

Sarimay-Muruntau OHTL

Environmental & Social Impact Assessment (ESIA):

Volume VI – Land Acquisition and Livelihood Restoration
Framework

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Abbreviations

| | |
|------|---|
| AH | Affected Households |
| CoM | Cabinet of Ministers |
| CC | Civil Code |
| EBRD | European Bank for Reconstruction and Development |
| E&S | Environmental and Social |
| ESIA | Environmental and Social Impact Assessment |
| ESP | Environmental and Social Policy |
| GIP | Good International Practice |
| GoU | Government of Uzbekistan |
| GRM | Grievance Redress Mechanism |
| HPZ | Health Protection Zones |
| IFI | International Financial Institutions |
| JSC | Joint Stock Company |
| LARF | Land Acquisition and Livelihood Restoration Framework |
| LC | Land Code |
| LILO | Line-in Line-out |
| LRP | Livelihood Restoration Plan |
| LLC | Limited Liability Company |
| MoM | Minutes of Meeting |
| NEGU | National Electric Grids of Uzbekistan |
| OHTL | Overhead Transmission Line |
| O&M | Operations and Maintenance |
| PAP | Project Affected Person |
| PR | Performance Requirement |
| RAP | Resettlement Action Plan |
| RoW | Right of Way |
| SEP | Stakeholder Engagement Plan |
| S-M | Sarimay-Muruntau |
| SS | Substation |

| | |
|------|--|
| SWID | State Committee of Sericulture and Wool Industry Development |
| SwS | Switching Station |

1 Introduction

1.1 Overview and Project background

The European Bank for Reconstruction and Development (the “EBRD” or the “Bank”) is considering providing a sovereign loan to the Republic of Uzbekistan to Joint-Stock Company National Electric Grid of Uzbekistan (JSC NEGU or NEGU) to finance the construction of a 500 kV overhead transmission line in Uzbekistan between the existing Sarimay substation in Khorezm region and the Muruntau substation (currently under construction) in Navoi region (the Project) (see Figure 1).

The Project's main purpose is to facilitate the evacuation to the national power grid of the electricity generated by renewable energy power plants that are currently under development. Implementation of the Project will also significantly improve the transmission network's reliability, efficiency, stability, and quality and security of the electricity supply.

NEGU will be responsible for construction and implementation of the Project. EBRD has appointed Juru Ltd. as the Environmental and Social Impact Assessment (ESIA) Consultant for the Project following EBRD Environmental and Social Policy 2019 (ESP 2019) and supporting Performance Requirements (PRs), and specifically PR5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement.

Juru is currently undertaking the ESIA study. Initial categorizations have been identified under EBRD and Uzbek law. The Project is considered a Category II (medium risk) under the national legislation and Category A under EBRD requirements.

This Land Acquisition and Livelihood Restoration Framework (“LARF”) has been prepared as part of the ESIA study, on behalf of NEGU to guide and implement resettlement planning. The aim of this LARF is to identify resettlement principles and organizational arrangements and to provide a guide to the provision of livelihood restoration, should any impacts be identified in the future.

At the time of writing this LARF the Project final design and development schedule are still being finalised. However, based on preliminary design no structures or assets are expected to be impacted by the Project. **A Livelihood Restoration Plan (LRP) will need to be prepared based on this LARF once the final design has been completed¹.**

This LARF is organised by chapters that cover:

- Project description;
- Project impacts;
- Summary of Uzbek and EBRD requirements for involuntary resettlement;
- Identification of affected people and assets;

¹ The requirement to prepare a LRP and discharge obligations prior to site mobilisation has been included in the Project Environmental and Social Action Plan (ESAP) which will form a condition of the financing process.

- The principles of compensation and assistance;
- The eligibility criteria;
- An entitlement matrix;
- Types of compensation and assistance available;
- LRP Implementation schedule;
- Livelihood restoration activities;
- Organizational arrangements
- Time frame;
- Types of disclosure activities;
- The Project grievance mechanism;
- Implementation costs and a preliminary budget; and
- Monitoring and reporting

1.2 Project description

The primary components of the Project are:

- Approximately 229 km of 500 kV overhead transmission line (OHTL) in Uzbekistan between the existing Sarimay substation in Khorezm region and the Muruntau substation (SS) which is under construction in Navoi region.

The routing of the line in the wider region is illustrated in Figure 1.

Related activities in support of the OHTL works will include:

- end-user works at the Sarimay SS (within a newly expanded area to be constructed under a separate project);
- end-user works at the Muruntau SS – expected to be within the planned SS site boundary (currently under construction);
- establish 60m right of way (ROW) under the OHTL (including provision of any related livelihood compensation);
- upgrade existing tracks or construct new access track suitable to provide access to the OHTL ROW.

The Sarimay substation is an existing 220 kV substation that is currently being expanded to include an area to accommodate 500kV. This work is being conducted by JSC NEGU. Land levelling works are being carried out by governmental JSC MU-4 (Installation department No.4) and Chinese manufacturing company TBEA Co., Ltd. at Sarimay substation.

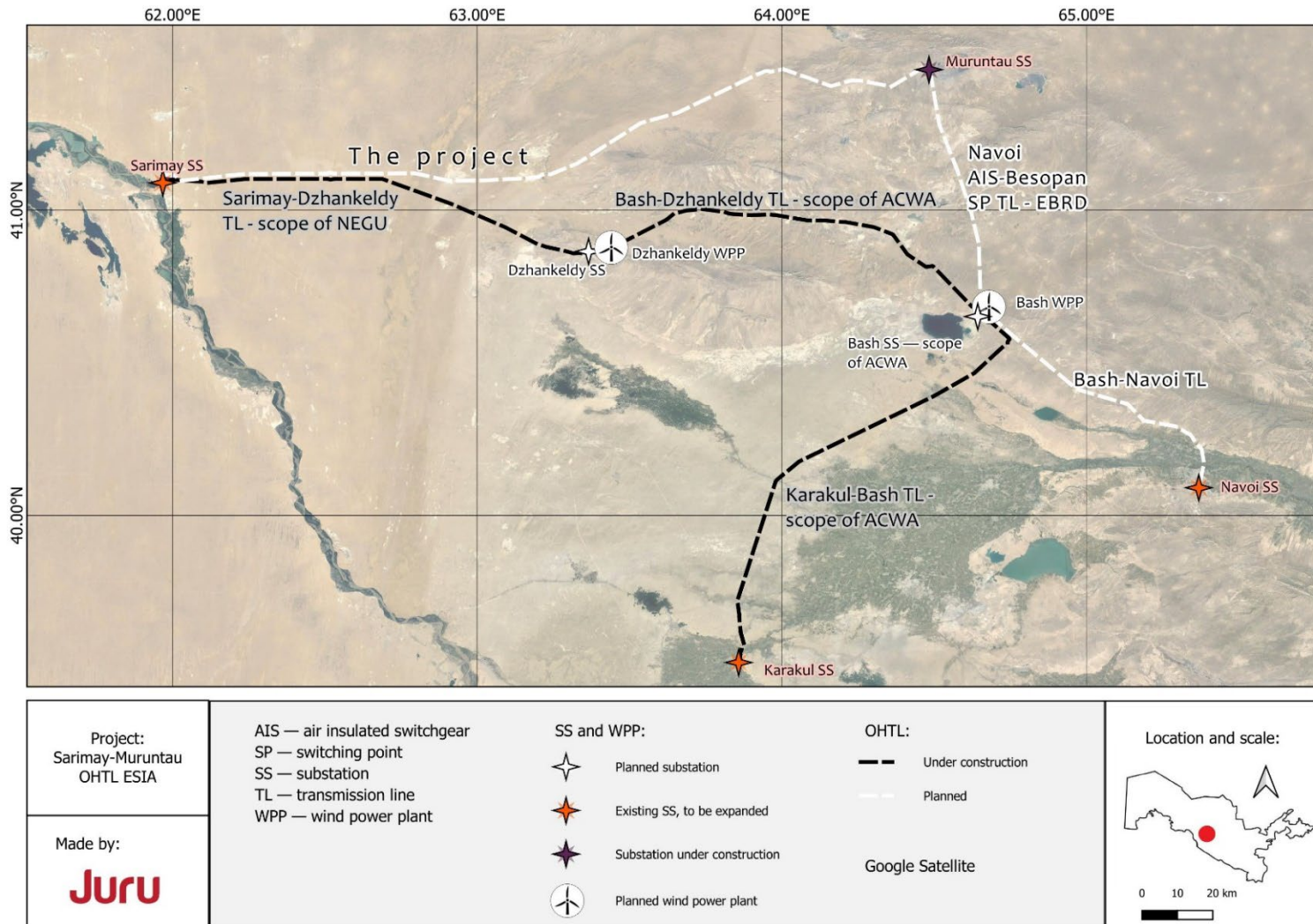
The Muruntau SS is also under construction via private third parties (under a separate contract). Once operational, the ownership of both facilities will be transferred to JSC NEGU, which will assume responsibility for operations and maintenance (O&M) activities.

The work at the Sarimay SS and the Muruntau SS are not considered associated facilities as the construction / expansion work is not being undertaken exclusively for this Project. Figure 2 provides an overview of the other projects ongoing and the role the Sarimay SS and Muruntau SS play in these projects.

Figure 1: Project location



Figure 2: Overview of the location of the Project in the wider region (source: Juru)

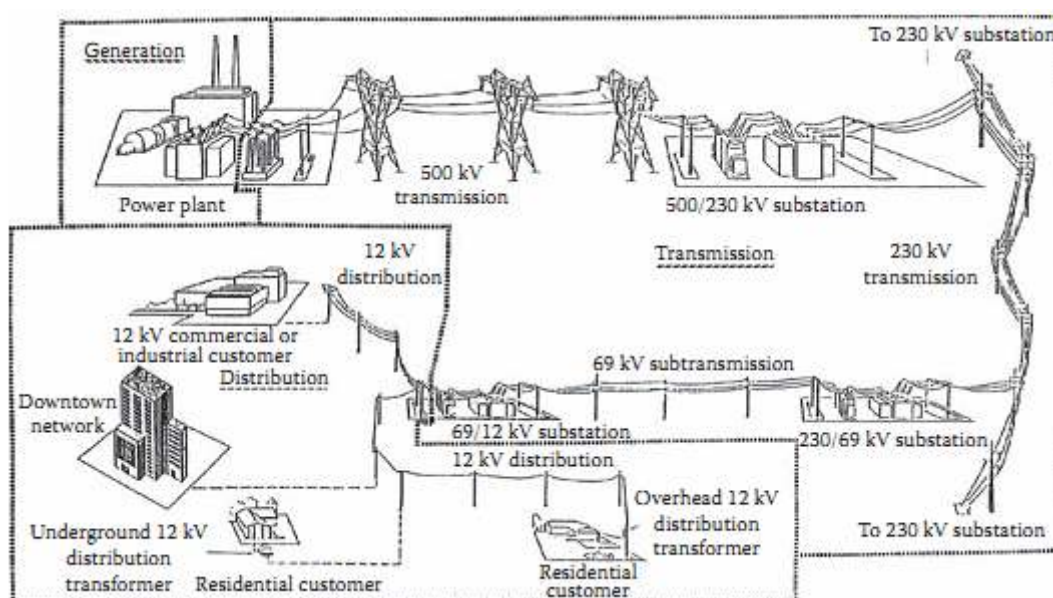


1.3 Project components

1.3.1 Concept of energy transmission

Figure 3 shows the key features of a typical energy transmission and distribution system. The generating station produces electric energy at around 15-25 kV. At the generating station, a transformer is used to increase (“step up”) the voltage to a voltage more appropriate for transmission (e.g., 500 kV as for this Project). The higher the voltage, the less energy loss is incurred during transmission. In Uzbekistan, 500 kV OHTLs transmit electricity between 500 kV substations. At these substations, energy may then be stepped down to 220 kV for transmission at a more regional level and then to even lower voltages for distribution around cities from which it is reduced to 110 kV for distribution along streets and then finally to 240/110 V to supply homes.

Figure 3: Concept of electric energy transmission²



1.3.2 Main components

The main components of an OHTL are the towers, foundations, insulators, conductors (wires), and earth wire as shown in Figure 4. All components will be designed following the relevant statutes and norms of the Republic of Uzbekistan and good industry practice (GIP).

