on the Labor Code of 1996, last amended on 2015 (Article 67) loss of employment is to be compensated with 2 months average salary plus a severance pay of a maximum of 1 month average salary depending on the length of the employment lost. Also according to the Civil Code (Article 14) all losses (including real damage, lost profits) are to be compensated.

- (ii) The TL requires a temporary alignment corridor of 18 meters in width for laying conductor cables for a double-circuit TL.
- (iii) After construction completion, 55.06 sq m is required for each single-circuit type support and 70.56 sq m for each double-circuit type support.
- (iv) According to the Article 14(a) of the Annex 1 to the Resolution of the CoM №1050 "On the approval of the rules of protection of power transmission facility objects dated 26.12.2018 a safety zone of **25 meters** to each side of the outer conductor cable is required as a safety zone and will be established for **220 kV TL**. The safety zone of TLs also includes a land plot around the foundation of the transmission towers, on which a special procedure is established for the ownership and use of a land. Safety zones of TLs, established in accordance with the rules, are encumbrances of land plots and are subject to state registration in the prescribed manner. Within the safety zone only certain activities, such as residential dwellings, mining and big construction activities and some major earthworks - primarily around the foundations of the transmission towers would be deemed incompatible and thus restricted.

#### 75. For transmission line having a voltage of 500 kV, the requirement is as follow:

- (v) The TL requires a temporary alignment corridor of 15 meters in width for stringing the conductor cables (5 meters per conductor).
- (vi) For construction of suspension towers temporary land acquisition of 2000 square meters is required for suspension towers and 2500 square meters for tension towers.
- (vii) Post-construction the TL require 315 square meters for each tension tower and 350 square meters for each tension tower.
- (viii) According to the Article 14(a) of the Annex 1 to the Resolution of the CoM №1050 "On the approval of the rules of protection of power transmission facility objects dated 26.12.2018 a safety zone of **30 meters** to each side of the outer conductor cable is required as a safety zone and will be established for **500 kV TL**. The safety zone of TLs is corridor along the TL and the land immediately surrounding the foundation of the transmission tower, on which a special procedure is established for the ownership and use of a land plot. Safety zones of TLs established in accordance with the rules are encumbrances of land plots and are subject to state registration in the prescribed manner.
- (ix) In accordance with paragraph 17 of Appendix 1 to Cabinet of Ministers Resolution № 1050 "About approval of Rules of protection of objects of electric grid economy" of 26.12.2018. The following is prohibited within the protection zones without the written consent of the owner of the electric grid facility:

a) Construction, major repairs, reconstruction or demolition of buildings and structures;
6) Mining, blasting, reclamation works, including those associated with temporary flooding of land;

в) Planting and felling of trees and bush clearing;

Sizes of protection zones of objects of electric grid economy on protected natural territories in cases stipulated by paragraph 12 of the present Rules and their regime shall be established by owners of objects of electric grid economy in coordination with the State Committee of the Republic of Uzbekistan for Ecology and Environmental Protection.

#### 4.2. Principles of the World Bank's Resettlement Framework and ESS5

76. 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 ESS 5: Land Acquisition, Restriction on Land and Involuntary Resettlement includes measures to address and mitigate the economic, social, and environmental risks arising from involuntary resettlement. The objectives of the WB's ESS5 are the following:

i. To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives;

- ii. To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost<sup>6</sup>; and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher;
- iii. To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure<sup>7</sup>;
- iv. To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as thenature of the project may warrant;
- v. To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

#### 4.3. Principles of the Resettlement Framework

- 77. 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 socioeconomic 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 Action Plan (RAP) elaborating on the eligibility criteria and 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 section of the project. Implement the resettlement plan under close supervision throughout project implementation.
- vi. Establish a Grievance Mechanism to receive and facilitate resolution of the concerns of

<sup>&</sup>lt;sup>6</sup> Replacement cost" is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.

<sup>&</sup>lt;sup>7</sup> "Security of tenure" means that resettled individuals or communities are resettled to a site that they can legally occupy, where theyare protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate. In no event will resettled persons be provided tenure rights that are in effect weaker than the rights they had to the land or assets from which they have been displaced.

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.

78. The involuntary taking of land may result in relocation or loss of shelter; 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 are needed to allow for establishing the criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. ESS 5 stipulates the following three criteria for eligibility:

- a. those who have formal legal rights to land or assets;
- b. those who do not have formal legal rights to land or assets 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 lawsof 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 ESS 5.

79. Those covered under (a) and (b) above are to be provided compensation for the land they lose, and other assistance in accordance with this RF. 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, toachieve the objectives set out in this RF, if they occupy the project area prior to a cut-off date established by the Khokimiats 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 arenot entitled to compensation or any other form of resettlement assistance.

80. 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 or used 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 resettlementassistance. All persons included in (a), (b), or (c) above are entitled to reasonable and sufficient advance notice on project activities, accurate information on expected impacts and on their entitlements in order to minimize to the extent possible negative impacts (e.g., collect harvest prior to impacts occurring on agricultural land), and enable project affected persons to make informed decisions.

81. 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. To prevent such risk and ensure that all project activities will adhere to the principles outlines in this RF, the NEGU, with support from the World Bank, will conduct awareness raising and training for local authorities and representatives from affected communities at regional and mahalla level, in all regions where project investments will be realized. All key policies and principles of this RF, in particular measures to bridge the gap between the provisions of the ESS5 and national laws, regulations and prevailing practice, will be presented to local authorities including regional and district khokims.

# 4.4. Comparison of national legislation and WB ESS 5 Land Acquisition, Restriction on Land and Involuntary Resettlement

82. Analysis of previous resettlement documentation including resettlement plans, frameworks shows that there are some divergences 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 the following gaps in the national legal framework: 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 ESS5 provides for compensation for land to both legal owners and encroachers. ESS5 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 № 3857 (16.07.2018) "Payment of compensation for the seizure of land, demolition of houses, other buildings, structures or plantings in the framework of projects with the participation of the IFI / IFFO, if provided for by the project agreements, is carried out by authorized bodies in accordance with the requirements of the IFI / IFFO" (Clause 1).

83. Uzbekistan's legislation does not define compensation as targeting the rehabilitation of the APs/AHs livelihood. It instead focuses on the mere compensation of directly measurable physical impacts or incomes. This may create some reconciliation problem in aligning national legislation with the requirements of the WB, particularly as it relates to compensation for indirectly affected items which become unusable after impacts. This is also true for compensation payments for so-called severe impacts, special compensation payments to vulnerable groups and relocation/resettlement allowances. On the one hand, the requirements of the WB to protect vulnerable people are consistent with the categories of residents that the government also defines as vulnerable. However, in order to comply with the principles of ESS 5 aimed at improving the standards of living of the displaced poor and other vulnerable groups to at least national minimum standards<sup>8</sup>, the vulnerable households will be provided with a one-time additional allowance.

84. 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.

85. ESS 5 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 persons whose interests may not be protected by national legislation with regard to the compensations for the land plots subject to withdrawal.

86. The Bank Policy ESS 5 will prevail in cases of discrepancies between WB and Uzbekistan legislation, not just simply in relation to compensation issues but to all issues.

87. A further comparison between the Uzbek Legislations and the World Bank ESS 5 a harmonization measures (i.e. gap filling measures) are contained in Table below.

ASPECT	WORLD BANK	NATIONAL UZBEK REGULATIONS	GAPS		
SOCIAL SAFEGUARDS REQUIREMENTS					
Involuntary Resettlement	World Bank Group Environmental and Social Standards 5: Land Acquisition,	The legal and policy framework of the project is based on national laws and legislation related to	Analysis of national legislation shows that Uzbekistan has adopted a		

#### Table 2: Comparison of Uzbek Legislation and WB's ESS 5

<sup>8</sup> Uzbekistan has no defined poverty threshold or minimum standard of living or minimum consumer basket

ASPECT	WORLD BANK	NATIONAL UZBEK REGULATIONS	GAPS
	SOCIAL SAFEG	UARDS REQUIREMENTS	
	Restriction on Land Use and Involuntary Resettlement.	land acquisition and compensation policy in Uzbekistan, listed in sub- chapter above.	number of presidential decrees and government resolutions which comply with the requirements of the ESS 5 <sup>9</sup> . The World Bank policy ESS 5 will prevail in case of discrepancies.
Categorization of projects	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.	Standard ESS 5 will be applied.
Compensation entitlements	<ul> <li>A. PAPs with formal title have to be compensated for lost land/other assets.</li> <li>B. PAPs with legalizable title have right to be compensated for lost land and assets after the EAs helps them in legalizing their assets.</li> </ul>	<ul> <li>A. PAPs with formal title are compensated for lost land/other assets.</li> <li>B. PAPs with legalizable or no legal title. Legalizable are not distinguished and considered non-legal as legalization is a burden of the PAPs.</li> </ul>	<ul> <li>A. Same in principle/applicatio</li> <li>n. No reconciliation needed.</li> <li>B. The application is already reconciled in previous WB projects. According to the CoM Regulation №3857, in case of discrepancies</li> </ul>
	C. PAPs with no legal title are compensated for lost non-land assets.	C. Non-legal PAPs have no right to be compensated for land and non- land assets	between the IFIs regarding compensation for land acquisition, the IFI policy prevails. Thus, the ESS5 Standard will be used.

<sup>&</sup>lt;sup>9</sup> It may be noted that: The last decree of Uzbekistan on resettlement was issued in early August 2019; The Project Classification (ESS 5) is based on the nature and degree of impact and is more for operational purposes as it can identify the type of documents used.

ASPECT	WORLD BANK	NATIONAL UZBEK REGULATIONS	GAPS
	SOCIAL SAFEG	UARDS REQUIREMENTS	
Compensation	A. Permanent loss of land. Replacement land as preferred option or cash compensation at full market rate for legal/ legalizable PAPs.	A. Permanent loss of land. Replacement land for legal PAPs.	A. Same in principle/applicatio n for legal PAPs. Reconciliation needed both for principle and application to allow the compensation of all non-land losses of legalizable and non-legal PAPs, which shall be covenanted.
	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.	B. Replacement of leased land. Based on lease replacement and compensation in cash all losses including lost profit. Work only on land officially leased by farmers (with an average lease term of 49 years). Not valid for sub-tenants (who usually work for farmers).	B. Same in principle. No reconciliation needed. tenant farmers. Unofficial sub-tenants/farm workers can start work on the new replacement plots.
	C. Loss of structures/ buildings. Cash compensation at replacement cost for lost item free of depreciation, transaction costs, and other deductions.	C. Loss of structures/buildings. Cash compensation at market cost for lost item free of depreciation, transaction costs, and other deductions.	C. No reconciliation of principles and application needed.
	D. Loss of indirectly affected items. Non- affected parts of an asset no longer usable after impact will have to be compensated as well.	D. Loss of indirectly affected assets. Law requires that all losses including lost profits is to be compensated to all legalPAPs.	D. No reconciliation of principles and application needed.
	<ul> <li>E. Business</li> <li>losses.</li> <li>Reimbursement of actual losses plus</li> <li>business re-establishment costs.</li> <li>For application based</li> </ul>	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	E. Valuation Methodology will include actual business losses and opportunity costs to re-establish new business including 33