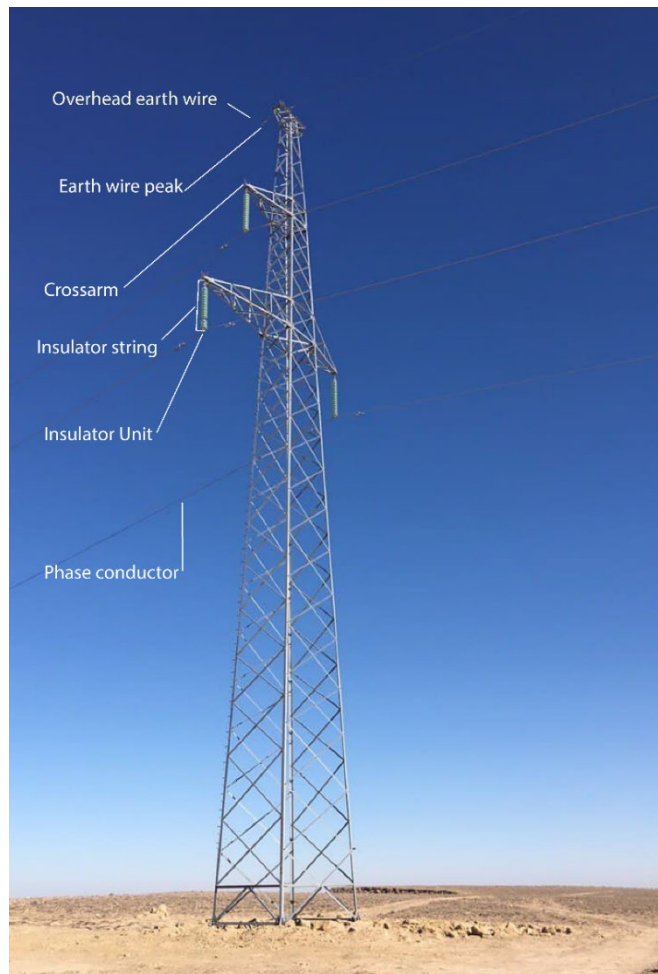
A summary of the key characteristics for the OHTL is provided in Table 1. A final decision on many technology choices, e.g., type of OHTL tower or the number of towers, has not been made. Where the final decision may affect the potential E&S impacts, this is noted in the ESIA; otherwise, it is considered that the final design alternatives have an equal effect from an E&S perspective.

² http://www.industrial-electronics.com/elec_pwr_3e_9.html

Table 1: Summary of OHTL characteristics

| | |
|------------------------------------|--|
| Circuit type | Single or double |
| Number of phases | 2 or 3 |
| Approximate length of OHTL | 229 km |
| Tower Type | Combination of suspension, angle and terminal towers |
| Number of suspension towers | ~500 |
| Number of angle towers | ~72 |
| Tower height | 30 to 40 m |
| Typical Span | 300 m to 400 m |
| Optical Ground Wire (OPGW) | Yes |

Figure 4: Components of an OHTL (source: Juru)



1.3.3 Tower

Towers are typically self-supporting or guyed towers depending on the final design choice and are made from galvanised steel. Typical tower designs are illustrated in Figure 5 to Figure 8 and comprise three different types of towers:

- suspension towers (intermediate towers) — used to support the conductors on straight line stretches;
- angle or deviation towers — used at points where the route changes directions;
- terminal towers — used at substation entry.

The typical configuration of a 500 kV suspension tower is provided in Figure 5 (self-supporting lattice structure) and Figure 6 (guyed tower). Self-supporting towers have four ground-level foundation columns used to support the steel structure. For the guyed towers, two tower legs spread apart from the tower bridge (upper section of the tower) down to the tower base, and there are at least four guy lines for tower stability. The exact tower type, and height will be dependent on the terrain (minimum permissible ground clearance), the minimum required span length to maintain sag clearance, spacing between the conductors and ground wire requirements. The tower arms hold the insulators and the conductors. Conductors carry two or three-phase circuits and are built with two-conductor bundles to reduce the formation of corona discharge and the resultant audible and radio-frequency noise.

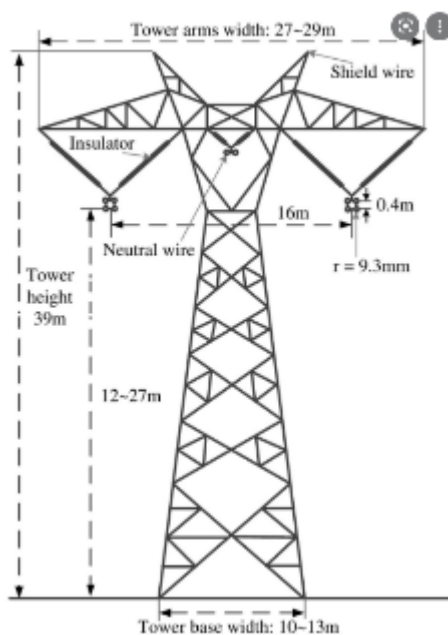


Figure 5: Self-supporting 500 kV Steel Lattice Suspension Tower (single circuit)
(source: NEGU)

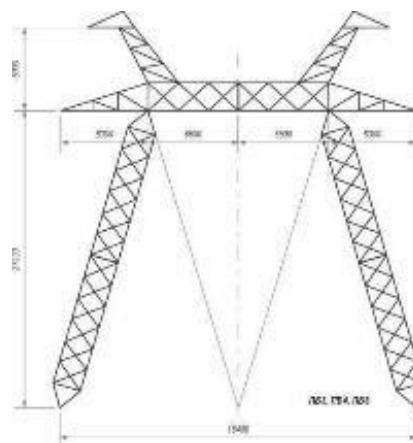


Figure 6: Example 500 kV H-Guyed suspension (intermediate) tower (single circuit)
(source: NEGU)

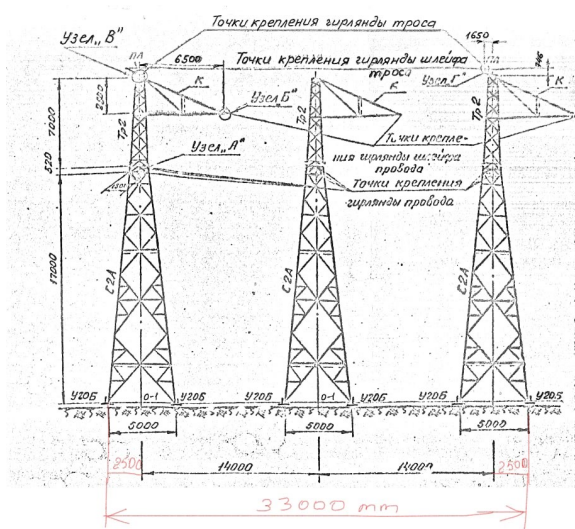


Figure 7: Example of 500 kV angle tower



Figure 8: Self-supporting 500 kV Steel Lattice Suspension Tower (single circuit) (source: NEGU)

1.3.4 Foundations and grounding

Tower footprint and foundation requirements are summarised in Table 2. At each tower location, the foundations are grounded to prevent risks from lighting strikes to workers or animals in the vicinity of the towers.

Table 2: Foundation characteristics (source: Feasibility Consultant)³

| Tower Requirement | 500 kV (self-supporting) | 500 kV (guyed) |
|------------------------------|--|---|
| Number of foundations | Four foundation columns at ground level | Two foundation columns at ground level |
| Average footprint | 5m by 5 m (25 m ²) (the footprint is defined as the outer of the foundation columns at ground level). | 65 m x 45 m (2925 m ²) (total) (b) (the footprint is defined as the outer border of the guy wires). |
| Foundation type | Actual size and type will depend on the type of tower and the sub-soil conditions. The main types are "piled", "pad and chimney", and "anchors". Angle towers will require more extensive foundations. | |
| Notes | Area inside the footprint can return to natural habitat, but not easily used for grazing. | The area inside the footprint can be used, although may restrict the movement of machinery – not |

³ Information in this table may change based on the feasibility study results.

| | | |
|--|--|---|
| | | preferred in agricultural areas due to guy wires. |
|--|--|---|

Examples of different foundation requirements are presented in Figure 46.

1.3.5 Conductors (wires)

An electrical conductor is a material that conducts or transmits electricity. Conductors are strung between towers to ensure a minimum electrical clearance height at the lowest point (the point equidistant between the two towers) considering parameters such as temperature, ice and wind load and time. Typically, two or more conductors are used per phase, connected at intervals by spacers.

In addition to the conductor, the OHTL also has a shield wire (earth wire) that is strung above the phase conductors and is part of the line earthing system. The shield conductor protects the phase conductors (main wires) from lightning. New lines typically combine the shield wire with an Optical Ground Wire OPGW⁴ that strings across the top of the towers and provides the means for internal line protection, communication and control.

The conductor will enter the SS via a terminal tower down to a height of approximately 15 m high, linking up with landing gantries in the substation. The conductors will link up to the existing substation system via parallel steel structures between transformers within the substation footprint.

1.3.6 Insulators

Insulators isolate the towers from the live wires that carry the electricity. They are typically made of glass, ceramic, or composite materials and are attached to the towers. In a suspension tower, the insulators are vertical or V-arrangement. In a dead-end tower, the insulators are in the horizontal position. Dead end towers are typically located every 5 to 15 towers and are placed there to section the OHTL conductor to minimise whole line faults.

1.3.7 Sarimay substation end-user works

The 220 kV/500 kV Sarimay SS began commercial operation in 2017, the expansion work will start/has stated and is expected to be completed by 2027. The footprint of the expanded Sarimay SS has sufficient capacity to incorporate the proposed end-user works for the S-M OHTL. No works outside

⁴ The OPGW combines the functions of grounding and communications. An OPGW cable contains a tubular structure with one or more optical fibers in it, surrounded by layers of steel and aluminum wire. The OPGW cable is run between the tops of high-voltage electricity pylons. The conductive part of the cable serves to bond adjacent towers to earth ground, and shields the high-voltage conductors from lightning strikes. The optical fibers within the cable can be used for high-speed transmission of data, either for the electrical utility's own purposes of protection and control of the transmission line, for the utility's own voice and data communication, or may be leased or sold to third parties to serve as a high-speed fiber interconnection between cities (https://en.wikipedia.org/wiki/Optical_ground_wire).

the planned expanded boundary are expected. The existing and expanded substation is enclosed by steel fencing and electric security around the perimeter and includes office buildings and a car park.

1.3.8 Muruntau substation end-user works

The 220 kV/500 kV Muruntau SS is currently under construction. The works are planned to be finished in 2025. All works inside the SS footprint will be performed by the EPC contractor selected for this Project in coordination with the main contractor for the Muruntau SS works. There is expected to be sufficient space within the planned SS footprint to act as a laydown area for equipment and material required for the S-M OHTL end-user works.

1.3.9 Access road

An existing unsurfaced road will be used to support construction activities (Figure 9-Figure 12). It is not expected that any significant upgrade works will be required for the S-M OHTL construction. Temporary tracks to each tower work front within the ROW will be established avoiding key biodiversity features. No permanent or sealed roads will be constructed / upgraded.



Figure 9: Access Road (from 0 km Sarimay SS to 100+ km)



Figure 10: Access Road condition in a few areas



Figure 11: Access Road (from ~105 km to 205 km)



Figure 12: Access Road (from 205 km to 229 km Muruntau SS)

2 Project impacts

The involuntary resettlement impacts as a result of the Project will be in the form of land acquisition for the land required for the construction of the tower footprints, servitude rights for the right of way (ROW) under the OHTL, temporary land use for laydown areas, worker accommodation and access roads and for any impacts to livelihoods of those people that use the land for their livelihoods. It is not expected that any structures, crops or trees will be impacted by the Project, therefore no physical displacement of households will be required.

The proposed OHTL crosses the Kyzylkum desert. These lands have been allocated to the State Committee of Sericulture and Wool Industry Development (SWID or the Committee) by the Government of Uzbekistan. There are also some pieces of land that have been set aside as mining concessions, and are owned by JSC Navoi Mining and Metallurgical Company and JSC "Navoiyazot"⁵.

SWID allocates sections of land to limited liability companies (LLCs) to manage the land. These LLCs employ herders to graze animals on the land. The land has also been leased to five farms, for agricultural purposes (however, the land is only being used as pastoral land). The LLCs and the farms are considered Project affected organizations and the people impacted by any losses to these organizations, including the owners and employees of the LLCs, and the herders and their employees (if any) are considered Project affected people (PAPs).