ASPECT	WORLD BANK	NATIONAL UZBEK REGULATIONS	GAPS		
SOCIAL SAFEGUARDS REQUIREMENTS					
	on tax declared income for period of business stoppage. In absence of tax declaration based on maximum non- taxable salary or above.	recognized documented evidence but no clear methodology.	time.		
	F. Loss of trees: i) Unproducti ve. Irrespective of legal land occupancy status compensation at market rate. Application based on tree type/ wood volume or other methods ensuring PAP rehabilitation.	F. Loss of unproductive and productive trees. Unproductive as well as productive trees affected by a public project are to be compensated according to the independent valuator's report, but with no right to have felled trees.	F. Same in principle, different in application. Valuation standards shall comply with the requirements of ESS 5.		
	ii) Producti ve. Compensation at replacement cost based for application on variousmethods: reproduction cost, income lost (x tree type x market value of 1-year income x full production years lost).				
	G. Loss of crops. Compensation of crop in cash at market price.	G. Loss of crops. Loss of crops to be compensated. There are two forms of compensation of 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.	G. No reconciliation for policy is needed, but shall be covenanted to ensure that crops are compensated at the moment close as much as possible to the date of calculation lost profit.		
Involuntary Resettlement Planning, assessment and valuationof impacts	Resettlement Action Plan (RAP). RAP preparation includes: a) impacts assessment/PAP census; b) definition of	Resettlement Plan. There are no requirements to prepare Integrated and stand-alone RAPs. LAR planning entails similar but less extensive/simpler	Preparation of stand- alone RAP(s) and the measurement of all impacts and the counting of all PAP through: i. Detailed		

ASPECT	WORLD BANK	NATIONAL UZBEK REGULATIONS	GAPS			
SOCIAL SAFEGUARDS REQUIREMENTS						
	entitlements, income/livelihood restoration strategy, compliance & grievance mechanisms, institutional arrangements; c) consultation results; d) monitoring schemes; e)budget and implementation schedule. RAP requiresthe following surveys: i. Measurement survey. Measures all affecteditems. ii. PAP Census. Identifies all PAPs and establishes legitimate beneficiaries based on legal status. Socio-economic survey. Provides background information on PAP' socio-economic features. iv. Valuation survey a) Land: If land market exists based on a survey of recent transactions; without land market based on land productivity/ income; b) Buildings and structures. Replacement cost of materials, labor and transport and special features of building/structure	assessment/survey efforts than WB Policy, as detailed below: I. Measurement survey. Land and buildings impacts measured. Other impacts identified but not measured; II. PAPs Identification. Identifiesonly legal PAPs; III. Socio-economic survey. No comparable requirements exist; IV. Valuation of assets; a) Land: valued at market rate based on a transactions survey. Valuation includes transaction costs/third party liabilities; b) Buildings and structures. Valuation at replacement value.	Measurement Surveys to be mainstreamed for allimpacts; ii. Detailed count of individuals to be mainstreamed; iii. The execution of the survey is to be mainstreamed; Valuation survey: See section "Compensation" for details. Valuation methodology to consider compensation at replacement cost as defined in ESS5 and in this RF.			

ASPECT	WORLD BANK	NATIONAL UZBEK REGULATIONS	GAPS		
SOCIAL SAFEGUARDS REQUIREMENTS					
	without discounting depreciation, salvaged materials and transaction costs; c) Trees/crops. Based on the methodology detailed in section Compensation.				
Procedural mechanisms	<ul> <li>A. Information disclosure.</li> <li>Resettlement-related documents to be timely disclosed in the PAP language.</li> </ul>	<ul> <li>A. Information</li> <li>disclosure. Resolution</li> <li>№911 introduced the</li> <li>disclosure requirement in</li> <li>the form of open public</li> <li>hearings</li> </ul>	Systematic and direct consultations and grievance redress as provided in this RF.		
	<ul> <li>B. Public consultation.</li> <li>Meaningful public consultations are to be held with the PAPs. PAPs should be informed about their entitlements and options, as well as resettlement alternatives.</li> </ul>	B. Public consultation. Local issues should be publicly discussed with local authorities. All compensation should be discussed with the PAPs.			
	C. Grievance procedure. A Grievance Mechanism (GM) is to be established for each project. Information on GM to be communicated to the PAPs	C. Grievance Procedures. Each state agency/ministry must follow detailed instructions (approved by government) on registering and reviewing the concerns and claims from citizens. Resolution №911 introduces the new approach when no civil works can be started before all the grievances of the owners are resolved by the investor.			
	D. Asset acquisition conditions. Property can be acquired only after full compensation is paid to the PAPs.	D. Asset acquisition conditions. Property can be acquired only after full compensation is paid to PAPs.			

ASPECT	WORLD BANK	NATIONAL UZBEK REGULATIONS	GAPS
	SOCIAL SAFEG	UARDS REQUIREMENTS	
Assistance to vulnerable and severely affected PAP	A. These PAPs are to be identified and special assistance is provided to restore/ improve their pre- project level of livelihoods.	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 familiesthrough 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). 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.	A. Cabinet of Ministers Resolution №165 of 30 March 2017 is in force for families living in the vulnerable Aral Sea regions of Khorezm and Karakalpakstan. This Resolution allows for the payment of a one- time allowance to those in need and not officially registered as low- income families in the makhallas. One of the conditions for awarding such benefits is damage to property as a result of force majeure. Given that there are no other regulations on compensation for loss of livelihood, based on Resolution №165 (by analogy) it is necessary to allocate the maximum amount of this one-time allowance to all displaced AHs as a severely impacted resettlement allowance.

88. An Entitlement Matrix has been developed with the consideration of above-mentioned comparisons in compliance with the National Law and World Bank ESS 5. The type of compensation/assistance to be provided to PAPs is described in detail in the next section.

# 5. Public Consultation and Stakeholder Participation

# 5.1. Consultation and participation of affected persons Public Consultation and Participation Plan (PCPP)

89. The public consultations are the important part of the RAP implementation. NEGU is responsible for organizing and conducting public consultations with different target groups (title and non-titleholders, HH with low income, women headed HH etc) affected by project 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 all affected PAPs about the project. It is important for success of the project and its sustainability to offer all PAPs, incl. women of the AHs, the opportunity to express their opinion of any adverse environmental and social issues they feel may develop during project implementation. Any legitimate issue raised through the public consultation should be taken into account, included in the RAP and reflected in project implementation.

90. The best practice of previous WB projects demonstrates the efficiency of "a *two-way flow of information*" approach at the meetings in the project 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.

91. In order 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 women and to vulnerable groups to ensure that they are represented adequately in such arrangements. Communication should take place in a form and language easily understood by PAPs, and meetings should be conducted in places within easy reach and accessible to all.

92. 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. At the planning stages when the technical designs are being developed and at the land selection/screening stage would initiate the compensation process.

93. 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.

94. 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.

95. 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 Mechanisms are read aloud in the presence of the affected party and the members of LARC and representative from makhalla.

96. At the stage of Compensation Payments all handing over of property such as land and buildings and compensation payments will be made to the bank account of the affected party, under

authorization by the Chairman or members of LARC and representative from Makhalla.

# 5.2. Method for consultation and participation

97. All land acquisition and resettlement activities will be carried out with the cooperation and assistance of affected persons, mahallas and other local administrative bodies. More specifically:

- Officials of district (district khokims) will be informed about the Project and their assistance will be solicited in the supervision of the PAP census and the inventory of affected assets and verification during implementation stage;
- (ii) The Project Implementation Consultant (PIC) will carry out the DES with the cooperation of affected households and will inform them the results of the survey and the inventory prior to the finalization of the RAP and its submission to PIU and authorities.
- (iii) The preference of PAPs will be taken into consideration while working out on compensation and other resettlement assistances during the planning process.
- (iv) The PIU will establish and announce the census cut-off-date for the proposed project based on the eligibility criteria defined in this RF.
- (v) Specific mechanisms for ensuring the active involvement of APs and other stakeholders will be detailed in the project RF which also will include an appendix on participatory consultation meetings with date, list of participants, and minutes of meetings.

#### 5.3. Gender and Social Inclusion in consultation process

98. The project will pay particular attention to ensuring that women are recipients of compensation related to their activities and that women who are de facto heads of households are clearly identified as beneficiaries of the compensation and rehabilitation procedures of the project. The following measures are envisaged to ensure that the above measures are considered:

(i) Impact assessment will disaggregate the PAPs gender-wise and will clearly indicate the number of affected women-headed households and their pre-Program socioeconomic status.

(ii) Women will be encouraged to actively participate in all consultations and negotiations on compensation for loss of productive assets related to the project. During RAP preparation, women from affected households and farms will be meaningfully consulted. Based on this, a set of measures will be developed to avoid disproportionate impact of project activities related to the RAP on women and to ensure that the assistance and benefits offered are appropriately targeted.

(iii) The monitoring/evaluation and documentation of the RAP will pay particular attention to the impact of resettlement on women and other vulnerable groups.

(iv) All compensation due to woman-headed households will be given to this woman.

# 6. Eligibility Criteria for Various Categories of Affected People

# 6.1. Eligibility for affected people Compensation and Method to Determine the Cut – Off Dates

99. Any person, household, or community who is affected by 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-projectsituation. During preparation of the RAP, the eligibility will be determined on the basis of anticipated 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 titleholders eligibility will be determined through scrutiny of title deeds, lease, or other legal documents admissible and recognized under law as valid documents indicating ownership or user rights.

100. The PAPs and affected assets will be identified through a detailed eligibility survey/census or DES. The end date of the DES will be the end date of the census for eligibility for compensation. PAPs located in affected areas after this date will not be eligible for compensation. However, they will be given sufficient advance notice to vacate and dismantle the affected land/structures. Their dismantled structures will not be confiscated, nor will they be fined or sanctioned.

#### 6.2. Cut-Off Date

101. 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 subcomponent. 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 collectdata on the affected HH. 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 compensated for in lieu of expenses (including labor) incurred until the cut-off date. During 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.

102. 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 andmonitoring of any violation of the cut-off date could be carried out by local khokimiyats 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.

103. This process must be in full compliance with the grievance redressal mechanisms in this RF and this date must be communicated effectively to the potential PAPs and surrounding local communities.

#### 6.3. Definition of Project Affected People (PAPs)

104. By definition of the World Bank, the RF considers PAP as those who stand to lose, as a consequence of the project, 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. In this RF PAP are people directly affected by the Project through the loss (permanently or temporarily) of land:

105. The following categories of affected persons will be eligible for compensation and/or rehabilitation benefits under this RF:

• All persons who lose land to which they have rights / customary rights to land, or have no

legal title;

- Tenants and sharecroppers (labourers working for a share of the crop), including both registered and illegal;
- Owners of structures, crops, plants or other property attached to the land; and
- Affected persons who lose business, income and wages.
- Persons whose other assets or access to those assets will be affected in part or in total by the Project;
- Persons whose livelihoods will be impacted (permanently or temporarily) due to the restriction of access to protected areas by the Project.
- Persons who will be impacted due to stopping irrigation water supply and/ or other utility services during construction.
- All identified PAPs will be registered in database with an ID number and photograph in order to facilitate record keeping of PAPs and their entitlements and forms of compensation paid.