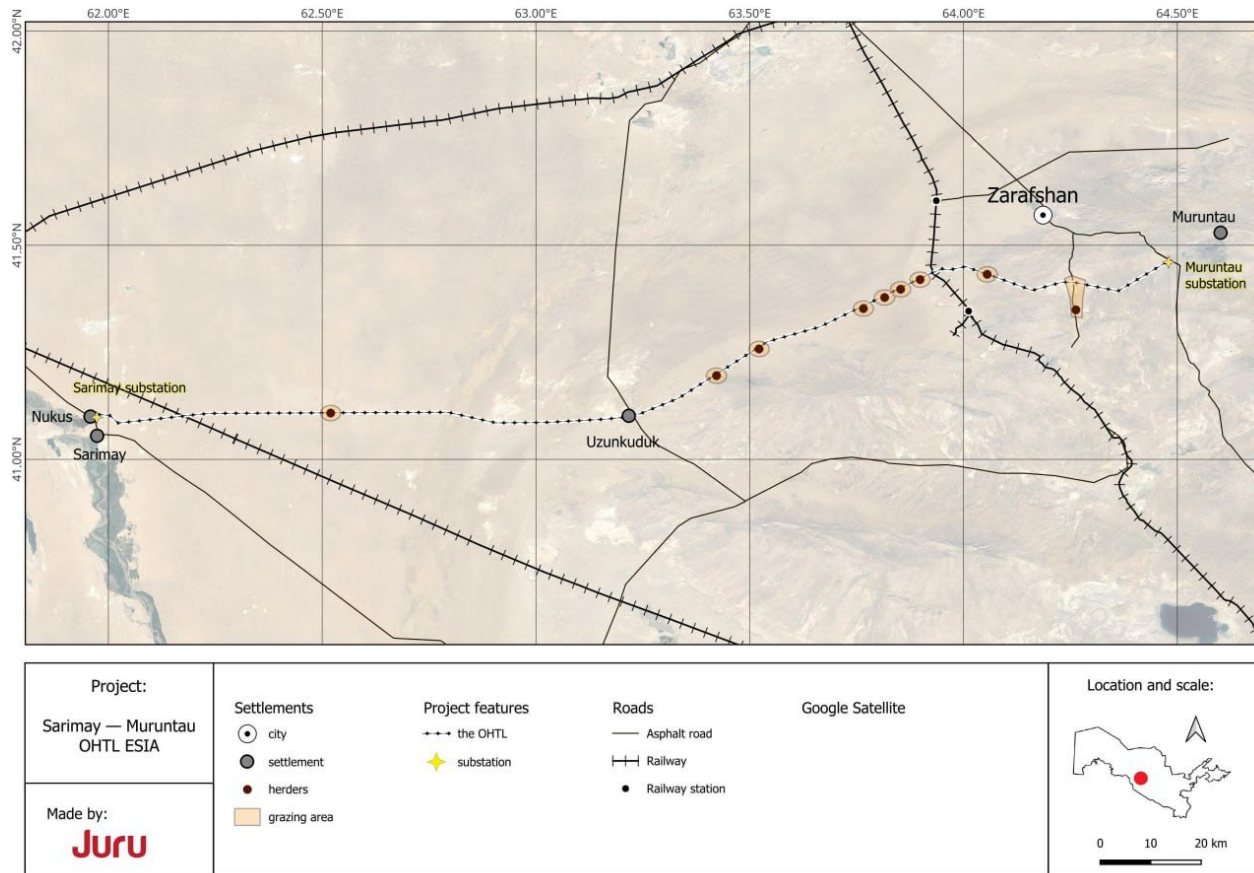
There are four herders hired by JSC Navoi Mining and Metallurgical Company along the OHTL. These herders graze the livestock of JSC Navoi Mining and Metallurgical Company on JSC's lands. Each of them breeds around 700 sheep. Also, there may be a small number of independent herders along the OHTL that are not officially working for an LLC or JSC. These herders are also considered as PAPs.

Since herders are involved in grazing activities all year round, they have constructed their own herding settlements that contain permanent and temporary structures (yurts).

All permanent structures are outside the currently proposed 60m ROW for the Project. Therefore, the proposed alignment of the ROW is not going to affect the assets of herders, only land where they graze livestock. The location of the potentially affected herders is illustrated in Figure 13 below.

⁵ A multidisciplinary industrial and production complex that implements a program for the production of mineral fertilizers, chemical reagents and other low-tonnage chemical products.

Figure 13: Location of herders’ settlements and their grazing area



2.1.1 Alternative concepts

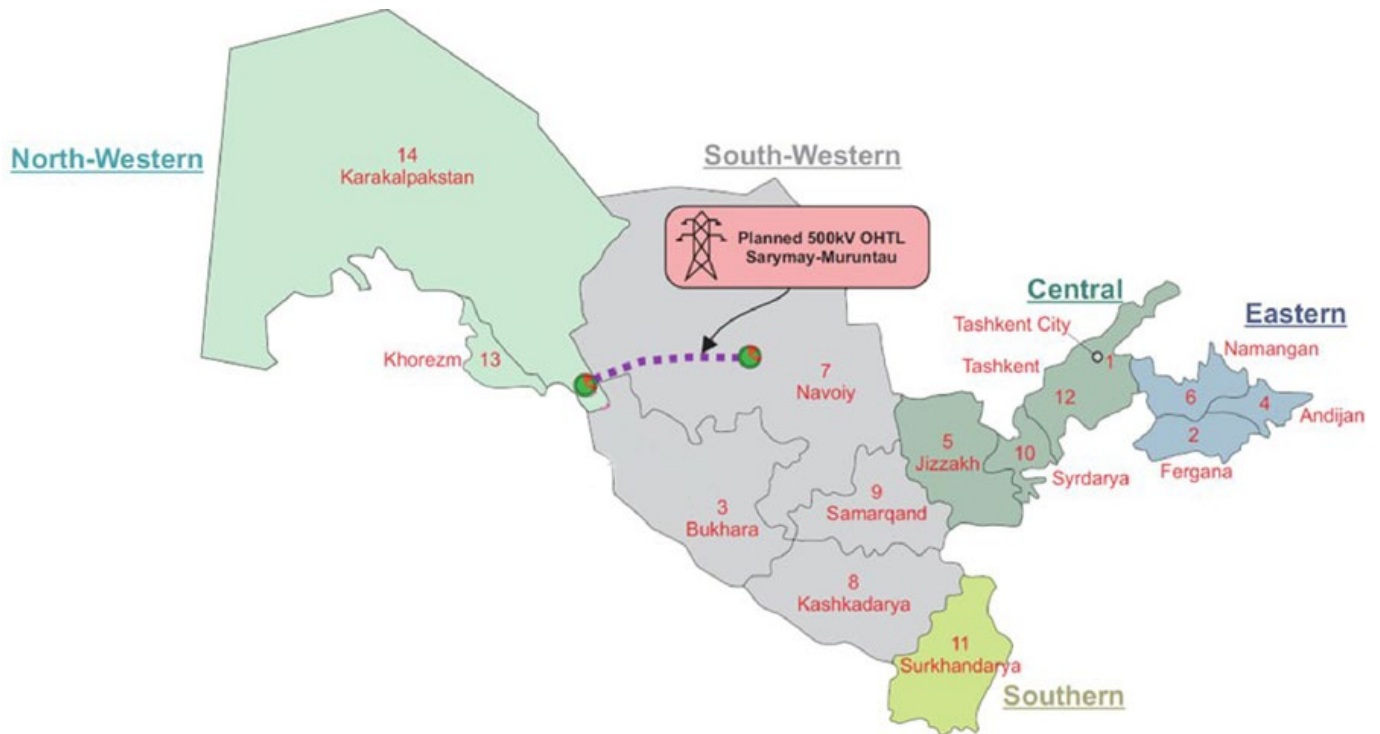
The Government of Uzbekistan aims to increase its power supply and has adopted the 2030 Energy Strategy, which defines several objectives and directions for electricity supply between 2020-2030, including the rapid development of renewable energy projects.

2030 Energy Sector Strategy sets a key objective to “develop and expand renewable energy use and its integration into the unified power system” (BDS18-237(F). Green Economy Transition promotes “cleaner production and distribution of energy through greater energy and resource efficiency” (BDS15-196(F).

The development of the Project is supported by the Resolution of the President of the Republic of Uzbekistan dated 28.12.2022 № PP-459 “Measures for implementation of the Investment Program of the Republic of Uzbekistan for 2023-2025”, the future Project is mentioned in the item 27 of the appendix 9.

The Project will strengthen the power supply stability between the South-Western and North-Western regions of the country and support the wider integration of renewable energy projects to the national grid (Figure 14).

Figure 14: Power areas of Uzbekistan (source: Juru)⁶



Alternative concepts and route options have been considered, including the “do-nothing option”. Not constructing the Project will avoid any potential environmental and social (E&S) impacts; however, this will hinder the objectives of the country’s Energy Sector Strategy and renewable energy transition goals. There is no viable alternative strategic option available for the wider grid strengthening in the North-West. The S-M OHTL plays a key role in connecting the North-Western region to the rest of the 500 kV network.

The S-M OHTL route corridor itself is defined by the start and endpoints of the OHTL and for the most part has followed an existing road and OHTL routing taking the shortest most direct route as a means to ensure the lowest impact and the lowest natural resources use. Minor route variation to avoid the direct impact on farmstead as well as non-ferrous metals’ areas have been made. Further refinement of the OHTL route and the micro siting of the tower locations will be made with the intention to reduce land and livelihood impacts.

⁶ Locations presented on the map are not actual coordinates and have been provided for illustrative purposes only.

3 Legal framework

The Project will need to comply with the legal requirements of Uzbekistan as well as the EBRD Performance Requirements, in regards to land acquisition and involuntary resettlement. These requirements are summarized in the following sections.

3.1 National regulations

Land acquisition is regulated by various legal acts in Uzbekistan. Construction of OHTLs requires obtaining permanent land acquisition as well as the servitude (user rights) for both the land under the OHTL towers and the necessary ROW. The following text provides a summary of the legal acts that regulate land acquisition and rights of way in Uzbekistan.

3.1.1 Constitution of the Republic of Uzbekistan (1992)

The Constitution of the Republic of Uzbekistan (dated December 8, 1992) provides that every citizen of the country has a right to own property (Article 36).

Article 53 of the Constitution states that the GoU guarantees protection of ownership and provides freedom for owners/leaseholders to undertake activities that are conducted on the owned land, i.e., economic activities, entrepreneurship and labour with due regard to the priority of consumers' rights.

Landowners/land leaseholders have the right to use and dispose of land as they wish (except in the case of activities that may harm the environment or local communities) (Article 54).

3.1.2 Land Code (1998, as amended in 2022)

The Land Code (LC) covers all land issues, including land acquisition, land allocation, transfer and sales of land plots, and determines types of land ownership.

Article 16 of the LC defines that the State is the owner of all land in the country and also the main responsible body for its use.

Article 36, Clause 1: defines that termination of the right of permanent and temporary land use is made following the decisions of local administration representatives, i.e., khokims (mayors) of administrative divisions (district/city/region). If landowners do not agree with the decisions of khokims they have the right to appeal to the court (Article 36, Clause 4).

Article 37, Clause 1: acquisition of land or part of it for State or public needs shall be carried out with the consent of the landowner and/or leaseholder under the decision of the district, city, region or under the decision of the Cabinet of Ministers of the Republic of Uzbekistan.

Article 37, Clause 2: states that in the case of a disagreement by the landowner and/or land leaseholder with the decision of the acquisition of the land plot, this decision may be appealed in the court.

Article 39 Clause 1: in the case of land acquisition, the landowner, land leaseholder and house owners have the right to be refunded for their losses (including lost profit) or compensation costs for voluntary renunciation of land.

Article 41, Clause 3: losses caused by violation of the rights of land lease, tenants and landowners (including lost profits), shall be reimbursed in full.

Article 41, Clause 4: an equivalent land plot and compensation of losses including lost profits may be provided to a land user or tenant due to acquisition of the land to the State or for public need.

Article 86, Clause 1: specifies the cases where losses to land users must be compensated in full including loss of profits:

- Acquisition, redemption or temporary occupation of land.
- Limitation of their rights due to 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, biosphere areas, protection zones around national parks, reserves, national nature monuments, cultural heritage objects, discharges, roads, pipelines, communication and **power lines**.
- Worsening of the quality of land as a result of the affect caused by construction and exploitation of water reservoirs, canals, collectors and other objects exuding harmful substances for agricultural crops and plantations and other actions of juridical and real persons causing the decrease of harvests or worsening of the quality of agricultural goods.

Article 87, Clause 1: Compensation, in addition to the compensation stipulated, will be provided for losses of agricultural and forestry production caused by the acquisition of agricultural and forest land, including agricultural land owned and used by individuals for purposes not related to agriculture and forestry, restrictions on the rights of land users and lessees, or deterioration of land due to impacts caused by the activity of enterprises, institutions and organizations.

3.1.3 Civil Code (1990, as amended in 2022)

The Civil Code (CC) protects legal Uzbek citizens when it comes to ownership of all types of property (material, intellectual etc). The CC determines the main provisions/general rules for valuation of property, cases of confiscation of property, and rights for compensation. In particular, the CC establishes that in cases of violation of right of the citizen of Uzbekistan, all loses should be fully compensated, unless the law or the contract does not provide compensation for losses (Article 14).

Article 83 defines land plots, subsoils, building/structures, perinatal plants as immovable property (real estate) i.e., objects whose displacement will be impossible without disproportionate damage to its primary purpose.

The CC also defines that all real estate property should be legally registered (Article 84). As a result, all property without registration cannot be compensated.

3.1.4 Law № 781 (2022)

Law of the Republic of Uzbekistan № 781 “On land acquisition for public needs with compensation” dated 29.06.2022 establishes procedures for the withdrawal of land plots or their parts belonging to individuals and legal entities based on the right of lifetime inheritable possession, permanent possession, permanent use, fixed-term (temporary) use or lease, for public needs with compensation. An exception to this law is land plots owned by individuals and legal entities based on ownership and in the permanent use of state bodies and institutions, enterprises, and self-government bodies of citizens.

The following are the articles most relevant to the implementation of this Project:

- Article 2 indicates that if an international agreement made by the Republic of Uzbekistan establishes rules other than those stipulated by Law No. 781, the rules of the international agreement shall apply.
- Article 4 indicates cases in which land is subject to acquisition, among which are fulfilment of obligations arising from international treaties/agreements with the Republic of Uzbekistan. It also considers the construction (reconstruction) of roads of national and local importance, bridges, tunnels, engineering facilities and power and communication lines are some of the purposes for which withdrawal of land plots can be considered for the public need.
- Article 11 states that members of the Compensation Committee shall be approved by a decision of the members of the Assemblies of People's Deputies of the respective region for a period of two years and shall consist of 17 people. The law also specifies the tasks of the Compensation Committee, which include:
 - Ensuring regular monitoring of the timely provision of compensations in full and accounting of compensations provided;
 - Submitting information to the Assembly of People's Deputies in cases of untimely and incomplete provision of compensations;
 - Assisting in pre-trial settlements of compensation-related conflicts; and
 - Making decisions of a recommendatory nature on disputes related to the provision of compensation.
- Article 24 indicates that types of compensation can be different: in cash, in kind and other applicable types of compensation to PAPs.
- Article 22 defines the procedure for concluding an agreement with landowners, and according to which:
 - Project Developer should obtain permission/an official order from the relevant authorities of the region/district where the project will be constructed, and should reach an agreement with owners/PAPs, and sign a contract.

- After reaching an agreement with local authorities and PAPs, local departments of the Cadastral Committee should record the land acquisition and include it in "The Integrated Information System of Cadastre and Registration";
- Construction works or demolition of assets must not start until full compensation has been paid.
- Article 23 states that compensation should cover the market cost of real estate, loss of the right to land, perennial plantations, transportation costs, other expenses associated with resettlement and temporary rent of real estate, loss of income (for a season or one year) and all other expenses indicated by law and in agreement with the PAP.
- Article 25 highlights the timeline, terms and conditions of compensation payments. If compensation is provided one month or more after the date agreement is signed, the payment should include indexation equal to the inflation rate at the date of payment.
- Article 26 states that the Project developer becomes an owner of the project footprint after i) receipt of an agreement from the relevant local authority; ii) entering this document into the "Integrated Information System of Cadastre and Registration" and iii) payment of full compensation to the PAP. In turn, PAPs should release real estate that is subject to demolition within 6 months of the receipt of compensation.
- Article 27, states that the Compensation Commission is responsible for undertaking independent monitoring, in accordance with the agreement with the PAP, and all other relevant documents entered into the "Integrated Information System of Cadastre and Registration".
- Article 30, requires that a list of real estate (with a description and location) that is subject to demolition is prepared as well as preliminary dates for demolition, which should be provided to local authorities. The Ministry of Justice should be provided with the final decision on demolition of real estate.
- Article 31 specifies that local authorities that provided permission for land acquisition, should disclose information and inform relevant organisations.
- Article 32 indicates that costs of demolition should be covered by the project developer and PAPs have a right to take the construction materials after demolition.

3.1.5 Resolution of Cabinet Ministers No. 146 (May 25, 2011)

Resolution of Cabinet Ministers No. 146 "On measures to improve the procedures for granting land plots for urban development activities and other non-agricultural purposes" is aimed to improve the procedure for allocation of land in Uzbekistan to physical and legal entities and encourage efficient use of land.

Annex 2 of the current Resolution defines the calculation of compensation for types of properties, mainly for agricultural and forestry loses. Compensation costs should be provided by the new owner of the land (physical/legal entities) to whom the land was allocated.

Compensation for all loses should be provided in the following cases:

- Permanent and temporary occupation of land;
- Limitation of rights for an owned/leased land plot (e.g., establishing buffer, protection, sanitary health protection zones);
- Damages to assets or degradation of quality of land caused by the construction and exploitation of water reservoirs, canals, collectors and other facilities that emit substances harmful to crops and plantations, and other actions of legal entities and individuals that lead to a decrease in crop yields and deteriorating quality of agricultural products (Article 5 of Annex 2).

In the case of land acquisition, redemption or temporary occupation of land plots or a part thereof shall be compensated:

- The cost of the land plot privately owned by legal entities and individuals;
- The cost of residential houses, structures and facilities, including facilities that have not been completed, as well as those outside the allotted land plot, if their further use is impossible due to the acquisition of land;
- The cost of fruits and vegetables, productive and other perennial plantations;
- The cost of unfinished agricultural production; and
- Loss of profit.

According to this Resolution, land can be acquired from the current owner and resettlement can take place only after provision of compensation. In the case that ownership cannot be not proven for land or assets, then loses are not subject to compensation.

3.1.6 Other relevant Presidential Decrees and Resolutions of Cabinet of Ministers

Additional national laws and legislations related to land acquisition and compensation in Uzbekistan are provided in Table 3 below.

Table 3: Summary of other relevant legislation

| Legal Requirement | Summary |
|--|---|
| Presidential Decree “On measures to improve the effectiveness of training and realizing projects with participation of international financial institutions and foreign government financial organizations” dated July 16, 2018 No. 3857 | Determines the regulations and rules for projects that are carried out with participation of International Financial Institutions or banks. In the case of differences between the resettlement policies in the Uzbek legal framework and the International Financial Institutions (IFI), the policies of the IFI’s will be followed by Executing Agencies and resettlement costs (compensation in the case of acquisition of land plots, demolition of houses and other structures, crops or trees) paid based on assessment documents prepared by IFI using their methodology. |
| Presidential Decree “On measures for major improvement of the investment climate in the Republic of Uzbekistan” dated August 1, 2018 No. 5495 | This resolution defines that in cases of land allocation for investment projects other international policies are also applicable. Moreover, it clearly states that calculation of compensation should be done considering market prices. |
| Resolution of the Cabinet of Ministers No 911 from November 16, 2019 “On further improving procedures for providing property rights of individuals and legal entities and procedures for removal and compensation for land plots” | Current legislation provides the following: <ul style="list-style-type: none"> - Procedures and timing for land acquisition; - Regulations and timing for providing compensation for losses/damages occurred as a result of land acquisition; and - Responsible parties and states organisations for ensuring payment of compensation and allocating land to the new owner |
| Tax Code of Uzbekistan | Resolution of the Cabinet of Ministers No 911 from November 16, 2019 “On further improving procedures for providing property rights of individuals and legal entities and procedures for removal and compensation for land plots” |

3.1.7 Right of Way

Right of Way (ROW) is defined as “servitude” in Uzbek legislation. The required size of the ROW for an OHTL is determined under SanPiN No.0350-17 “For the Protection of Atmospheric Air in Populated Areas of the Republic of Uzbekistan” (2017), which defines health protection zones (HPZ), which are also known as setbacks, for OHTL’s.

According to SanPiN No.0350-17, section 2.23.4, an HPZ must be established to protect the population from the effects of an OHTL’s electrical field. HPZ’s are defined as the land along the route of a high-

voltage OHTL in which the electric field strength exceeds 1 kV/m. For newly designed OHTLs, buildings and structures must be set back the following distances either side of the OHTL⁷:

- 20 m for OHTL with a voltage of 330 kV;
- 30 m for OHTL with a voltage of 500 kV;
- 40 m for OHTL with a voltage of 750 kV;
- 55 m for OHTL with a voltage of 1150 kV.

As a result, current Project will require HPZ as 30 m from each outermost conductor.

ROWS are also required for operation and maintenance of the OHTL, for example no houses, or tall structures can be built and no tall trees can be grown in the OHTL ROW so as not to obstruct the cables, and also to allow access for maintenance vehicles to conduct maintenance activities.

The main regulations for obtaining ROW are the Land Code of Uzbekistan (Article 30 and 86), and the Civil Code (Article 173) as well as the Resolution of Cabinet of Ministries No.911 dated on 16.11.2019.

LC, Article 30, recognises following cases for obtaining a ROW:

- Placing transmission, communication, engineering and other types of line through the land;
- Construction of irrigation canals, or performing drainage work on the land;
- Construction of wells to get a water for drinking purposes;
- Using part of the land as an access road; and
- Conducting research or other temporary field works.

The above listed legal acts require that a mutual agreement between the current landowner and the entity that needs the land plot must be made in order to obtain a ROW. ROW should also be legally registered and contain all conditions that were agreed between the two parties. Moreover, all losses/damages occurred as a result of the activities carried out to prepare the ROW are subject to compensation.

If a ROW is required on lands that are intended for agricultural purposes, the quality of soil should be monitored frequently. If the company using the ROW damages the remaining pieces of land, it should be compensated as well.

Requirements for calculation and compensation of losses as a result of obtaining a ROW are the same as for all other types of land acquisition.

⁷ The HPZ (set back) is defined as the distance from the outermost wires in a direction perpendicular to the OHTL.

3.2 EBRD Performance Requirements

EBRD's resettlement and livelihood restoration requirements are primarily found in PR5 – Land Acquisition, Restrictions on Land Use and Involuntary Resettlement and PR 10 – Information Disclosure and Stakeholder Engagement.

PR5 "recognises that involuntary resettlement can result in long-term hardship and impoverishment for affected persons and communities in areas to which they have been displaced. Involuntary resettlement refers both to physical displacement (loss of assets or resources, and/or loss of access to assets or resources that leads to loss of income sources or means of livelihood) as a result of project-related land acquisition and/or restrictions on land use"⁸.

Requirements of PR5 are as follows:

- Avoid or when unavoidable, minimise, involuntary resettlement by exploring alternative project design;
- Mitigate adverse social and economic impacts from land acquisition or restrictions on affected persons' use of and access to assets and land by: (i) providing compensation for loss of assets at replacement cost; and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation and the informed participation of those affected;
- Restore or, where possible, improve the livelihoods and standards of living of displaced persons to pre-displacement levels; and
- Improve living conditions among physically displaced persons through the provision of adequate housing, including security of tenure at resettlement sites.

PR5 applies to physical and/or economic displacement resulting from the following types of land-related transactions:

- Land rights or land use rights acquired through expropriation or other compulsory procedures in accordance with the legal system of the host country;
- Land rights or land use rights acquired through negotiated resettlements with property owners or those with legal rights to the land including customary or traditional rights recognised or recognisable under the laws of the country, if expropriation or other compulsory process would have resulted upon the failure of negotiation; and
- Imposition of restrictions that result in people experiencing loss of access to physical assets or natural resources irrespective of whether such rights of restriction are acquired through negotiation, expropriation, compulsory purchase, or by means of government regulation⁹

PR10 requires developers to:

⁸ EBRD, Performance Requirement 5 (in EBRD ESP 2019).

⁹ This includes those with no recognisable legal right or claim to the land they occupy.

- Outline a systematic approach to stakeholder engagement that will help clients build and maintain a constructive relationship with their stakeholders, particularly the directly affected communities;
- Provide means for effective engagement with the project’s stakeholders (including land users) throughout the project lifecycle;
- Ensure that appropriate environmental and social information is disclosed, and meaningful consultation is held with the project’s stakeholders and where appropriate, feedback provided through the consultation is taken into consideration; and
- Ensure that grievances from affected communities and other stakeholders are responded to and managed appropriately.

Specific stakeholder engagement related requirements for the land acquisition process include the need to ensure affected persons will be given the opportunity to participate in determining the eligibility requirements, in negotiations of the compensation packages, selecting resettlement assistance and proposed timing for land acquisition and livelihood restoration activities. Consultation must continue during the implementation, monitoring and evaluation of the land acquisition process so as to achieve outcomes that are consistent with the objectives of EBRD PR10.