# 6.4. Entitlement matrix

106. All involuntary land acquisitions will be compensated at replacement cost as per the ESS 5 and the PAPs will be assisted to re-establish their living standards (affected shelter and incomes) to a level equal to or better than their living condition prior to the project. In accordance with the Cabinet of Ministers Resolution of November 16, 2019, "Regulations on the procedure for land acquisition and compensation to owners of properties located on the withdrawn land plot" was approved. Affected persons shall be paid replacement value, including compensation at market value, as well as losses. The provisions of this Resolution, along with those of ESS5 (whichever is more strict), will be followed in the project. The valuation of affected structures will be valued by independent valuation entity without deducting any tax or depreciation. Land-based compensation will be provided by district Khokimiyats on the basis of land acquisition acts at respective makhalla/kishlok.

107. In accordance with the principles of the RF, all displaced HH and persons are entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownershiprights 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 affected 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.

108. Those affected persons 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 RF.

109. An Entitlement Matrix (Table 3) summarizes the types of losses and the corresponding nature and scope of entitlements and is in compliance with National Laws and World Bank ESS 5. The entitlement matrix presents the entitlements corresponding to the tenure of the DPs in the following order:

- 1) Loss of Land (agricultural incl. grazing land, 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 on Squatters

- 8) Impact on Encroachers
- 9) Loss of employment in non-agricultural activities or daily agricultural wages or other wage workers
- 10) The impact on Vulnerable HH
- 11) Unforeseen impacts.

# Table 3: Entitlement matrix

TYPE OF LOSS	SPECIFICATIONS	ENTITLED PERSONS/HHs	ENTITLEMENT
A. IMPACT ON LAND (PERMA	NENT LAND ACQUISITION)	•	
A.1. Agriculture land/Orchard Land	All land losses independent of impact severity	Leaseholders/ Entitled land users having user permit	• "Land for land" compensation with plots of equal value/productivity class, comparable location, and agricultural support services which includes land development cost to provide such services.
			• Or (if partial permanent land acquisition under the transmission line structures has occurred) cash compensation at replacement cost by providing compensation for loss of land use rights equivalent to 4 years of net average profit (calculated on average for the last 3 years) from the annual crop harvest in the affected area.
			<ul> <li>Unaffected areas of the damaged farmland will also be compensated if they become infertile, uneconomical or inaccessible after impact.</li> <li>Transaction costs, registration fee, related to new plot allotted, will be borne by NEGU.</li> <li>In case of alternative lands' value/bonitet/size is different than an affected land the State order for crop production as well as Land Tax value shall be changed appropriately.</li> <li>In case of a) refusal of the farmer to obtain a new plot or b) if the partial permanent land acquisition occurred THEN Permanently affected portion of the land shall be reflected in farmers' documents to decrease accordingly the State order for crop production as well as Land Tax value. Compensation at full replacement cost proportionally to affected land is to be provided.</li> <li>Independent valuators will be involved in cases where AHs does not agree with the amount of compensation determined by the State Research and Design Institute "Uzdavyerloyiha".</li> </ul>
	An additional provision in case of severe impacts (10% or more loss of productive land assets)	Leaseholders/ Entitled land users with the lease agreement	Severe impact allowance equal to the net income from annual affected crop production (inclusive of winter and

				summer crop in addition to standing crop compensation) will be paid in addition to the compensation for the land loss.
A.2. Land with residential or commercial premises/buildings	Land loss	APs who has right on lifelong inheritable possession/permanent possession (from March 1, 2020)	•	Land-for-land compensation through the provision of land of equal value/location to the lost land, including special conditions (or compensation for obtaining/creating such special conditions on the new land is provided)
			•	Payment of cash compensation at replacement market value to be determined by an independent valuator. Transaction costs, registration fees related to the newly allocated area to be covered by the NEGU.
			•	Unaffected portions of the affected land will also be subject to compensation if they cannot be used after impact.
A3. Unregistered but theoretically legalizable agricultural land	Land loss	Theoretically a legalizable lessee who initiated to pay unpaid land taxes <sup>10</sup> and become a leaseholder.	•	All entitlements for agricultural land losses as stated above for leaseholder after the legalization of title to the land .
			•	Assistance in acquiring required legal documents for registration at no cost for PAPs.
			•	All will be entitled to cash compensation for non-land assets regardless of tax payments and registration (even if refused to legalize the title)
B. IMPACT ON LAND (TEMPO	ORARY LAND ACQUISITION )			
B.1. Agriculture land/Orchard Land	All land losses independent of impact severity (due to the construction of Transmission Lines, temporary structures or improvements along the Right of	All affected households/tenants.	•	Cash compensation at replacement cost by providing compensation for loss of land use rights equivalent to 4 years of net average profit over the last 3 years of annual crop production in the affected areas.
	Way).		•	Unaffected areas of the damaged farmland will also be compensated if they become infertile, uneconomic or inaccessible after impact.
			•	Duration of construction shall not exceed more than one

<sup>&</sup>lt;sup>10</sup> These types of taxes are not included in the transaction-costs which are specified in this matrix. This tax has to be paid by the legalizable lessee.

				crop season on affected land plot.
			•	Contractor after the end of construction will restore the affected land to the previous condition .
			•	Independent valuators will be involved in cases where AHs does not agree with the amount of compensation determined by the State Research and Design Institute "Uzdavyerloyiha".
C. IMPACT ON STRUCTURE	S			
Residential/ Commercial Structures	Full or partial loss of structures	All affected households irrespective of legal title and irrespective of nature of impact whether permanent land acquisition or temporary acquisition	•	Compensation at full replacement cost <sup>11</sup> for affected structure/fixed assets free of depreciation and transaction cost. Valuation of the compensation amount is to be done by a certified independent valuation organization at no cost for the PAPs, according to the Resolution № 911.
			•	As an additional measure of protection for Displaced Persons (DPs), they will have the right to pick up remaining demolition materials at least two weeks prior to the start of construction/land clearing by the Contractor without the obligation to completely demolish the structures/land clearing for construction purposes (as required by Resolution №911). The DPs will also be able to collect remaining materials from their former sites even during the demolition process (but outside of construction hours)
			•	Advance notification of demolition of structures in accordance with the conditions described in Regulation №911.
			•	A household losing structures/buildings who need to relocate will be provided with a temporary housing on the conditions of the lease agreement or rental allowance in cash for the period up to two years while the new house or building is being erected.
			•	Household losing structures/buildings that need to relocate will be provided with shifting allowance in cash

<sup>&</sup>lt;sup>11</sup> The replacement cost is the principle to be complied with in compensating for all types of 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.

			to hire vehicle for transportation of the family members, goods and chattels to temporary and permanent relocation sites. In case of difficulties to calculate the allowance, in-kind support with relocation is to be arranged by Contractor (i.e. provide transport and loader workers).
			<ul> <li>In case of partial impacts on structures (structures, fences, etc.), monetary compensation must be paid according to the standards of compensation for the restoration of the remaining part of the structure, including the market value of materials and their delivery to the site and labour inputs.</li> </ul>
	An additional provision of severe impact allowance in case of physical displacement	All physically displaced households	• Each household losing structures/buildings that need to relocate physically will be provided with a severe impacts allowance (equal to the maximum amount specified in Resolution №165).
D IMPACT ON CROPS AND T	REES		
Agriculture land/ orchard land	Loss of crops	All affected households	• Compensation at full replacement cost for primary and secondary crops (if any) on affected land based on one year of production costs (inputs) plus an allowance equivalent to equal to the average net income for 1 year (average for the last 3 years).
			• Crops on unaffected portions of an affected plot will also be compensated if the rest portion of the plot becomes unviable after the impact unsuitable/economically unviable for cultivation after land acquisition.
			Advance notice of harvesting.
			Schedule of construction to avoid crop season.
			<ul> <li>Independent valuators will be involved in cases where AHs does not agree with the amount of compensation determined by the State Research and Design Institute "Uzdavyerloyiha".</li> </ul>
	Loss of fruit trees (permanent and temporary land acquisition)	All affected households	• Loss of income from fruit trees will be compensated

	1	1	
			based on (a) average annual income for the last 3 years <sup>12</sup> multiplied by 4 (years) to cover the harvesting period and (b) production costs (resources) of the trees up to the date of felling.
		•	Non-fruit-bearing trees will be compensated on the basis of the production costs (production resources) of the trees prior to the date of felling.
		•	Independent valuation agency will be engaged to calculate the amount of compensation for loss of trees (based on the number/diameter/other parameter of trees as determined by "Uzdavyerloyiha" Institute). The cost of the appraisal will be paid by NEGU.
		•	Advance notification of harvesting and felling of trees (in case the AP will accept them for firewood).
		•	Schedule of construction is designed to avoid work being carried out during the agricultural season.
		•	Trees on unaffected portions of an affected plot will also be compensated if the rest portion of the plot becomes unviable after the impact.
		•	Felled trees will remain at the disposal of the PAPs, without their value being deducted from the compensation paid to the PAPs .
Loss of timber trees (permanent and temporary land acquisition).	All affected households	•	Compensation for affected timber trees will be compensated based on the market value of dry wood volume.
		•	Independent valuation agency will be engaged to calculate the amount of compensation for loss of trees (based on the number/diameter/other parameter of trees as determined by "Uzdavyerloyiha" Institute). The cost of the appraisal will be paid by NEGU.
		•	If the trees are too young and have no market value as dry timber, compensation for production costs (costs of production).

<sup>&</sup>lt;sup>12</sup> In case of fruit bearing period is less than 3 years, average annual income will be based on actual fruit bearing years.

			•	Timber trees on unaffected portions of an affected plot will also be compensated if the rest portion of the plot becomes unviable/economically unviable for cultivation after land acquisition . Advance notification of tree felling. Felled trees will remain at the disposal of the PAPs, without their value being deducted from the compensation paid to the PAPs.
E. IMPACT ON INCOME AND I E1. Employment on affected	LIVELIHOOD Loss of work/employment on	Agricultural workers losing		
agricultural land	affected agricultural land	their contract	•	Officially contracted agricultural workers will receive a compensation corresponding to their salary (in monetary terms or/and in-kind) for the remaining part of the agricultural year/or contractual period whichever is higher in monetary value.
E2. Business and involved workers	Loss of business and employment (permanent or temporary cessation of business and non-agricultural employment)	Affected households, business tenants losing titled business and involved workers	•	Affected households that have lost business (including income from renting out immovable property) will be compensated on the basis of the estimated average monthly net profit for the last three months (according to the tax authority) for the entire period of business interruption due to temporary land requisition, or on the basis of a 6 month cash compensation of the net profit in case of permanent business interruption
			•	Employees of affected businesses will be paid lost wages for the period of business interruption: a) average wages or b) in the case of permanent business closure - monthly wages * 12% + compensation at two net monthly wages (in accordance with the Labour Code and Resolution №384). The average wage is calculated on the basis of the amount paid in the last 2 months of work.
	An additional provision of severe impact allowance (in case of physical displacement of business)	All physically displaced households	•	The household is losing business structures/buildings that need to relocate physically will be provided with a severe impacts allowance (equal to 3 minimum wages ).
E3. Livelihood/employment due to physical displacement	Loss of livelihood/employment due to physical displacement	Affected household losing livelihood/employment due to physical displacement	•	Affected household losing livelihood/employment due to physical displacement will get a rehabilitation allowance

<b>F. VULNERABLE HOUSEHOL</b> Vulnerable Affected Households	.DS All Impacts	Women-headed households with no support, low-income households, households headed by single elderly persons/pensioners, households with registered unemployed members, households headed by a widow/widower with a child under 14, and households headed by physically disabled people	•	equivalent to 3 months of the average monthly income of the head of HH in case of provision of relevant grounds of such loss <sup>13</sup> . One-time rehabilitation allowance equivalent to three months of the maximum makhalla allowance for low- income families . AHs who do not have formal low-income family status <sup>14</sup> but consider themselves to be low-income/vulnerable can obtain/confirm such status in the makhallas (based on an approved regulatory procedure) and apply for a rehabilitation allowance. Priority for employment in project-related jobs, training opportunities, self-employment and wage employment assistance (priority and an opportunity to have a job in Contractor companies during the construction).
G. IMPACT ON COMMUNITY	STRUCTURES AND ASSETS	•		
Community/shared structures and assets	Loss of or damage to public infrastructure facilities and public utilities	Community-owned Assets	•	Roads, pavements, buildings, irrigation and other community infrastructure will be restored by civil work contractor to at least pre-project level.
			epla	cement cost, and the entitlement matrix shall be revised if

 <sup>&</sup>lt;sup>13</sup> Based on information from the Tax Authority and the employment record/employment authority.
 <sup>14</sup> Given state budget constraints, makhallas cannot pay benefits to all low-income households. There is an informal parity/rotation mechanism for recipients of makhalla poverty benefits. Thus, in fact, poor people cannot be registered in the makhallas as makhalla beneficiaries at the time of payment of compensation.