3.3 Gap analysis between EBRD Performance Requirements 5 and 10 and national regulations

The Uzbek legislation included in section 3.1 does not match/cover several requirements of EBRD’s requirements for conducting resettlement and livelihood restoration activities. Differences and gaps between Uzbek legislation and EBRD requirements are summarised in Table 4 below.

Table 4: Main gaps between national legislation and EBRD PR5 and PR 10

| Element | EBRD PR5 | Uzbekistan Legislation | Measures to bridge the gap |
|--------------------------------|---|--|--|
| Avoid or minimise displacement | The Project Developer should avoid, and if it is not possible, to minimize physical and/or economic displacement. | GoU as owner of all land in the country can acquire land plots for state and public needs, especially in cases when land is needed to improve state services, socio-economic state of the region or for important investment projects. | NEGU should consider all impacts to local land users and propose the best option that will minimize impacts. |

| Element | EBRD PR5 | Uzbekistan Legislation | Measures to bridge the gap |
|--|--|--|---|
| Planning process | The Project Developer should develop a resettlement/ livelihood restoration plan to avoid risk and impacts associated with the project. | GoU requires only to obtain the right for land as per prescribed procedures and ensure that compensation is paid to affected people. | NEGU should prepare an LRP in accordance with PR5 requirements. |
| Eligibility for compensation | The Project Developer should carefully examine potentially impacted people/all land users and set up an entitlement matrix of those who are eligible for compensation. | Uzbek legislation recognises legal landowners only. (In this case, LLCs are only considered as legal land leaseholder). Herders work for LLC and not all of them have a legal employment contract. | NEGU should identify all land users as being eligible for compensation as per EBRD PR5. |
| Compensation and benefits for displaced people | The Project Developer will offer economically displaced communities and people compensation for loss of assets at full replacement cost and compensate for any loss of income during relocation. | Compensation under the Resolutions of the Cabinet of Ministries N911 and N146 is determined in accordance with the prevailing market price after considering the value of land, cost of structures (residential and business) and installations, crops, forest land and timber. It also covers compensation for transaction costs. | The market value (as determined by a registered evaluator) and transaction costs should be used to reach replacement cost. Lost income during the transition (if required) should be provided to all eligible people as per EBRD PR5. |
| Compensation for loss of livelihood | Where livelihoods are displaced the Project Developer will offer the PAPs land-based compensation / non-monetary compensation. | Lessors of Government land are not financially compensated, however there are offered land-based compensation mechanisms that enable renegotiation of the land lease and / or | NEGU should provide all eligible people with compensation for existing and future loss of livelihoods. |

| Element | EBRD PR5 | Uzbekistan Legislation | Measures to bridge the gap |
|--|--|---|--|
| | | land-based compensation equivalent to the land lost. | |
| Compensation payments | The Project Developer must only take possession of land once all compensation has been made available. | Land can be acquired from the current owner and resettlement can take place only after provision of compensation. | No gap. No construction will take place until compensation payments are completed. |
| Provision of benefits | Displaced persons must be given the opportunity to derive benefits ¹⁰ from the project. | Not addressed. | Where applicable NEGU should provide access to Project benefits for PAPs. This includes inclusion in ongoing consultation, priority for hiring purposes, and inclusion in livelihood restoration activities. |
| Inventory of affected assets & establishment of a cut-off date | The Project Developer should announce cut off dates for all identified PAPs and conduct an inventory survey. | No cut off dates are required by local legislation. Inventory survey is conducted at the cost of PAP or entity requiring land acquisition. | NEGU should conduct negotiations with all identified land users, agree on cut-off date and publicly disclose it. Inventory survey will be performed by NEGU in the presence of the property owner. |
| Vulnerable groups | Vulnerable groups should be aware of their rights for compensation. It also requires that the project developer provides additional support apart from compensation, depending on the basic needs of the PAPs. | No specific support, such as additional support in non-material form, to vulnerable groups is requested by local legislation. While receiving compensation in a monetary form some privileges on taxation | Vulnerable groups, if identified, should be provided assistance in accordance with EBRD, requirements. |

¹⁰ Benefits may include local hiring, corporate social responsibility opportunities, and project specific benefits e.g., improved road access.

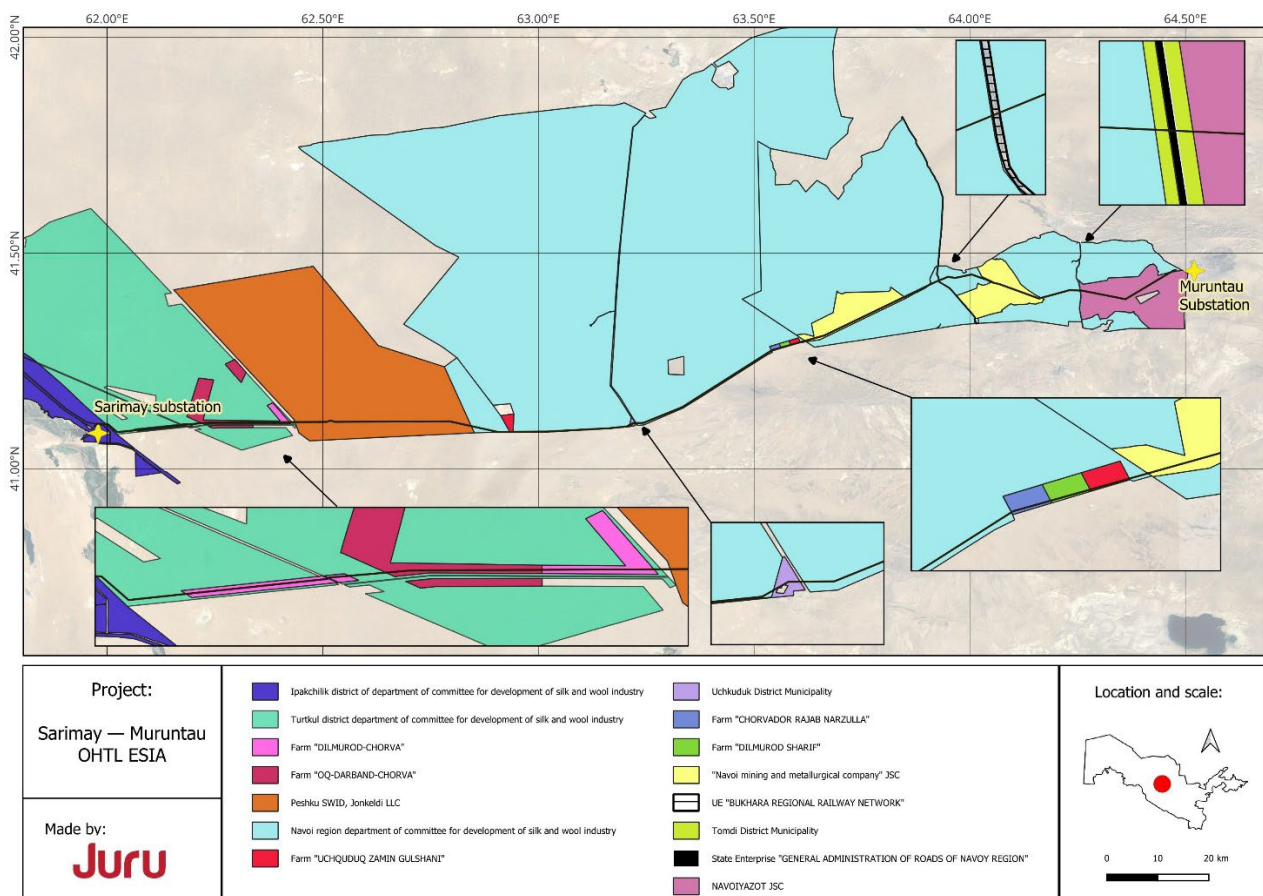
| Element | EBRD PR5 | Uzbekistan Legislation | Measures to bridge the gap |
|--------------------------------------|--|---|--|
| | | can be applied as per the Tax Code only. | |
| Information disclosure | The project developer should regularly arrange meetings with stakeholders as well as PAPs and inform them about the Project status. | Information disclosure is not required as per local legislation. | The Project will provide PAPs with GRM details and arrange meetings throughout the LRP process. |
| Stakeholder consultations | The project developer must ensure that all PAPs are informed at the early stage of project and consulted. | Local legislation (Law No.781) requires consultations with relevant municipalities as well as PAPs. In addition, Project developer should be in communication with PAPs starting from project planning stage upon the resettlement. | No gaps |
| Grievance mechanism | The project developer should establish a mechanism for communicating with stakeholders and PAPs as per PR5 and PR10. All grievances received through the grievance mechanism should be addressed in a timely manner. | As per local regulations PAPs are eligible to submit complaints to any relevant state organisation. No separate grievance mechanism needs to be established However, there is no formal mechanism for ongoing grievance redress under the law in relation to loss of livelihoods. | The Project will establish a standalone GRM (a temporary GRM is in place (see section 17) until JEC NEGU assumes full responsibility of this LARF. This will allow PAPs directly communicate with JSC NEGU or its Main Contractor. |
| Monitoring of LRP/RAP Implementation | Consultations are required at all stages: implementation, monitoring, and evaluation of compensation payments. | No monitoring is required. | NEGU should establish a dedicated plan for monitoring and evaluation of the LRP. |

4 Affected people and assets

Based on the site investigations and consultations conducted during the October 2023, there are no physical displacement or resettlement impacts expected for the Project. The main Project impacts are going to be economic displacement impacts as a result of loss of income arising from temporary and permanent loss of grazing land for local Limited Liability Companies (LLCs) and herders.

To determine the status of land ownership as well as other types of land use of affected land, Juru issued letters to Cadastre Departments of Tuprokkala, Turtkul, Peshku, Uchkuduk and Tamdi districts in October 2023.

Figure 15: Land use along the planned OHTL route



The following is a summary of the land ownership in each district:

- **Tuprokkala district** – land belongs to the State Committee of Sericulture and Wool Industry Development (SWID). The lands of SWID were leased to “Khorezm sheep-breeding cluster” LLC on a long-term contract.
- **Turtkul district** - the land plots belong to SWID, and that land is leased to two farms called “Dilmurod-chorva” and “Oq-darband-chorva”.

- **Peshku district** - the areas, OHTL passes through, belong to only SWID, and leased to Jonkeldi LLC.
- **Uchkuduk district** - the land plots where the OHTL crosses are owned by SWID that leases land to "Uchquduq chorva klasteri" LLC, as well as three farms called "Uchquduq Zamin Gulshani", "Dilmurod ShariF", and "Chorvador Rajab Narzulla". All three farms are owned by one person.
- **Tamdi district** - the land plots intersected by the planned OHTL belong to JSC Navoi Mining and Metallurgical Company, JSC "Navoiyazot" as well as SWID that leases the lands to Darxan 2019 LLC. They all own extremely large areas.

Nine herding households have been identified during the ESIA site visit as using the land within the Project ROW. Four of those are hired by JSC Navoi Mining and Metallurgical Company and the other five are contracted by LLCs. There is a possibility that a small number of unofficial (not contracted) herders also use the Project site, identification of unofficial herders will need to be made during the preparation of the LRP.

The impact on the herders is expected to be temporary, occurring only during the construction phase, and the impacts are likely to be restricted to livelihoods as no assets have been identified as impacted during the preparation of this LARF. Provision is made in this LARF for re-confirmation of this conclusion during the census surveys. There is also limited possibility that future micro siting might impact previously unidentified assets and therefore this LARF considers this possibility too.

Considering that there are no prescribed borders to the land established for grazing, herders will likely be able to move further afield and offset the areas that will be limited for grazing as a result of construction works. In addition, there may be some changes to Project impacts due to the fact that the OHTL route has not been finalized. Therefore, PAPs and the impacts to them will need to be confirmed once the final design has been approved. A Livelihood Restoration Plan (based on the information included in this LARF), as per EBRD PR5 will need to be prepared for all impacts identified at that time.

A nearby water pipeline that goes from the Amu Darya River to Zarafshan City is a key attraction for herders that they use to water their livestock. As a result, this road and the proposed transmission line route pass through an area with relatively high livestock grazing activity. Areas further from this road and water pipeline likely experience less pressure from domestic livestock grazing.

Local livestock farming has left visible signs of overgrazing and potential habitat fragmentation across the entire region. Moreover, a new water pipeline construction adds to the sources of noise and disturbance. Along the overhead transmission line (OHTL), four pumping stations currently exist.

According to the Ministry of Mining and Geology of the Republic of Uzbekistan, the OHTL route crosses six concession areas where there is a potential for oil and other precious metals could be found. They are as follows:"

- “Tuyamoyin” investment concession in Tuprokkala district where there is a possibility that oil can be found,
- “Oila va Janubiy Karashoxa “and “Kumbugut“areas, where there is a potential that precious metals could be found, and
- “Western Auminza”, “North-eastern Auminza” and “Mingboy” areas, where uranium could potentially be found.

As the gold and other precious metals are mined using the open pit method, the OHTL route has been modified to avoid key mining areas within the concessions.

Additionally, the planned OHTL is intersected by the railway at two points: in western and eastern parts.



Figure 16: A common animal pen



Figure 17: Buildings used by herders



Figure 18: Drinking bowl for animals



Figure 19: Water pipes to be used for new pipe's construction

4.1 State Committee on Sericulture and Wool Industry Development

The State Committee of the Republic of Uzbekistan on Sericulture and Wool Industry Development controls separate departments in each region of Uzbekistan. These departments monitor and regulate activities of the LLC's use of grazing land and upkeep of the Committee's livestock.

As per Presidential Decree No. PD - 6059 dated 2.09.2020 "On measures for the further development of Sericulture and Karakul breeding in the Republic of Uzbekistan" all pasture lands in the country were allocated to the Committee for unlimited use.

For information: On July 8, 2021 by Presidential Decree (PD5178) the Committee on Sericulture and Karakul breeding was renamed to State Committee of the Republic of Uzbekistan on Sericulture and Wool Industry Development.

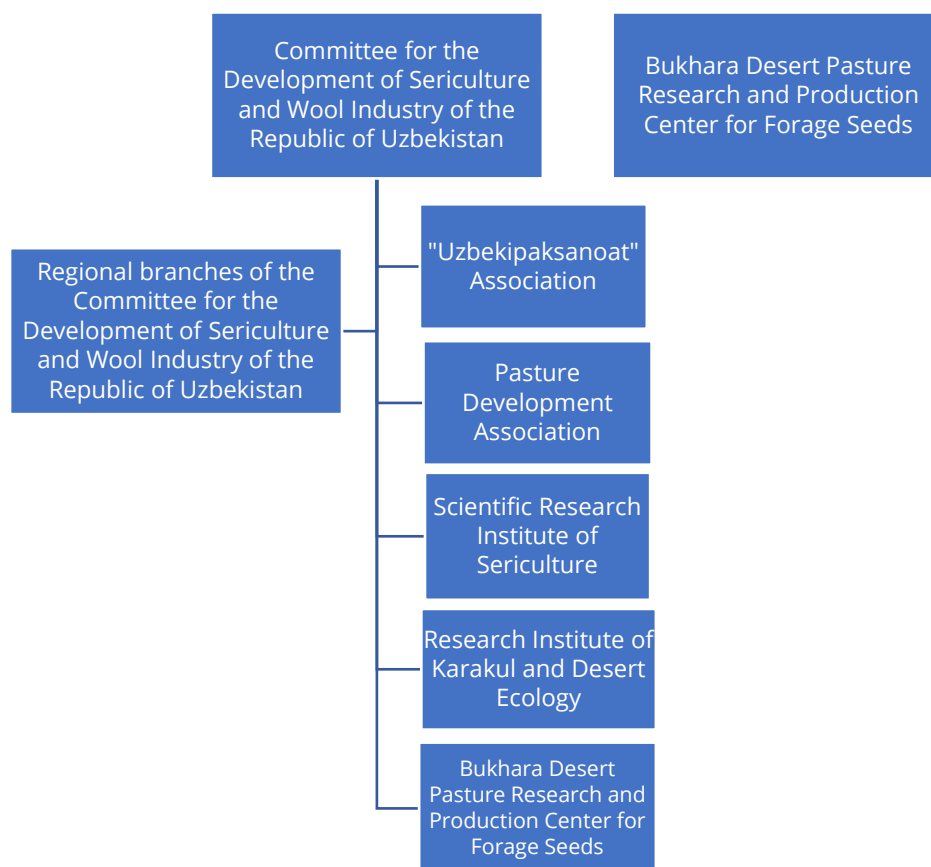
The Committee was established by the President of the Republic of Uzbekistan in 2020, to:

- Pursue a unified state policy in the field of animal husbandry, ensuring the coordinated development of industries with a unified scientific and technical policy;
- Maintain strict accounting and study of mulberry plantations and pastures, improving the fodder base for the development of sericulture and astrakhan breeding;
- Introduce highly productive breeds of silkworm and karakul sheep;
- Create favourable conditions for the procurement and processing of raw materials for the production of finished products from silk and astrakhan fur;
- Conduct market research and assistance in the sale of silk and karakul products, primarily in foreign markets; and
- Provide comprehensive assistance to business entities engaged in silkworm breeding and karakul sheep breeding, in expanding their activities, creating clusters and exporting products.

To create favourable conditions for functioning of the Committee the GoU has allocated all pasture land throughout the country for the Committee's unlimited use. Moreover, the GoU supports the Committee by providing tax exemptions on the land¹¹. The following figure provides an overview of the structure of the SWID Committee.

Figure 20: Organisational structure of the Committee (source: State Committee on Sericulture and Wool Development Industry)

¹¹ <https://lex.uz/docs/-4980311>



4.2 JSC Navoi Mining and Metallurgical Company and JSC “Navoiyazot”

JSC Navoi Mining and Metallurgical Company and JSC “Navoiyazot” are companies whose shareholders are government bodies. Land plots to these JSCs were allocated by Presidential Decree No.33-01 dated September 30, 2017 for creating livestock grazing complexes for permanent use.

4.3 Limited Liability Companies

SWID Committee allocates its land to different LLCs in different districts. LLCs normally have a set of obligations related to breeding livestock, wool etc. For each LLC obligations may change based on the type of livestock, land condition/fertility etc. Lands are allocated to LLCs on a long-term lease basis – for 49 years.

4.4 Farms

Some land users obtained lands as farms directly from municipalities by mayor’s order until 2021. However, obtained lands were used for livestock grazing purposes as they are mainly pastoral lands. Lands were leased for 49 years.

4.5 Herders

LLCs hire herders to graze LLCs livestock, the JSCs also hire herders to graze livestock on their land. In some cases, herders graze their private livestock together with LLCs/JSC, by concluding verbal contract with LLCs chairmen. Herders generally have annual quotas to fill based on their contract with the LLC.

Also, there is a possibility that a small number of unofficial (not contracted) herders also use the Project site.

4.6 Scope of economic displacement

In order to determine the amount of land which is required for land acquisition (for the tower footprints) and servitude (for the ROW) NEGU will need to:

- Confirm the final ROW for OHTL (outline 30 meters from each side of tower for HPZ) and ensure that requirements for HPZ are followed.
- Estimate placement of towers to be placed along the OHTL;
- Provide the size of towers in order to determine exact size of footprint for permanent use;
- Determine the size of the ROW based on the tower placement; and
- Outline additional land required for temporary laydown areas and access routes needed for the construction that may impact herders as a result of temporary land acquisition.
- Undertake a socioeconomic survey of those herders that officially or unofficially graze the land to determine the total number of PAPs and the impact of the Project on each household.

5 Key compensation and assistance principles

Compensation principles should be based on rules prescribed by local legislation as well as requirements indicated in PR5. The following sections provide an overview of the process by which, compensation will be paid for this Project.

5.1 Land acquisition process

NEGU, JSC Navoiyazot, SWID, and JSC Navoi Mining and Metallurgical Company are all government organizations, and therefore the land acquisition process between these entities will necessarily follow the applicable national legislation. In these cases, NEGU will review the national requirements and compensation are compliant with ERBD requirements and make adjustments as necessary.

For LLCs, considering that they are under SWID Committee and the Committee is the decision maker, the land acquisition process will necessarily follow the applicable national legislation as for SWID.

Also, there are three farming land lease agreements along the OHTL in Uchkuduk district and two farming land lease agreements in Turtkul district with that have been made private individuals.

Impacts to them will be mitigated through compensation according to national legislation and EBRD requirements or re-routing the OHTL.

There are other impacts, particularly impacts on PAPs without leases/contracts, or with impacts that are not compensated under national legislation, that will exclusively follow the EBRD requirements.

In either case, no land will be handed over to the contractors until the land acquisition process has been completed and all compensation payments have been made. Contractors will not be able to start work until EBRD has certified that the Project implementation has been undertaken in line with PR5.

5.1.1 Government requirements

The first step in the national process is that NEGU will prepare presentation materials and submit them to the khokimiyats of all of the impacted districts, the SWID, JSC Navoiyazot, and JSC Navoi Mining and Metallurgical Company.

The khokimiyats will send an inquiry to the District Construction Departments and district branches of the Cadastral Enterprise in order to obtain the relevant information, i.e., verify land plot sizes, owners, and obtain the latest version of the required land plot map.

Within five working days from the date of receiving the inquiry two actions will be undertaken:

- The District Construction Department will prepare and submit, to the khokimiyat, information on the compliance of Project documentation with the general plan of the land to be acquired; and
- District branches of the Cadastral Enterprise will prepare a list of real estate located on the land plot and submit it to the khokimiyat.

The khokimiyats, within two working days from the date of receipt of relevant reports and other information, will send NEGU the full list of real estate located on the given land plot.

NEGU, within five working days from the date of receiving the full list of real estate located on this land plot, will:

- Determine the initial amount of compensation to owners of real estate in accordance with the procedure established by law; and
- Provide the khokimiyats with documents confirming that there are sufficient funds to pay compensation.

The presentation materials will be sent to the Council of People's Deputies to obtain a decision on the land acquisition within two working days from the date of receipt of the presentation.

The Council of People's Deputies will review the documentation provided to consider the following issues:

- whether the Project is aimed at infrastructure development;
- whether the opinion of the majority of community members has been taken into account;
- that empty buildings and unused land plots for Project implementation have been identified and proposed as alternatives; and
- that alternative land plots have been selected in case of absence of such objects or land plots.

The Council of People's Deputies will make a decision on the land acquisition and disclose its decision.

NEGU will undertake consultations with the land leaseholders and will obtain 'prior consent' for the land acquisition, if required¹².

NEGU will organize that a valuation is undertaken of the market value of any losses, it will also determine costs associated with moving, loss of profit and any other relevant expenses. These values will be discussed with the property owner to agree compensation and a written agreement will be produced. The regional khokimiyats will monitor the contracts and issuance of compensation.

The property owner will need to make sure that the property is completely free of liens and available to transfer at which point the khokimiyat and judicial authorities complete the required decision documents and authorize the Project to take over the land and start any required demolition.

LLCs should be compensated under national law if they have crops, or structures that are impacted due to the Project construction (which is not the case for this Project). LLCs as leaseholders are not eligible for land compensation.

5.1.2 EBRD requirements

The mahallas and khokimiyats, SWID (and LLCs under SWID), farms, JSC Navoiyazot, and JSC Navoi Mining and Metallurgical Company will be approached to collect data to identify any further PAPs or entities with legal claims to the required land (this is not considered likely as SWID, JSC Navoiyazot, and JSC Navoi Mining and Metallurgical Company own the rights to all of the land in the Project location). At this point the impacts on PAPs without legal rights to the land, but that will be impacted by the Project, such as loss of livelihoods for LLCs, herders and their employees, will be identified.

A census survey and socioeconomic survey should be undertaken of all land required for the Project to identify eligible PAPs (see section 8) and their losses; it is likely that the two surveys will be undertaken simultaneously. PAPs should be consulted prior to the implementation of the surveys in order to disclose the purpose of the surveys and disclose the cut-off date (discussed further below). The surveys should cover the following:

¹² NEGU can avoid consultations with landowners and leaseholders if there is a Presidential Decree or resolution of cabinet of ministers which will state allocation of land for construction of the Project to NEGU. If there is no such legal act, NEGU has to follow prescribed procedures and conduct negotiations with all landowners to obtain the land.

- Census survey – determines the number of people impacted and makes a detailed inventory of the Project losses to each household (including land size, structures, crops and trees, income and employment).
- Socio-economic survey – provides a baseline of the PAPs that can be used for future monitoring to determine if PAPs are better or worse off as a result of the Project. It will include household demographics, health, education, income and expenditure among others. All data will be gender disaggregated where possible.

A cut-off date should be determined and disclosed to PAPs and local communities. Following the cut-off date, no newly identified impacts will be compensated. The date will likely be the final date of the census survey and socioeconomic survey.

Once impacts are identified a Livelihood Restoration Plan (LRP) should be prepared and, compensation calculated for all PAPs. NEGU will employ an independent valuer to determine the full replacement cost to determine compensation. Where possible contracts will be negotiated PAPs to determine final compensation. The results will be kept in a database for reference.