# 6.5. Valuation methods for affected assets and compensation calculations

110. In accordance with RF principles, all displaced HHs and persons will be entitled to a combination of compensation packages and resettlement benefits, depending on the nature of title to lost assets and the extent of impacts, including the social and economic vulnerability of displaced persons and livelihood restoration support measures if impacts on livelihoods are anticipated.

- 111. The methodology for assessing minimum compensation rates of different items is as follows:
  - i. Land will be valued at replacement cost. Transaction costs, registration fees, if any, will be covered by the project.
  - ii. Houses/buildings will be valued at replacement cost based on the cost of materials, type of construction, labour, transport and other construction costs. No deduction will be applied for depreciation and transaction costs. The AHs will be allowed to take out usable materials without the obligation to demolish the structures/ to clear the site completely for construction needs.
  - iii. Annual crops will be valued based on gross income from the crop computed as the total annual produce from the affected land.
- iv. Fruit trees will be valued based on the type and age/diameter of trees such as seedlings not yet yielding or fruit bearing trees. Fruit trees will be valued at the market price of 1 year production multiplied by 4 (years) to cover the yield period plus production costs (funds) to grow new trees.

112. Initial asset valuation will be done by the NEGU, with support from the Project Consultants (PCs) and UzDaverLoyiha institute and in coordination with the Design Institute (DI) and local khokimiyats. Final assessment of compensation in the final RAP ready for implementation after detailed engineering design (DED) and detailed evaluation survey (DES) and consultations will be carried out by the regional departments of the State Research and Design Institute UzDaverLoyiha in accordance with the requirements of the country's legislation. Independent valuators will be involved in cases where the AHs do not agree with the amount of compensation determined by UzDaverLoyiha. A detailed entitlement matrix is presented in Table 3. The matrix describes a wide range of possible situations and not all of the impacts outlined in the matrix and their corresponding compensation mechanisms can easily be triggered in the future if any unforeseen impacts are identified/occur during detailed design.

# 6.6. Valuation of assets

113. 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 resettlementshould 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>15</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>16</sup>.

114. 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:

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

115. 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.

116. 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.

#### 6.7. Use of standard valuation

117. In case of anticipated project interventions as a result of any kind of temporary or permanent impact on land, structures or trees, then a Valuation Company will be hired. It is therefore proposed that the NEGU contracts with an evaluation expert at the start of the project to develop a standardized asset valuation procedure that can then be applied by the PIU and local khokimiyats. This standardized procedure includes a series of "look-up" tables to estimate the value of assets by type according to the approximate size and condition of existing assets. The valuation methods are expected to comply with the World Bank's ESS 5 and the provisions of the Entitlement Matrix.

118. The qualified independent valuation company will be hired and mobilized by the PIU within a certain timeframe to provide estimates of compensation and benefits to affected households during the finalization of the RAP by NEGU. The draft ToR for valuators is provided in the following reports.

<sup>&</sup>lt;sup>15</sup> Law "On Valuation Activity", Article 3, Clause 1, dated 19 August 1999, last amended 14 May 2014.

<sup>&</sup>lt;sup>16</sup> Law "On Valuation Activity", Article 4-1, Clause 1,2,5, dated 19 August 1999, last amended 14 May 2014.

# 7. Objective and scope of valuation work

119. The main objective of such a valuation company will be: To carry out valuations of affected assets, as well as the calculation of applicable allowances under the finalized RAP/RF to comply with Uzbekistan's legislation and policies and WB's ESS 5 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 ESS 5, namely:

120. **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.

121. 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.

122. 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.

123. 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:

124. 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 khokimiyat'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 ag of trees, materials of buildings and other improvements etc.). The inventory shall be carried out also for temporary impacts.

- 1) 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.
- 2) All data shall be entered into the consolidated database. The format of the database shall be agreed with the Client.
- 3) 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.
- 4) The calculation for the applicable allowances (if any) can be included in the Valuation Report or aseparate Calculation Report can be prepared to be agreed with the Client.

# 8. Calculations for compensation payments per category of loss

# 8.1. Compensation for land

125. Compensation for land is aimed at providing a farmer whose land is acquired and used for project purposes with compensation for labour on the land and loss of crops. Compensation for agricultural land will be provided on a "land-for-land" basis, with land being made available to owners by the district khokimiat after appraisal. Such land will be of equal value/productivity in the immediate location and with comparable associated services/facilities or compensation for the provision of such services.

126. Alternatively, cash compensation for agricultural land at replacement value will also be provided if the PAP refuses land compensation. Compensation for permanent loss of land use rights on affected agricultural land will be compensated with the equivalent of 4 years net average income for the last 3 years (of the affected annual crops).

127. In cases wherein 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 or land plot to build new structures, thus allowing affected people to pursue their activities.

128. The decision to provide "land for land" compensation will be taken by the district/region khokimiyats. The PIU/PCs will place on a map the locations of possible relocation/replacement sites from which the PAPs can choose. They will also determine the associated infrastructure requirements (service roads, drainage, sewerage, water, gas and electricity supply) and site preparation costs. All relocation activities will be carried out with the agreement and cooperation with the PAPs, and local authorities can play an important role in carrying out the relocation activities as scheduled.

# 8.2. Compensation for crops

129. Loss income from crops planted on the affected land will be compensated in cash at replacement costbased 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 4). 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 plus expenses needed to purchase seedling and re-grow tree from planting till 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.

Item Compensated	Basis of Value	UZS / ha
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	

# Table 4: Sample calculation method to compensate for crops

# 8.3. Compensation for Buildings and Structures (if any).

- 130. Following compensations will be given to affected building and structures:
  - a. Full compensation of the inhabited structures (full replacement cost of affected assets in local markets), adjacent territories and objects in this territory;
  - b. 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.
  - c. Full compensation for the cost of the affected irrigation canals, wells and systems built at the expense of land users.
  - d. Calculation is based on the results of market value appraisal of the cost of irrigation canals, wells and systems including all relevant payments; depreciation and operating cost. No deductions are required for abandoned materials.
  - e. Relocation assistance;
  - f. 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.
  - g. 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.
  - h. Calculation of compensation is based on the results of the market estimation of the cost of thespecified objects.
  - i. As an additional measure of protection for Displaced Persons (DPs), they will have the right to pick up remaining demolition materials at least two weeks prior to the start of construction/land clearing by the Contractor without the obligation to completely demolish the structures/land clearing for construction purposes (as required by Resolution №911). The DPs will also be able to collect remaining materials from their former sites even during the demolition process (but outside of construction hours).

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 building & structures	

# Table 5: Sample calculation method to compensate for building & structures

# 8.4. Rebuilding and/ or restoration of community (if any)

131. Any impact to the roads, pavements, buildings, irrigation and other community infrastructure 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.

# 8.5. Compensation for Timber and Fruit Trees (if any)

132. 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 valuators 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.

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

# Table 6: Sample calculation method to compensate Timber Trees

#### Table 7: Sample calculation method to compensate Fruit Trees

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

133. Assessment of the affected crops and trees according to the market value and the principles of WB's ESS 5 and Resolution №146 of CoM.

#### 8.6. Compensation for Vulnerable Groups (if any)

134. Vulnerable HH, including women headed HHs, Low-Income HHs, a HH headed by elderly with no support and HH headed by 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 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.

# 9. Institutional Arrangements

135. This section describes the institutional arrangements for the preparation, implementation and monitoring of land acquisition and involuntary resettlement activities under the project, including a description of the organizational procedures.

# 9.1. General Institutional Arrangement for Land Acquisition

# 9.1.1. Project coordination

136. The organizational and implementation arrangements of the project were based on the experience of the WB in the energy sector in Uzbekistan. The main institutions involved in the implementation of the proposed project are, Ministry of Energy, Ministry of Finance, Ministry of Investment and Foreign Trade, at national level NEGU and RENU (Regional Electrical Networks) and PIU at local level. The regional administrations (khokimiyats) will facilitate the implementation of the project at local level and will be indirect beneficiaries of the project.

137. The main initiator and executing agency of the project is the Joint Stock Company "National Electric Grid of Uzbekistan" (NEGU). The NEGU was established on 27 March 2019 as an authorized state body responsible for the efficient development, construction, reconstruction and management of transmission lines and substations in Uzbekistan, as well as for the modernization of existing transmission lines by attracting foreign investment.

138. NEGU is responsible for coordinating with key ministries and government agencies, including the State Committee of Investments, Ministry of Finance, Ministry of Economy, and regional and local government bodies during the project implementation.

# National level

139. **Ministry of Finance (MoF).** As the Recipient's representative, the MoF commits to the project development objectives and will cause the project to be carried out in accordance with the financing agreements.

140. **Ministry of Investments and Foreign Trade (MIFT).** The MIFT is a government agency responsible for coordinating the preparation and implementation of a unified state investment policy and attracting foreign investments in Uzbekistan and cooperation with international financial institutions. The MIFT will support any necessary legal and financial decisions in relation to the program (including related to involuntary resettlement), facilitate obtaining internal Government clearances, and provide oversight on the program reporting, related to progress and utilization of funds to the Bank and may bring any major issues to the attention of the higher-level management of the Bank.

# Project level

#### 9.1.2. Project Implementation Unit

141. NEGU as the EA has a PIU with required staff, including a Social Development Specialist within the PIU. The NEGU will be responsible for the selection of Construction Supervision Consultant (CSC). The PIU under the NEGU will be responsible for approval of adequate budgetary support for RAP implementation and will facilitate coordination with the concerned government agencies on LAR activities. NEGU and its PIU will be responsible for getting the government's endorsement of final RAP, clearance of the RAP from WB and will ensure compliance regarding complete payment of compensation to PAPs before the start of civil works with close coordination with khokimiyats and other responsible bodies.