Livelihood restoration activities should be determined in consultation with PAPs and included in the LRP. Once determined, they will be implemented as soon as possible in the land acquisition process. Depending on the types of activities identified, they may continue into the construction phase.

NEGU will be responsible for payment of compensation to PAPs. The method of payments will be transparent and accessible to all PAPs. It will be determined by NEGU and disclosed in the LRP.

Consultation will be maintained throughout the process with PAPs, district khokimiyats, local communities, local leaders and other relevant stakeholders (SWID, LLCs, JSCs etc.). PAPs will also have access to the grievance mechanism (see section 14.5) throughout the land acquisition process.

5.2 Servitude process

As described in the legal framework section (section 3), cases of servitude, or limited right to use of land, can be obtained as per Article 30 of the Land Code of the Republic of Uzbekistan. Similar to the land acquisition process, in order to obtain the right to servitude it is necessary to provide the needs case/justification for the use of the land. The application for servitude can be submitted either to the local municipalities or the two parties (the Project developer and the land leaseholder), can come to a mutual consent and make a legal agreement.

Registration of servitude can be made via submitting an e-application through the e-portal to my.gov.uz. The service is provided by branches of the State Enterprise of Land Management and Real Estate Cadastre of Karakalpakstan, regions of Uzbekistan and Tashkent city.

It is the intention of the Project to come to a negotiated agreement for the servitude rights. However, under national law, if the parties do not come to a mutual agreement, the right to servitude can be resolved with a court decision. Servitude impacts are only expected to impact legal

owners, as no crops or trees have been identified as needing to be removed, and the land under the OHTLs will still be able to be grazed by herders, therefore it will not result in livelihood impacts after construction.

Figure 21: Scheme for calculating losses of owners, users, leaseholders and proprietors of land plots, as well as losses of agricultural and forestry production (where applicable) (source: Annex 1 of the Resolution 911 of the Cabinet of Ministers)

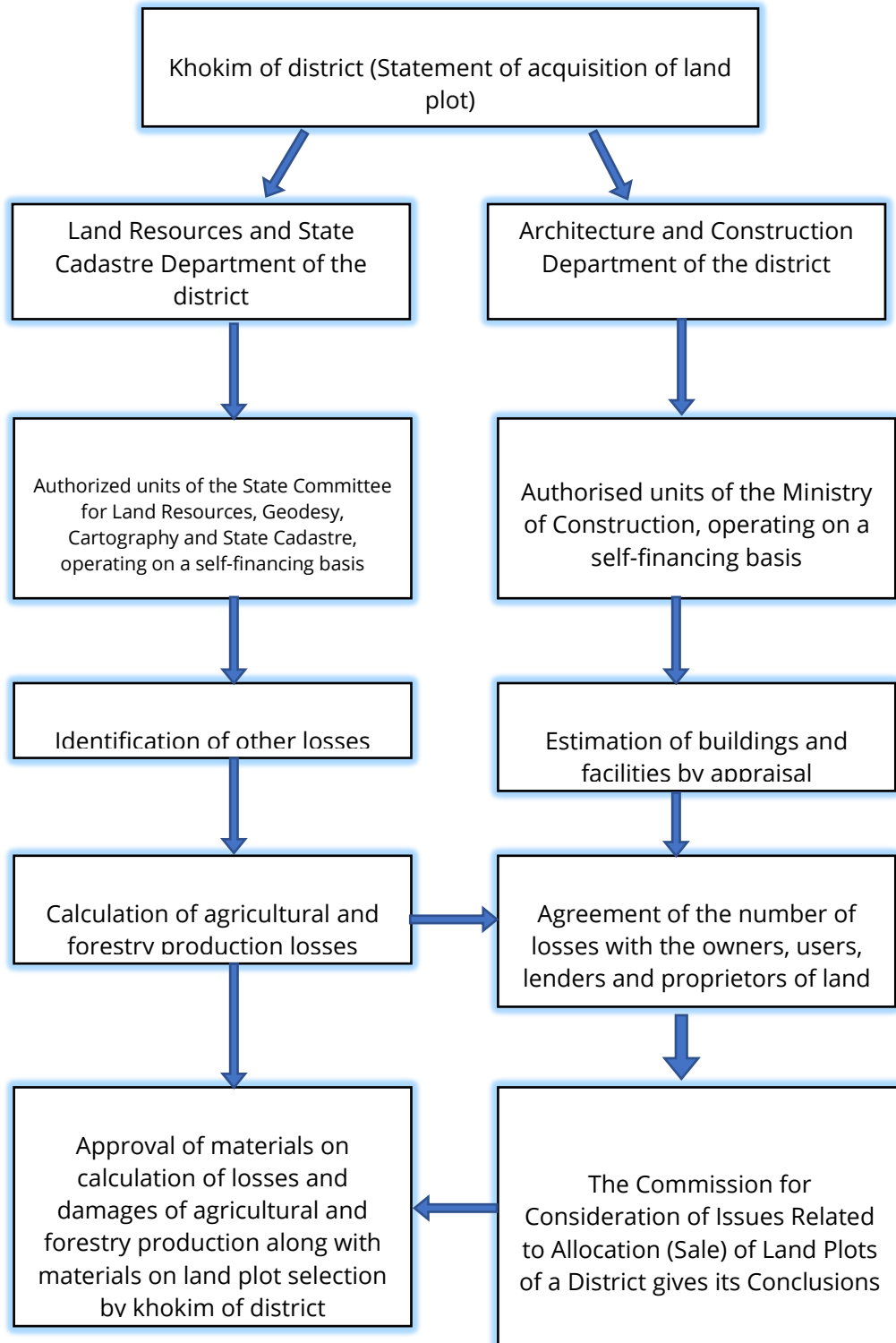
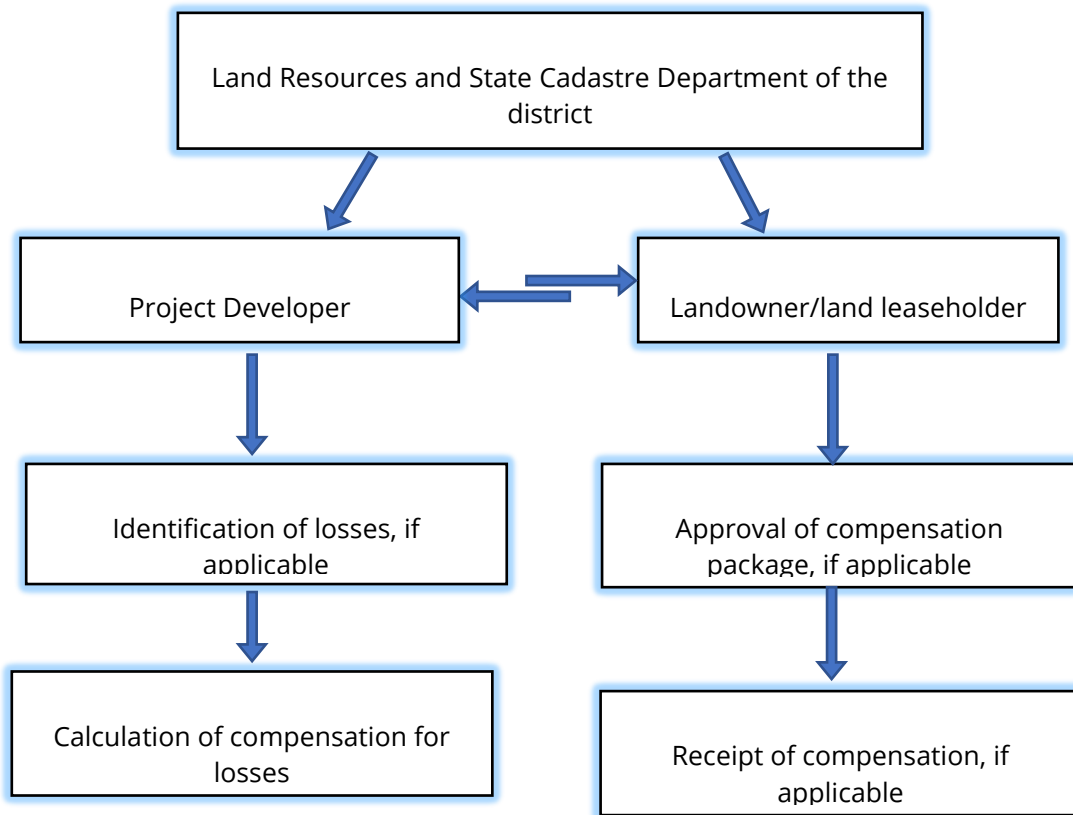


Figure 22: Scheme for servitude (source: Annex 4 of the Resolution No146 of the Cabinet of Ministries)



6 Eligibility

Any person or company, whose assets and/or income is affected by the Project, whether permanently or temporarily, and regardless of whether or not they have legal title to the affected land or asset, is eligible to receive compensation and other entitlements. If people or households reside in, occupy or use land needed for the Project prior to a determined cut-off date (that will be disclosed to all PAPs) then they will be considered resettlement affected and eligible for compensation and entitlements.

The census survey will identify and establish the households that own assets or earn income on land required by the Project. The cut-of-date will be clearly disclosed to PAPs during consultation meetings and during one-on-one interviews for the census survey. Any persons moving into the Project area after the cut-off date will not be entitled for compensation.

The expected Project affected organizations or people are summarized in Table 5 below:

Table 5: Eligibility for compensation for PAPs

| Project Affected People/organizations | Eligibility | Notes |
|---|--|---|
| S-M OHTL | | |
| The following landowners: <ul style="list-style-type: none"> • SWID Committee, • JSC "Navoiazot" and • JSC Navoi Mining and Metallurgical Company | These organizations will be affected by the proposed route as it passes through their land, leading to a reduction in the size of their land holdings. | Grazing activities are being held by herders of those organizations in the Project areas |
| The following farms: <ul style="list-style-type: none"> • "Uchquduq Zamin Gulshani", • "Dilmurod Sharif" • "Chorvador Rajab Narzulla", • "Dilmurod-Chorva" and • "Oq-Darband-Chorva" | These farms will be impacted as the preliminary route crosses their land, causing reduction in their land plots. | Since the land which belongs to the farms is going to be impacted and the land was legally allocated. |
| The following LLCs: <ul style="list-style-type: none"> • "Uchquduq Chorva Klasteri" LLC, • "Darxan 2019" LLC | The proposed route will have an effect on these LLCs as it traverses their property, resulting in a decrease in the size of their land plots. | The land plots were allocated to these clusters (LLCs) by SWID Committee |

| Project Affected People/organizations | Eligibility | Notes |
|--|--|--|
| <ul style="list-style-type: none"> • "Khorezm Sheep-Breeding Cluster" LLC, And • "Jonkeldi" LLCS | | |
| All herders and their employees (if any) | They may be impacted by loss of employment, income or loss of livelihood (this could be as a result of loss of grazing land or livestock). | This includes also their families and employees. |

7 Entitlement matrix

Table 6 provides an entitlement matrix for different types of Project losses¹³. The entitlement matrix also includes provisions for any unanticipated impacts arising during Project implementation. Entitlements have been stated in relation to losses as an affected households (AH) or PAP may be impacted by a number of different types of losses. NEGU will be the responsible party for compensating Project losses. Entitlement matrix should be revised and amended (if necessary) during the LRP preparation.

¹³ Note: This matrix is subject to NEGU's revision.