142. The Social Development Specialist (SDS) at the PIU is to ensure that the project activities are implemented in compliance with Standard ESS 5 and national rules and procedures. Among major responsibilities of the SDS at PIU will be the following: (a) ensuring that contractors comply with all RAP requirements; (b) coordinating of all social related issues at the project area; (c) conducting supervision and monitoring and assessing social and LAR impacts and efficiency of mitigation measures, as well as identifying non-compliance issues or adverse trends in results, and putting in place programs to correct any identified problems; (d) when needed, providing advises and consulting

contractors in RAP implementation; and, (e) reporting to the PIU with regard to implementation of the RAP and grievances.

# 9.1.3. Project Implementation Consultant–Resettlement Team

143. The Project Implementation Consultant (PIC) designs and assists in the implementation of sub-components under the Project. The PIC will have sufficient in-house expertise on resettlement consisting of international and national resettlement specialists. Together with the design institute and PIU, they will analyze the cadastral maps, carry out DES, conduct first level compensation consultations with the PAPs and prepare the RAP. The RAP will be submitted to the respective power grids of the project areas as well as to the respective regional and district departments for coordination of land acquisition and compensation (SCLAC) under the khokimiyats (to be established on regional level in accordance with the new Resolution of Cabinet of Ministers №911 issued on 16.11.2019).

# 9.1.4. State Research and Design Institute UzDavYerLoyiha

144. By the CoM Resolution №317, Uzdavyerloyiha is the sole authorized body to calculate agricultural losses due to permanent and temporary land acquisition. It is also responsible for identifying and verifying property boundaries and ownership during the preparation of Land Allocation Act.

# 9.1.5. The role of Local authorities

145. **Khokimiyats** (Municipalities, Administrative Units) are the key participants the project implementation. From the institution, it is required continuous assistance and presence during all the progress of the project. The SCLACS under the regional and district khokimiyats will be responsible for the coordination of the implementing procedures, obtaining of Approval of local Kengashes (councils) of pupil's deputy and Justice bodies and conduct publicly open hearings (public consultations) of the project design (according to CoM resolution №911) and execution of the compensation together with PIU of NEGU.

146. By the new Presidential Decree №1047, the local municipalities should apply for the Republican Centralized Fund to get compensation for affected households. After approval of the application and granting of the necessary budget by RCF for the compensation to affected households, then regional municipalities can transfer the required sum to affected households.

147. **The provincial Cadasters bodies** (SCLRGCSC departments) are the key executive authority that: i) identifies land losses incurred by land owners and land users as well as agricultural output losses; ii) determines the degree and area of land recultivation, including removal and temporary storage of productive soil layer; iii) determines the need for protective sanitary and water protection zones around the constructions being built and regime of their use; (iv) prepares proposals on allocation of land plots of equal value instead of the acquired; (v) estimates the cost of developing replacement land; (vi) approves the benchmark setting up act and the attached plan; and, (vii) amends the government acts on land use and land ownership as well as other cadaster documents.

148. **The provincial department on environment protection:** (i) conducts environmental impact assessment of construction projects; (ii) approves location of the sites affecting the land condition; (iii) develops measures for land protection for designed sites and launched facilities adversely affecting the land; and (iv) approves the act for land acquisition.

149. **Makhalla.** Self-government community representatives will be involved in resettlement activities to ensure the rights and interests of PAPs are adequately addressed. Implementation of RAP will require close coordination with the local makhallas. This coordination will help EA in the following: (i) dissemination of information related to RAP; (ii) checking timely disbursement of compensation to PAPs and (iii) obtaining early warnings on the grievances of PAPs, (iv) verifying as to whether the vulnerable households were identified according to requirement laid down in RAP; and (v) obtaining information regarding any unexpected impacts, if any, being incurred by affected households.

150. **Valuation firms.** Valuation firms will comprise of an accredited private firm with valid license for valuation activities. These firms can be involved both by the PIU and if required by PAPs to estimate the replacement cost of the affected assets. The reports of the valuation firms will be used as a reference to pay compensation for affected assets.

# 9.2. Institutional arrangement associated with the project

151. In Table 9 below a respective institutional responsibilities and process steps of a Resettlement Action Plan (if any) to be implemented.

Step s	Institutions	Description of responsibilities	Remarks
Step 1	PIU/RPIU Social specialist	Identification of PAPs (conduct a 100% census of all PAPs.), Conduct a complete inventory of land, property, buildings and the general socio-economic situation of HH. public information, calculation of RAP budget.	Information on project effects needs on RAP, evaluation, and verification of PAPs with ID number and photo
Step 2	PIU/RPIU Social specialist	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.
Step 3	PIU/RPIU	Preparation of final RAP report	Preparation of RAP Report considering comments of WB and NEGU.
Step 4	NEGU, WB, NEGU	Submit RAPs to WB task team for review and no objection before implementing. Approval of the final report.	The World Bank has no comments on the RAP. Formalization of the RAP report and its inclusion in the project ToR.
Step 5	PIU/RPIU	Grievance committee creation	The Grievance committee needs to be formalized and specific contacts need to be given to the PAPs.

#### Table 8: Process steps and institutional responsibilities for implementation of the resettlement and/or land acquisition procedure

Step 6	NEGU and PIU/RPIU	Request for expropriation for public interest	Fulfill of criteria provided by law, especially the necessary documents that prove the expropriation needs.
Step 7	NEGU, Khokimiyats, PIU/RPIU	Expropriation commission at Khokimiyats in consultation with PIU has to examine the request and documents. If the legal criteria are fulfilled the expropriation commission at Khokimiyats starts the expropriation procedures. If not, the request will be rejected.	Raising of expropriation commission, verification of documentation on proprieties, calculation and verification of compensation value.
Step 8	NEGU, Khokimiyats, PIU/RPIU	Ensure that the Expropriation Commission decisions are based in GoU Legislation and WB guidelines and considers PAPs requests.	Evaluation of compliance between interested parties' requests.
Step 9	NEGU, Khokimiyats, PIU/RPIU PAPs	Compile the agreement considering of any pretends and legislation.	Give solution and incite agreements supporting PAPs requests upon legislation.
Step 10	NEGU and PIU/RPIU	Individual consultations with each with PAP's about expropriation.	Important: the fair evaluation of the properties.
		Publication of the notice for the expropriation – Declamation.	The procedure must be followed carefully and respecting the right of the third persons to prevent the complaint to the Court.

		Examine the suggestions and the complaints of PAPs by the process.	The expropriation will be done for the persons who will accept to be compensated with the conditions published.
		Prepare the draft decision for the Cabinet of Ministers.	Preparation of RCM on PAP compensation.
Step 11	Cabinet of Ministers	Approve the decision of the expropriation for the public interest; <i>OR</i>	RCM shall be implemented 1 month after declaiming on official newspaper.
		Reject the proposal to NEGU with the suggestion to review, if it is not in conformity with the law. Pay the compensation to persons affected by the project.	
Step 12	NEGU PIU/RPIU	Assistance on the relationship between PAPs and Local and/ Governmental authorities, verifications, and supervision of RAP implementation.	Verification of compatibility of the agreement between interested parties.
Step 13	NEGU PIU/RPIU Grievance Redress 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.

Step 14	PAPs	Opening a Bank Account and reporting it to the NEGU and RPIU.	Institutional support of the compensation process.
Step 15	NEGU, Khokimiyats (as required), PIU/RPIU	Pay the compensation to the bank account of persons affected by the expropriation before the civil works begin.	Ensure that compensation is done with respect (amount and time) of agreements signed by interested parties and before starting the project implementation.
Step 16	PIU	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.
Step 17	PIU	Prepare the final report on RAP implementation.	Considering that compensations will be finished before starting the project implementation.
Step 18	NEGU, PIU/RPIU	Assignment of the disclosure process according to the interested parties demands and in respect of RCM.	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 NEGU

152. The RAP to be implemented should be updated by the PIU in accordance with the changes in the technical design and project activities. It is very important that the PAPs are informed about their rights and options, after which they can discuss issues that need to be clarified. All information regarding the amount of monetary compensation and the size of land offered as compensation must be submitted to each PAP for review and approval, the cash payment must be made before the land can be affected. A committee of peers will be set up for grievance redress.

# 9.3. Compensation procedure and process

153. 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. Cash compensation will be deposited directly to PAP's bank account.
In-kind Compensation	Compensation may include items such as land, houses, other buildings, building materials, seedlings, agricultural inputs, and financial credits forequipment.
Assistance	Assistance include onetime payment, moving allowance, transportation and labor, training. Will be transferred directly to PAP's bank account.

154. Such monetary issues such as inflation, reliability and timing need to be taken into account. One of the purposes of providing compensation in kind is to reduce inflation risk on the cost of goods and services. Local inflation may still occur, so market prices will be monitored over the period that compensation is provided, allowing the amount of compensation to be adjusted. The local authority must address the issue of security, for which reason cash compensations will be transferred directly to PAP's bank account. The time and place of payment of compensation in-kind will be determined by each recipient in consultation with those responsible.

# 9.3.1. Procedure for payment of compensation (if any)

155. Compensation payments will be made before any project land use, loss of assets or physical resettlement occurs. The overall responsibility for payments on applications for alienation for the Project rests with the NEGU. The transfer of allotments must be fully completed and payment made before any Works can be executed on the alienated property. Compensation payments may be staggered, enabling people to start preparing new sites. Each PAP will receive the compensation payable into a bank account opened by the owner for purposes of the expropriation. Such amounts will be approved by NEGU and the funds will be transferred to the bank account of each PAP as per the bank documentation provided by them. The PAPs will be individually informed by the bank when the compensation is transferred to the account. Any costs associated with opening and maintaining a bank account will be covered by the NEGU, and banking services will be offered free of charge to each PAPs. The transfer of the payment will be made after the publication in the Official Gazette of the Decision of Expropriation.

156. 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.

# 10. Pre-Screening Process and Guidance on the Resettlement Action Plan for The Project Area Residents (RAP)

# 10.1. Timeframe for the Resettlement Action Plan for the resettlement of residents from the Project Area.

# 10.1.1. General information

157. The timing for implementation of RAP activities will be planned in accordance with the overall project implementation schedule. All activities related to land acquisition and resettlement will be planned in such a way as to ensure compensation payments before land acquisition and construction works start in accordance with CoM Resolution №911 and WB's ESS5. Public consultation, monitoring and grievance redress will be conducted periodically throughout the life of the project. Implementation of the RAP can only be started after approval of the final RAP by NEGU and WB. Construction can be started at the site where compensation has already been paid. Completion of the RAP implementation will be documented through the RAP implementation report(s) and approved by the WB.

# **RAP** implementation stages

158. Once the final version of the RAP has been prepared and approved, all measures need to be taken to address compensation and entitlements, including issuing identification cards (IDs) of compensation beneficiaries, the actual payment of all types of compensation and entitlements; initiating the land development process; preparing the site to hand it over to the contractor for construction and finally starting the construction works. Payment of compensation and entitlements under the RAP will commence after a number of preparatory tasks are completed. These tasks include the following:

- Obtaining permits and decisions from local Khokimiyats, Councils (Kengashes) of People's Deputies and justice authorities on investment activities;
- Disclosure and consultation;
- Obtaining consent from property owners for construction and compensation;
- Payment of compensation and benefits;
- Resolution of complaints (if any);
- Notification of commencement of construction work;
- Restoration of public lands by contractor;
- Monitoring.

159. During the implementation of the RAP, PAPs will need to be provided with information on their rights and entitlements, after which they will be able to express their opinions and discuss issues that require clarification. The amount of monetary compensation and the amount of land offered for compensation will be submitted to each eligible PAP for consideration and approval prior to payment in cash and/or provision of equivalent land. A special committee will be set up to deal with grievances.

# Indicative timetable for implementation

160. A preliminary schedule for the RAP project implementation is presented in the table below. The schedule may be adjusted during implementation.

LAR activities	Indicative Timeframe
A. RAP preparation	
Preparation of an action plan detailing RAP objectives, ToRs and timetables for consultants.	About 3 weeks

#### Table 10: Implementation schedule

Conduct preliminary identification of potentially	
affected persons and conduct of preliminary public	
consultations and to prevent/minimize	
resettlement/acquisition of property.	
Finalization of Detailed Design <sup>17</sup> with a view to	
minimizing land acquisition.	
Collection of cadastral and parcel maps of the	About 4 weeks
subcomponent area, verification of land records in	
affected areas, and updating of cadastral maps.	
Submission of written request to commissions of	
provincial khokimiyats of land for permanent or	
temporal acquisition for investment construction for	
public needs (11 Stages in accordance with the	
Attachment 1 to the Resolution № 911 of the CoM), in	
terms of the projects accompanied with all permission	
documents.	
	Proper mechanisms are to be established
Preparation and carrying out of 100% socio-economic	between khokimiyats and Centralized Fund,
census of affected persons, their land, assets and	Justice bodies etc. in accordance with the
structures and livelihood. Document gathering,	Resolution № 911.
5 5,	
confirming right of possession on property or right to	For the proposed project the procedure may
dispose it. Preparation of calculations for	take up to 2 months
compensation. Amount and types of compensation	·
endorsement with state bodies and PAPs recognized	
to have right for compensation.	
This step also includes Stage 4 of the Resolution №	
911 - Conduction of public consultations/open	
hearings/discussions.	
Update of RAP based on Detailed Design and final	2 weeks
PAP census/DES	2 1100110
Issuance of notification on cut-off-date following	
detailed design	2 weeks
Submission of Final RAP for WB Approval	
B. RAP Implementation	
Disclosure of RAP (including written information for	
PAPs and publishing on WB and IA web sites)	
Notice for relocation /demolition of structures to PAPs	3 month
Payment of compensation to PAPs	
Payment of all eligible assistance/rehabilitation	
Grievances Redress/Law Suites resolving	1 month
Issuance of Decree by khokimiyats on land	
allocation/decision on demolition <sup>18</sup>	1 week
Submit the final report on the RAP to the WB	
Approval of contract awards. Handover land to	
contractors and commencement of civil works	1 week
C. Monitoring tasks	
Internal monitoring: submission of quarterly report on	Continuous
RAP implementation to WB	
External monitoring: RAP Compliance Report to be	Upon completion of RAP implementation
submitted upon completion of RAP implementation Grievance redress / law suits	Continuous

 <sup>&</sup>lt;sup>17</sup> The schedule is subject for updating depending from detailed design finalization date. The detailed design is considered the status of design, which can be sufficient to assess the final actual impact (final assets inventory and census).
 <sup>18</sup> The RAP finalization progress closely depends from the issuance of decree by khokimiyat on land allocation.

Inter-agency coordination and communication with APs and other stakeholders	Continuous
D. Post-Implementation Evaluation Tasks	
Independent evaluation of the RAP	1 year after RAP completion

#### **10.2.** Guidelines for conducting census surveys and defining cut off dates.

#### 10.2.1. Linking resettlement implementation to construction work

161. The land acquisition and resettlement implementation process will be co-coordinated with the timing of procurement and commencement of civil works. The required coordination has contractual implications and will be linked to procurement and bidding schedules, the award of contracts, and release of cleared sites 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.

162. 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 PCU 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.

# 10.3. Screening process and preparation of the Resettlement Action Plan for Residents from the Project Area and sequence of the process

#### 10.3.1. Preliminary screening for involuntary resettlement

Preliminary Screening is a mandatory procedure for the identification of possible involuntary 163. resettlement. The purpose of screening is to determine the appropriate extent and type of the involuntary resettlement to be conducted. Each project activity will be screened for social impacts based on the given designs for the proposed improvements envisaged. Farmer's lands and structures will be identified during screening requiring different treatment and accordingly suitable modifications to the design/transmission lines routes/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. 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 activity. The list and the outcome of the consultative process for each site/project activity on the list would then be sent to the NEGU 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.

164. The screening and categorization of impact on involuntary resettlement in project framework will be initiated by PIU. The social screening report will be prepared by the PIU and reviewed by an authorized person of NEGU and PIU Director for clearance. The Social specialist and Director at PIU will finally endorse the social screening and safeguard categorization of the proposed activities.

165. Activities 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 to them.

166. For activities 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 activity application form along with a request to waive the requirement for a RAP.

# 10.4. Monitoring

#### 10.4.1. Screening Checklist

167. The screening checklist form will be incorporated into the Project's Implementation Manual. The screening checklist will be completed by an SDS 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 minimizes negative impacts and measures taken to mitigate construction induced impacts will be prepared for sub-components which will result in minor impacts affecting access to residences, improvement of existing properties.
- Resettlement Action Plan (RAP). If 200 people or more or affected.
- Abbreviated Resettlement Action Plan (ARAP) is prepared for investments of subcomponents, 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 2 attached to this RF.

168. 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.

#### 10.4.2. Preparation of a subcomponent's RAP/ARAP

169. 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 in permanent impacted land.

170. 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 in permanent impacted land. ARAP/RAP will be prepared by PIU's SDS, preferably with the support of consulting service providers or mobile extension teams, for sub-components 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 sub-component application to the Resettlement Commission for appraisal, and subsequently to the World Bank.

171. 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 sub-component. The RAPs will comply with the principles outlined in this RF adopted for the project. The SIA and RAP for each sub-component will be reviewed by NEGU and by the World Bank to ensure that they are produced in line with the World Bank ESS 5. RAP must be approved by NEGU and disclosed on NEGU'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.

#### 10.5. Guidance on conducting surveys and setting deadlines

172. 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.

173. 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.

174. As part of socio-economic survey, wide range of consultations with different impacted groups as wellas 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.

175. Resettlement Plan: The resettlement plan will be prepared based on the findings of the 100% PAP 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 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.

176. 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 subcomponent, 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.

177. This baseline data for subcomponent 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.

#### 10.6. Consultations

178. The public consultations are the important part of the RAP implementation. NEGU 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 subcomponent 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 project. 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 project implementation. Any legitimate issue raised through the public consultation should be taken into account, included in the RAP and reflected in project implementation.

179. The best practice of previous WB projects demonstrates the efficiency of "a *two-way flow of information*" approach at the meetings in the project 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.

180. 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.

181. 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 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 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 will be made in the presence of the affected party, the Chairman or members of LARC and representative from Makhalla. Cash compensation will be done through bank transfer directly to the bank account of each PAP.

# **10.7.** Information Dissemination and Public Disclosure

182. This is very crucial for RAP implementation that the Resettlement Policy documents including RF, 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 Khokimiyats.

183. The main purpose of the disclosure meeting held on 7 April 2021 was to provide information to explain the main provisions of the WB's social safeguards policy.

184. 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. Minutes of the RF Disclosure Meetings - in Annex 4.

185. 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. The RF and RAP in Uzbek and Russian should be made available to the 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 benefits. All documents will be stored in the PIU of NEGU. In accordance with the WB Policy on Access to Information, all safeguard documents will also be available on the World Bank Portal. The NEGU will be responsible for public disclosure and dissemination of information at the public level, including demonstration, meetings and public consultations.

# 11. Grievance Mechanism

# 11.1. Consensus, Negotiations and Conflict Resolution.

#### 11.1.1. Existing complaint handling mechanism in Uzbekistan

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

#### > On village (makhalla) 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 toPresident's Virtual reception online (<u>www.pm.gov.uz</u>);
- 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 withcitizens in rural areas.

187. If a citizen is not satisfied with reply provided by Mahalla Chair, or s/he has received incomplete response, the 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)
- 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.

188. If a 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 nation wide
- 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)
- 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.

# 11.2. Objectives

189. In accordance with Environmental and Social Standards 5: Land Acquisition, Restriction on Land Use and Involuntary Resettlement (2016), a project Grievance Mechanism (GM) is established prior to project effectiveness. The main goals of GM are to ensure the receipt and timely redress of

grievances and concerns submitted by the aggrieved project affected persons, to resolve complaints at the project level and prevent escalation to the national courts or WB Accountability Mechanism.

190. PAPs will be fully informed of their rights and of the procedures for addressing complaints whether verbally or in writing during consultation, survey, training and time of compensation. The grievance mechanism shall not impede access to the country's judicial or administrative remedies. Affected persons can approach a court of law at any time and independent of the project level grievance redress process. Along with the WB requirements on development and approval of Grievance Mechanism by implementation of investment projects, grievance redress procedure in Uzbekistan is also regulated by the national legislation of Republic of Uzbekistan, in particular by the law "On Citizens' Applications" and the "Law on the order of submission of appeals of physical and legal entities" (№ ZRU-378, 03 December 2014). According to the "Lawon the order of submission of appeals of physical and legal entities" the application or complaint shall be considered within fifteen days from the date of receipt in the state authority, which is obliged to resolve the issue on the merits, as well as require additional study and (or) check, a request for additional documents - up to one month. The submission procedure for grievances and citizens' applications has been discussed during the public consultations in the project districts and was also agreed with PIU representatives.

#### 11.3. Grievance Mechanism

191. The GM for the current project takes into account the national legislation, the specificity of the project sites and results of public consultations. According to the Resolution №911 (16 November 2019) the Khokimiyats 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, attaching to the notice copies of the relevant decisions of the khokims of districts (cities) and regions on the basis of the decision of the Cabinet of Ministers of the Republic of Uzbekistan on any land acquisition, demolition of residential, production and other buildings, constructions and plantings located in the land.

192. The PAPs have the right to file complaints and queries on any aspect of land acquisition compensation and resettlement. PIU (NEGU) will be responsible for establishment of GM during the project affectivity and act as the GM secretary to make sure that the GM is operational to effectively handle environmental and social concerns of project affected persons. The proposed GM has been discussed with the PIU representatives and should be further presented and discussed with the PAPs during the preparation of the RAP.

#### 11.4. Records and Documentation

193. Most of grievances on land acquisition and resettlement issues are redressed at 1-2 levels. All grievances received from the population will be registered in a logbook<sup>19</sup>, which should be available at all levels: at the site office of Contractor, makhalla committee of project area district. Besides, there are also logbooks in project district khokimiyat where the grievances from the population are usually registered. All the grievances submitted through the various channels and any measures undertaken to address such grievances, should be submitted to the representatives of PIU on the project site for the accounting all grievances. Thereafter the information on all received grievances will be collected and sent to the NEGU.

#### 11.5. Proposed Grievance Mechanism

194. A two-level GM is proposed for this project, as presented in Table 11.

Level/Steps	Process
Level 1-	The aggrieved person applies directly to local Makhalla committee or working office of Contractor or Site Engineer of NEGU <sup>20</sup> . PIU Safeguards specialist will

#### Table 11: Grievance Mechanism and its Levels

<sup>19</sup> The logbook should sequentially numbered and pages have been bound securely.

<sup>&</sup>lt;sup>20</sup> During the consultations on GM issues the representatives of NEGU ensured that it is the common practice for the organization to have a supervising engineer in each construction site.

Level/Steps	Process
Site engineer of NEGU, the working office of Contractor, makhalla	be in charge of collecting/receiving and registration complaints from makhalla committee, Contractor offices, site engineer(s) and from khokimiyat on a weekly base. The alternative entry point for complaints will also be khokimiyats due to their obligations defined by national legislation; After registration of received
committee, and district khokimiyats	complaints, the PIU Resettlement specialist will review the nature/specificity of the complaint and will forward it to the relevant party for resolving. In parallel, the PIU Resettlement specialist will inform the PIU in Tashkent about the received complaint and further actions undertaken for its resolution. Depending on the nature of a complaint, it may go to the Contractor, Land Cadaster bodies, Makhalla committees, district branches of Nature Protection Committee or newly created "Centralized Fund for the Compensation of Losses of people and legal entities after land acquisition for the needs of the state and society." At this level, the complaint should be resolved in two weeks.
Level 2 – PIU in Tashkent and a Grievance	In case the grievance was not redressed at the first stage or the applicant is not satisfied with the decision made/solution, s/he can submit the grievance directly to the PIU secretariat in Tashkent. By established procedure, the secretariat of the PIU will review the complaint and will forward complaints to the respective department to a made decision on its redress. In case the grievance is not related directly to the project, any further instance will be recommended to the applicant where s/he should apply for the decision making.
Redressal Committee headed by the PIU/NEGU	If the complaint requires more time and resources for resolution, the PIU may establish a Grievance Redressal Committee with following members such as representatives from secretariat PIU and NEGU high-level management staff, district Khokimiyat, cadastral and Nature protect departments etc. All complaints will be resolved in 15 days, 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.

195. If the issue was not solved or the applicant is dissatisfied with the decision/resolution, an aggrieved person at any stage of the GM process may submit the grievance to Economic Court (Court of Law) where a decision will be made by relevant national legislation.

# 12. Monitoring and Evaluation

196. Monitoring of social impact indicators, including overall community acceptance of the project; success/acceptability of the compensation/resettlement process; restoration of areas temporarily disturbed by construction.

197. Monitoring will be the responsibility of NEGU. All LAR tasks under the program will be subjected to both internal and external monitoring. Internal monitoring will be conducted by PIU. External monitoring will be assigned to a third-party valuator/external monitoring consultant (EMC) to be engaged by the PIU with a specific terms of reference (TOR) and approved by WB immediately after commencement of LAR implementation.

198. NEGU will regularly monitor and measure the progress of implementation of the RAP. The objective of the monitoring is to assess the progress of implementation of RAP regarding its process, targets, problems, mitigation measures, corrective action, etc. so that the physical activity and implementation of the project progress smoothly. The extent of monitoring activities will be commensurate with the project's risks and impacts.

199. In addition to recording the progress in compensation payment and other resettlement activities, NEGU will prepare monitoring reports to ensure that the implementation of the RAP has produced the desired outcomes. The PIU will provide WB with an effective basis for assessing the resettlement progress and identifying potential difficulties and problems.

# 12.1. Internal and external monitoring

# 12.1.1. Internal Monitoring

200. PIU will collect information from the field and report monthly to the RPIU. The monthly reports will be consolidated and included in the standard quarterly supervision reports to WB. Internal monitoring will focus on the status of:

- (i) information campaign and consultation with PAPs;
- (ii) land acquisition and compensation payments;
- (i) compensation for affected structures and other assets;
- (ii) relocation of APs;
- (i) payments for loss of income;
- (ii) selection and distribution of replacement land areas;
- (iii) income restoration activities; and,
- (iv) complaints/feedback from PAPs and other stakeholders.

201. The monitoring report will contain: (i) accomplishment to-date, (ii) objectives attained and not attained during the period and explanation for not attained, (iii) problems encountered, number and types of grievances received and addressed, consultations carried out during the reporting period, if any, and (iv) suggested options for corrective measures.

202. PIU will collect information through the following instruments/information sources:

- (i) review of census information for all PAPs;
- (ii) consultation and informal interviews with PAPs;
- (iii) in-depth interviews / case studies;
- (iv) quantitative surveys of PAPs (if needed); and,
- (v) focused group discussions (FGDs) and other type of community meetings.

# 12.1.2. External monitoring (if the project is categorized as high risk Involuntary Resettlement (IR))

203. External monitoring is only required for the category A projects IR. In case the project is recategorized during the preparation of the RAP on the basis of the detailed engineering design, an External Monitoring Consultant (EMC) will be engaged at the beginning of the RAP implementation to observe and record the process. The main work of the external monitoring consultant is to verify the monitoring information generated internally and to advise the EA on any compliance issue. Upon completion of the RAP activities, the ECM will prepare a compliance report, which will describe whether the RAP has been implemented as planned and in accordance with the RF. The report will also highlight problems encountered and lessons learned.

204. Sub-components (in case the project will be implemented section by section) with a RAP implementation period of less than three months will have to submit only one report. In case the RAP implementation period is longer than three months, two or more (semi-annual) reports will be prepared. External monitoring will cover:

- (i) review and verification of internal monitoring reports prepared by PIU;
- (ii) review of the socio-economic baseline census information of PAPs;
- (iii) identification and selection of impact indicators;
- (iv) impact assessment through formal and informal surveys with the affected persons;
- (v) consultation with APs, officials, community leaders for preparing review report; and,
- (vi) assess the resettlement efficiency, effectiveness, impact and sustainability drawing lessons for future resettlement policy formulation and planning.

205. External monitoring will also assess the status of vulnerable groups such as female headed households, households living below the poverty line and other vulnerable households. The following will be considered as the basis for indicators in monitoring and evaluation of the RAP:

- (i) socio-economic conditions of the APs in the post-resettlement period;
- (ii) feedback and opinion of the APs on entitlements, compensation options, alternative developments and relocation schedule etc.;
- (iii) changes in housing and income levels and hygiene status;
- (iv) rehabilitation and livelihood restoration of resettled people;
- (v) valuation of property;
- (vi) grievance procedures;
- (vii) disbursement of compensation and;
- (viii) level of satisfaction of APs in the post resettlement period.

206. The WB will use its review of the External Consultant's compliance monitoring report as the basis for issuing a "no objection" to commence physical construction works. Approximately one year after completion of the RAP, the EMC will assess whether the RAP implemented under the project has achieved its objective of improving or at least restoring the livelihoods and living conditions of the PAPs. The Socio-Economic Investigation (SEI) of PAPs conducted during the preparation of the RAP will be used to compare conditions before and after the implementation of the RAP. Based on the results of the assessment, appropriate supplementary assistance will be recommended for PAPs if the study shows that the objectives of the RAP have not been achieved.

# 12.2. Training in implementation of the land acquisition and resettlement plan

207. All Project Consultants involved in LAR activities, PIU staff and key regional/district staff will undergo a one-week briefing and training on the ESS5 standard and implementation of the RAP. The training will be conducted by an international specialist under contract with the project consultant and will cover the following topics:

- (i) land acquisition principles and procedures based on Uzbek legislation and regulations;
- (ii) principles and guidelines on WB Protective Measures on involuntary resettlement under the ESS5;
- (iii) public consultation and participation;
- (iv) entitlements and compensation & assistance disbursement mechanisms;
- (v) complaints handling; and
- (vi) monitoring of resettlement issues.

# 12.3. Resettlement budget and financing plan

208. The land acquisition and resettlement cost estimate for the project includes eligible compensation, assistance and support cost for RAP implementation as per the entitlement matrix. Compensation in the project will include compensation for trees, crops and other associated assets if any.

209. The cost estimate will include the following:

- Replacement cost for PAPs for the loss of fruit and other trees
- Compensation for loss of crops for permanent land acquisition
- Compensation for loss of structures and limitation of access
- Assistance for severely affected and vulnerable households
- Contingency to cover the cost for RAP implementation and unanticipated impacts, if any.

210. All RAP preparation and implementation costs including cost of compensation and LAR administration will be considered as an integral part of the Project. The RAP will include a budget section indicating: (i) unit compensation rates for all affected items and allowances; (ii) methodology followed for the computation of unit compensation rates; and (iii) a cost table for all compensation expenses including administrative costs and contingencies.

211. Finances for compensation, allowances, and administration of RAP preparation and implementation will be included in the project cost under the loan and provided by the NEGU. Costs for external LAR monitoring tasks will be allocated under the loan. In order to ensure that sufficient funds are available for LAR tasks, the PIU will have to allocate 100% of the cost of compensation at replacement cost and expected allowances estimated in the RAP plus 10% of contingencies (excluding inflation) before RAP implementation commences. PIU will be responsible for the timely allocation of the funds needed to implement the RAP. Being the project owner, NEGU is responsible for the timely allocation of the funds needed to implement the RAP. Allocations will be reviewed twice a year based on the budget requirements indicated by the RAP.

212. **"Land-for-land compensation" (Land Development Costs) in case of land allocation on a permanent basis.** According to Regulation №146, prior to the submission of documents certifying rights to the land plot, the cost of development is reimbursed by the entity to which the land plot has been allocated (e.g. NEGU). This payment is used by the state authorities to develop new agricultural land to replace the lost land that is exempted from agricultural turnover. The procedure for calculating the cost of land development is described in Section III of Resolution №146 and this amount is paid to Regional Cadastral Departments and (in the case of loss of forestry products) to Regional Forestry Departments (note: not to the PAP's account). The NEGU will include this mandatory operation in the general Bill of Quantities (BoQ) of the project in order to calculate the project cost, but this interagency government operation is not the subject of the subsequent RAP and resettlement budget.

# Annexes

# ANNEX 1: Involuntary Resettlement Impact Categorization Checklist

Project Title:		
Sub- component Name:	Location:	

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?				
2. Is the site for land acquisition known?				
<ol> <li>Is the ownership status and current usage of land to be acquired known?</li> </ol>				
4. Will easement be utilized within an existing Right of Way (ROW)?				
5. Will there be loss of shelter and residential land due to land acquisition?				
6. Will there be loss of agricultural and other productive assets due to land acquisition?				
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?				
8. Will there be loss of businesses or enterprises due to land acquisition?				
9. Will there be loss of income sources and means of livelihoods due to land acquisition?				
Involuntary restrictions on land u areas	ise or o	on acc	ess to le	gally designated parks and protected
10. Will people lose access to natural resources, communal facilities and services?				

11. If land use is changed, will it have an adverse impact on social and economic activities?		
12. Will access to land and resources owned communally or by the state be restricted?		
Information on Displaced Persons:		Remarks
Any estimate of the likely number of pers displaced by the Project? [] No [] Yes If yes, approximately how many?	sons that will be	
Are any of them poor, female-heads of h vulnerable to poverty risks?	iouseholds, or	
[] No [] Yes		
Are any displaced persons from indigend minority groups? [] No [] Yes	ous or ethnic	

Note: The project team may attach additional information on the project, as necessary.

[Include any discussion that you believe will further explain the LAR impacts; If you can key information to available subcomponent maps, do so,)

# **ANNEX 2: RAP Contents**

# 1. Project description and main LAR issues for the project

This chapter describes the project activities and items requiring LAR; alternative options, if any, considered to minimize land acquisition effects; and why remaining effects are unavoidable.

## 1. Socioeconomic Background of the Project Area

This chapter describes the socioeconomic profile and living conditions of displaced persons and identifies vulnerable groups that may require special attention.

### 2. Scope of land acquisition and resettlement

This chapter describes the preparation of the impacts (who carried it out and when it was initiated) and provides a full assessment of each type of impact and a census of affected peoples. The chapter also includes a description of the methodology followed to determine unit-compensation rates for each affected item and subsidy/allowance.

### 3. Objectives, policy framework, and entitlements

This chapter outlines the eligibility and compensation framework for the scheme.

# 4. Consultation and grievance redress participation

This chapter summarizes procedures for redress of grievances by people affected and describes the consultation/participation process and grievance redress that occurred in the subcomponent at hand.

# 5. Institutional framework

This chapter outlines the institutional arrangements. It includes the following issues: responsibilities for main tasks and for planning, negotiating, consulting, approving, coordinating, implementing, financing, monitoring, and evaluating land acquisition and resettlement.

### 6. Compensation, relocation, and income restoration

This chapter outlines the income restoration measures to be implemented.

# 7. Resettlement budget and financing

This chapter provides the unit compensation rate for each affected item and assesses the LAR budget for the scheme. The LAR budget will include land acquisition and eventual land acquisition costs, amounts due for crop compensation and for the subsidies and allowances, monitoring and evaluation costs, and administrative costs and will be adjusted for inflation and applicable taxes.

### 8. Implementation schedule

This chapter provides a time schedule showing the LAR process and linking LAR tasks with civil works implementation.

### 9. Monitoring, evaluation and reporting

This chapter specifies arrangements for routine and independent monitoring and evaluation activities and reporting issues.

# ANNEX 3. Outline of the Resettlement Action Plan and Abbreviated Resettlement Action Plan

# 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) Community participation
- 12) Integration with host populations
- 13) Grievance procedures
- 14) Organizational responsibilities
- 15) Implementation schedule
- 16) Costs and budget
- 17) Monitoring and evaluation

**Note:** For detailed documentation requirements see World Bank ESS 5 - Annex A.

# 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 adverselyaffected groups,
- (b) the legal issues involved in resettlement.

The resettlement plan covers the elements below, as relevant. When any element is not relevant to projectcircumstances, 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 projectimplementation.
- 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 projectpreparation 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 haveto 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 resettlementpolicy, 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 project implementation;

- (b) an assessment of the institutional capacity of such agencies and NGOs; and
- (c) any steps that are proposed to enhance the institutional capacity of agencies and NGOs responsible for
- (d) 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. 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 designand 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.

12. *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.

13. **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 APs of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

14. *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.

15. *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.

16. *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.

# ANNEX 4. Public Consultations

Place/format: NEGU Office in Tashkent in video conference format.

Date: 7 April 2021

## Electricity Sector Transformation and Resilient Transmission Project (ESTART)

Public hearing: Disclosure and public discussions on the Social Environmental Principles (SEPs)

Prepared by: "Ekostandart Ekspert Environmental and Social Specialists: Olga Vakhidova-

Mordovina and Zilola Kazakova

#### Presented by: Zilola Kazakova

**Target audience:** Target audience: Representatives of regional and local authorities involved in environmental and social activities of the project were invited (specialists of the Department of Land Resources and State Cadastre, Committee for Ecology and Environmental Protection, Ministry of Energy of RUz, representatives of the Khokimiyat, etc.). The list of participants is attached. NEGU specialists and residents of the directly affected settlements (substations, OHTLs, access roads) were also invited.

The oral presentation was made in the local language (Uzbek).

# The following topics were discussed:

Description of the project and its components; potential project planning activities, national environmental, social legislation and relevant WB requirements: identified social and environmental impacts and mitigation measures; developed social and environmental safeguards documents (ESMF, site specific ESMPs (Koltcevaya with OHTL, and Tashkent 500), RF, LMR and SEP) and the need to develop an ESMP for each sub-project, in the context of previously developed documents; Grievance Mechanism and project contact information for affected people and organizations; further stages of project implementation.

After the discussion, the Consultant shared with the participants a presentation and provided contact numbers of project representatives where participants of the public consultations can contact the Consultant or a representative of the PIU in case of any questions and necessary clarifications.

The participants were then given the opportunity to express their opinions and ask questions. The consultants took turns addressing the representatives of each project region. Representatives of the NEGU regional branches reported that the information presented on the project is clear and understandable and that they had already received information on the technical and project data during the initial consultations during the field visit.

#	Topic / Question	Answers/ Discussions
1	Is it necessary to have a complaints and suggestions log at each project site?	Each regional NEGU branch should keep a register of complaints and appeals. The issue of complaint logging is very important in the implementation of project activities.
2	Placement of project socio- environmental documents, access to project information	All developed project documents have been posted on the NEGU and World Bank website, a detailed presentation and brochure was sent to each project region for further distribution to residents and other PAPs.

After the discussions, the project consultants asked female participants to also participate in consultations on gender equality and GBV as part of project activities and events.

Place/format: NEGU Office in Tashkent in video conference format.

Date: 7 April 2021

# Electricity Sector Transformation and Resilient Transmission Project (ESTART)

Public consultation: On Gender Equality and Gender-Based Violence in the Context of Project Activities

Prepared by: Ekostandart Ekspert Environmental and Social Specialists: Olga Vakhidova-Mordovina

and Zilola Kazakova

# Presented by: Zilola Kazakova

**Target audience:** NEGU Women specialists and women residents of the directly affected communities (substations, transmission lines, access roads) were invited to attend the consultations. The consultations were attended by 28 women, with the following composition - 10 female employees of the regional MEN and 18 female residents of the project area.

The oral presentation was made in the local language (Uzbek).

# The following topics were discussed:

Issues of gender equality and gender-based violence in the context of this project and women's lives in today's society, the frequency of individual consultations with women employees of the NEGU and residents in the project areas, training on gender topics for NEGU staff and regional units, the need to establish a gender focal point at regional level, reviewing recruitment and promotion policies, ensuring comfortable and safe working conditions for women, with sufficient latrine facilities with a sufficient number of restrooms and showers, assistance in the opening of the women's association and its integration into the trade union organization of the NEGU.

The consultants also reported that the Project will contribute to reducing gender bias in the energy sector by including specialized knowledge and capacity building services that do not limit women to certain gender roles and social expectations. The project will include monitoring these actions. As part of the project, the NEGU will develop an action plan on GBV, the activities of which will also be integrated into the contractors' ESMP. Project training and capacity building activities will include specific GBV-focused modules so that all project staff and key stakeholders have a better understanding of GBV risks and required mitigation measures within the project.

After the discussion, the Consultant provided the contact numbers of the project representatives where participants in the public consultations can contact the consultant or the PIU representative in case of any questions and necessary clarifications.

The participants were then given the opportunity to express their opinions and ask questions. The consultants took turns addressing the representatives of each project region.

### Participants discussed the following topics and questions:

#	Topic / Question	Answers/Discussions
1	On the side of the Syrdarya Regional Branch, staff raised the issue of the need to improve sanitary and hygienic conditions in the workplace for women.	The Consultant noted that the project was to consider providing a comfortable and safe working environment for women, with sufficient latrines and showers, and that the appeal would be passed on to the NEGU management.
2	Participants have some concerns about the confidentiality of the information discussed during these consultations.	The consultants advised that there is no need to be afraid to express their opinions to female employees of NEGU enterprises, local female residents, that the environment and conditions of these consultations provide for free expression of their complaints, concerns and possible risks related to the project implementation. Women will

		be treated with strict confidentiality and separate complaints mechanisms will be implemented.
3	What kind of training will be provided on these issues?	The NEGU will develop an action plan on GBV, the activities of which will include training among women employees of the NEGU, women of project areas, employees of contractors.

The participants reported that gender-based violence is a very topical issue in everyday life, but that mentality and traditions do not allow for an open discussion, but they are grateful for the opportunity to speak out.







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1.	Мирзаев Самад Садикович	бош мухандис	Бухоро МЭТ филиали	93-459-80-08	March
2.	Азизов Эркин Абдуллаевич	Бош мухандис уринбосари	Бухоро МЭТ филиали	91-405-57-43	Amp
3.	Жураев Толиб Тошпулатович	Капитал курилиш булими бошлиги	Бухоро МЭТ филиали	97-304-19-00	alstop
4.	Султонов Дилшод Хужамуродович	Бош хисобчи	Бухоро МЭТ филиали	93-967-55-00	(h-
5.	Рузиева Гулойим Туймуродовна	Ходимлар булими мухандиси	Бухоро МЭТ филиали	91-402-58-09	Jog.
6.	Хожиева Насиба Яхшиевна	Режа иктисод гурухи етакчи иктисодчиси	Бухоро МЭТ филиали	91-445-76-92	My zag
7.	Ибрагимов Эшмурот	Капитиал курилиш булими	Бухоро МЭТ филиали	91-449-42-32	Harles

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8.	Ражабов Бекмурат Аминович	Капитиал курилиш булими етакчи мухандиси	Бухоро МЭТ филиали	93-626-07-48	lunierad"
9.	Хожиева Ирода Ориповна	Хавфсизлик ва махсус ишлар гурухи мухандиси	Бухоро МЭТ филиали	91-447-80-57	yadd
10.	Муминова Гули Шамсидиновна	Рели химояси ва Электросинов хизмати техниги	Бухоро МЭТ филиали	90-718-67-56	4L
11.	Хайдаров Жамол Рахимович	Ишлаб чикариш техника Гурухи етакчи мухандиси	Бухоро МЭТ филиали	97-301-27-00	Anderly
12.	Файзуллаев Нодиржон Собир угли	Моддий техника таъминоти гурухи мухандиси	Бухоро МЭТ филиали	91-407-00-43	also,
13.	Рузиев Шарипжон Исломович	Моддий техника таъминоти гурухи омбор мудири	Бухоро МЭТ филиали	93-479-39-07	Off.
14.	Асроров Сардор Журакулиевич	Алока хизмати бошлиги	Бухоро МЭТ филиали	93-452-27-26	Buch

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уд: ло	<u>уно и объе зу</u> ойиха номи: « <u>Мене</u> и у ФИО	Срерлинули эле столтиван эл Лавозими Япректор	ктронеритическо ектропераране Ташкилот номи	ССС СЕСТИС Контакт маълумотлар (е-mail) 93-504-64-1 194-580-64-1	и Имзо и Имзо 19
туд: Ло	<u>у но и ос у у</u> ойиха номи: « <u>Мене</u> и у ФИО остим залов И. А. Сагов рав И. А.	Спрерлидуия ди ответновае ди лавозими Виректор у интичер 1933 и оногиев 1944	атрозиеритическо ектропереране Ташкилот номи ошигал "Сыргары Лас ошигал "Сыргары Лас	Контакт маълумотлар (e-mail) 94-501-64-с 94-503-83- 84-503-83-	н Имзо н Имзо 13 Дор 29 дор
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Сана: 7.04.2021 й.

Худуд: Тошкент шақар Магистрал Электр Тармоқлари филиали

Лойиха номи: «Магистрал электр тармоқларини модернизация ва реконструкция қилиш » (II фаза) ПС "Тракторсоз"

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#### List of women-participants of public consultation





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Photos of public consultation













Women public consultation