Table 6: Entitlement matrix

| Type of Loss | Type of asset | Specifications | Displaced Persons/organisations Entitled Persons | Basis for Compensation Entitlement |
|--------------|---|--|---|--|
| Land | Agricultural/grazing land (agricultural only if OHTL is rerouted) | Permanent for placing towers | Leaseholders/ land users with a user permit Entities responsible for managing the land (SWID, JSCs) | Monetary compensation based on the full replacement cost for the land, or another plot of equal size, value and productivity in a comparable location on the basis of "land-for land" compensation. Transaction cost, registration fee, related to new plot allotted, will be borne by the Project. |
| | | Temporary (laydown areas used during construction) | | Monthly rent for the use of the land based on a negotiated agreement with the leaseholder and the Project. |
| | | Either permanent or temporary | Land users (LLCs, herders and herder employees) | Compensation for loss of land in terms of loss of income (see loss of income section below) |
| | Residential land (if OHTL is rerouted) | Permanent for placing towers | Land users who have lifelong inheritable possession or permanent possession Land users (Herders) | Monetary compensation based on the full replacement cost for the land, or another plot of equal size, value and productivity in a comparable location on the basis of "land-for land" compensation. Transaction cost, registration fee, related to new plot allotted, will be borne by the Project. |
| | | Temporary (loss of grazing during construction) | | Monthly rent for the use of the land based on a negotiated agreement with the land user and the Project. |
| | | Temporary (laydown areas used during construction) | | |

| | | | | |
|------------|--|--|--|---|
| Servitude | Loss of servitude rights | Permanent | Entities responsible for managing the land | <p>A one-off payment for the servitude rights to the land, as per determined through negotiated agreement between the leaseholder and the Project.</p> <p>Assets/structures that are subject to damage or demolition will be compensated (included as structural losses in unexpected costs below)</p> |
| Structures | Residential or business structures (if OHTL is rerouted) | Permanent | Owners of the structure (irrespective of whether they own the land or have title to the structure) | <p>Replacement cost of structures will be paid at present market value, free of depreciation and including all taxes and transfer fees.</p> <p>Owner will be allowed to take away all salvageable materials free of cost before start of construction.</p> <p>Transportation cost will be borne by the Project, or a transportation allowance will be paid.</p> <p>Priority participation in livelihood restoration activities.</p> <p>Preferential selection for Project related employment.</p> |
| | Other structures (if OHTL is rerouted) | Permanent | Owners of the structure (irrespective of whether they own the land or have title to the structure) | <p>Full replacement cost of structures will be paid at present market value, free of depreciation and including all taxes and transfer fees.</p> <p>Owner will be allowed to take away all salvageable materials free of cost before start of construction.</p> |
| Income | Business disruption | Temporary loss or reduction of income as a result of the Project activities. | Entities responsible for managing the land (LLCs) | <p>The amount of lost profit will be identified based on the estimated average monthly income in the past three years multiplied by the number of months of business interruption and provided as cash compensation.</p> |

| | | | | |
|--|--|---|------------------|---|
| | Loss of grazing land and increased costs to feed animals | Permanent loss or reduction of income as a result of a reduction of usable land | Herders | <p>Compensation of the PAPs salary or minimum wage (whichever is highest) for 6 months or more to be determined by NEGU depending on the level of impact.</p> <p>Provision of three months' worth of feed for livestock or an allowance equivalent to three months' worth of feed.</p> <p>Priority inclusion in the Livelihood restoration activities (as relevant)</p> <p>Preferential selection for Project related employment.</p> |
| | | Temporary loss or reduction of income as a result of the Project activities. | | <p>Compensation of the PAPs salary or minimum wage (whichever is highest) for 3 months.</p> <p>Provision of one month worth of feed for livestock or an allowance equivalent to one month worth of feed.</p> <p>Priority inclusion in the Livelihood restoration activities (as relevant)</p> <p>Preferential selection for Project related employment.</p> |
| | Loss of employment/ reduced employment | Permanent loss or reduction of income as a result of a reduction of usable land | Herder employees | <p>Compensation of the PAPs salary or minimum wage (whichever is highest) for 6 months or more to be determined by NEGU depending on the level of impact.</p> <p>Priority inclusion in the Livelihood restoration activities (as relevant)</p> <p>Preferential selection for Project related employment.</p> |

| | | | | |
|---------------------------------|---|--|--|--|
| | | Temporary loss or reduction of income as a result of the Project activities. | | Compensation of the PAPs salary or minimum wage (whichever is highest) for 3 months. Priority inclusion in the Livelihood restoration activities (as relevant) Preferential selection for Project related employment. |
| Crops and trees | Crops (if OHTL is rerouted) | Permanent loss | Owner of crops (irrespective of land use rights) | Provision of seeds to replace any lost crops An allowance equivalent to one-year average net income based on the average income over the past three years. Owner of the crops will be allowed to harvest free of cost prior to construction. |
| | Trees (if OHTL is rerouted) | Permanent loss | Owner of trees (irrespective of land use rights) | Replacement of timber trees and compensation for the marked rate of the dried wood volume, Replacement cost of productive tree sapling and annual cost of production for 3 years (the time it takes for new productive tree to grow) multiplied by four. Owner of the tree will be allowed to cut the tree and keep the wood free of cost prior to construction. |
| Community structures and assets | Loss or damage to public infrastructure or utilities (i.e., roads, pipelines, transmission lines) (if OHTL is rerouted) | Permanent | Affected communities | Rehabilitation/replacement of affected structures/utilities to pre-Project state. |

| | | | | |
|-----------------------|--|-------------------------------|---|--|
| Vulnerable Households | Additional losses or impacts as a result of vulnerable status. | Either permanent or temporary | Herders and herder employees as their income and livelihood activities depend on natural resources (land resources) and they involve their family members in grazing activities | A one-time in-kind provision of a food basket, including flour and oil among other basic necessities, this will be in addition to compensation for other losses. Priority participation in livelihood restoration activities. Preferential selection for Project related employment. |
| Unanticipated losses | Any other losses | Either permanent or temporary | All affected persons | As per the LRP principles and similar provisions in this entitlement matrix |

8 Compensation and assistance

The legal basis for valuation of land loss is provided in the following legal acts:

- Resolution of Cabinet of Ministers of the Republic of Uzbekistan dated May 25, 2011 № 146 “On compensation calculation for agricultural and forestry losses”.
- Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated November 16, 2019 No.911 “On further improving procedures for providing property rights of individuals and legal entities and procedures for removal and compensation for land plots”

The above listed regulations suggest an approach for calculation of compensation for land loss. EBRD requires that the replacement cost is paid for all Project losses. The replacement cost of land or structures is considered to include (i) fair market value (ii) transaction costs (iii) interest accrued (iv) renovation costs and (v) other payments as applicable. The replacement cost does not take into account the depreciation value of an item.

8.1 Compensation for land acquisition

In order to calculate compensation for land losses, under legal requirements, the khokimiyats of the respective districts will create a commission to determine the amount of compensation and type of compensation to be paid to the landowners, for both land acquisition and servitude. This commission is usually headed by the Deputy Khokim. After issuing a statement on land acquisition or for servitude, the local khokimiyat together with relevant organisations and departments (Land Resources and State Cadastre Department of the district, Architecture and Construction Department of the district and representatives of other competent authorities at the discretion of the khokimiyat) will start the valuation process.

Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 146 dated 25.05.2011 “On measures to implement urban development activities and improve the procedure for allocating land plots for other non-agricultural needs”, in accordance with the Land Code and the Civil Code of the Republic of Uzbekistan, establishes the procedure for determining the size and compensation of losses to owners, users, tenants and owners of land plots, as well as losses of agricultural (pastoral) and forestry production. This will be the case for both land acquisition and servitude.

Since land belongs to JSC “Navoiyazot”, JSC Navoi Mining and Metallurgical Company, and the State Committee on Sericulture and Wool Industry Development, all process related to land acquisition, land lease agreement and calculation of compensation should be performed with participation of these entities.

The estimation of cost of the land plot used by Uzbek citizens on the right of lifelong inheritable ownership at the time of its acquisition, is made by the Departments of Land Resources and State

Cadastre of the district, according to the current prices at the time of the valuation. Specific terms of payment of compensation are established by the decision of Khokims of the district with payment of monetary compensation to be made prior to demolition.

If a project is undertaken using international investments, Resolution of CoB No.911 from 16 November 2019, allows the project to apply the international standards in the realisation of the project. Therefore, NEGU will review compensation against EBRD requirements to ensure full replacement cost is reached and to ensure all eligible parties are compensated as per Table 5 and Table 6 above. If necessary, the Project will bridge the difference between compensations calculations provided by government entities and replacement cost of the land (or asset) under EBRD requirements by including a “top up” so that compensation reaches replacement rates.

Considering that local legislation may not cover all PAPs, particularly illegal land users, should any PAPs be identified that are not covered by the legal requirements, they will be paid the market value, which will be determined by an independent valuer (hired by NEGU) for the land (without depreciation) plus any relevant transaction costs. The Project Developer (NEGU) will be responsible for identifying the rate and will follow the rules and standards prescribed by EBRD.

8.2 Methods of valuing affected assets

It is not expected that assets will be affected by construction of the Project, as per the proposed route. The main impact will be on permanent land loss while placing towers, as well as temporary land loss during construction works.

Under national law, valuation of houses and other structures, as well as perennial crops, pastoral and agricultural lands is in all cases made by an independent valuation company at the expense of the applicant (in this case NEGU). A valuation report is then transferred to the commission (discussed in section 8.1 above). The independent valuation companies use the national standards of property valuation. The key principle of valuation is the principle of replacement based on the relevant market data.

NEGU will ensure the applicability of proposed methods for valuing affected assets against EBRD requirements. It will also involve an independent valuer to ensure provision of an independent view and calculation of loss. The Project will bridge the difference between compensations calculations provided by government entities and replacement cost under EBRD requirements, if necessary.

8.3 Crops and trees

There were no crops or trees identified as being impacted by the proposed Project. However, should the design change and impacts on crops and trees be identified, they will be compensated as follows:

Crops – PAPs will be provided with seeds to replace any lost crops and an allowance equivalent to one-year average net income obtained from the crops, based on the average income received over

the past three years. The owner of the crops will also be allowed to harvest the crops free of cost prior to construction.

Wood trees – A replacement tree or the cost of a timber tree sapling will be provided and compensation for the marked rate of the dried volume of wood. The owner of the tree will be allowed to cut the tree and keep the wood prior to construction.

Productive trees – Replacement tree or the cost of a productive tree sapling and annual cost of production for three years (the time it takes for new productive tree to grow) multiplied by four. As with wood trees, the owner of the tree will be allowed to cut the tree and keep the wood prior to construction.

8.4 Incomes

There will be three different types of entities that will lose income. These include the LLCs, the herders and the herder employees. Should any other type of income loss to a business it will be compensated as per the LLCs and to individual PAP it will be compensated as per herder employees.

LLCs – Resolution of Cabinet Ministers No. 146 requires that the amount of lost profit will be identified based on the estimated average monthly income in the past three years multiplied by the number of months of business interruption and provided as cash compensation.

Herders (permanent impacts) – The amount of compensation paid will be equivalent to the PAPs salary or the Uzbekistan minimum wage (whichever is highest) for six months or more to be determined by NEGU depending on the level of impact. In addition, herders may incur costs to feed animals on less area of land, or land that is less productive. Therefore, they will be provided three months' worth of feed for livestock or an allowance equivalent to three months' worth of feed. They will also be given priority inclusion in the livelihood restoration activities (as relevant).

Herders (temporary impacts) – Compensation will be provided at the rate of the PAPs salary or minimum wage (whichever is highest) for three months. They will also be provided one month worth of feed for livestock or an allowance equivalent to one month worth of feed and priority inclusion in the livelihood restoration activities (as relevant)

Herder employees – The amount of compensation paid will be equivalent to the PAPs salary or minimum wage (whichever is highest) for six months or more to be determined by NEGU depending on the level of impact. They will also receive priority inclusion in the livelihood restoration activities (as relevant).

8.5 Compensation for servitude

According to the Resolutions of the Cabinet of Ministries of the Republic of Uzbekistan No 146 and 911. Compensation for servitude will be determined the same way as for land acquisition; however,

it will be a separate payment. NEGU will again make sure the cost identified by government authorities meets full replacement costs as per EBRD requirements.

Any loses/damages while obtaining servitude rights for land whether it will be for permanent or temporary land loss should be compensated. It is not expected that any assets, including crops and trees will be impacted.

8.6 Vulnerable groups

Additional support should be provided to vulnerable households. This could be in the form of a one-time in-kind provision of a food basket, including flour and oil among other basic necessities, in addition to compensation for other losses.

Vulnerable PAPs should also receive priority participation in livelihood restoration activities and preferential selection for Project related employment (where relevant).

8.7 Allowances

At the LRP stage it will be necessary to determine (through conducting SE survey) if the impacted herders have any vulnerabilities. Allowances should be suggested based on the identified vulnerabilities and scope of impact.

9 LRP Implementation schedule

An implementation schedule will be included in the LRP. It will be detailed and time bound and include all key resettlement activities. In addition to the activities described in section 5.1, the following content should be included in the implementation schedule:

- Community consultations
- LRP disclosure
- Set up and ongoing use of the grievance mechanism
- Detailed design completion
- Site demarcation of affected lands
- Inventory of affected land (and assets)
- Compensation assessment by independent valuer
- Completion of LRP
- Approval of LRP by EBRD
- Payment of compensation and provision of entitlements
- Livelihood restoration activities
- Start of preliminary works
- Start of main construction works
- Internal and external monitoring

No implementation activities have been started at the time of preparing this LARF, as resettlement impacts have not yet been confirmed through the completion of Project designs.

10 Livelihood restoration activities

Livelihood restoration activities will be identified to assist PAPs to restore, if not improve their livelihoods to pre-Project levels. The details of the activities will be identified following confirmation of the Project impacts and will be commensurate with the identified impacts. The activities will be developed in consultation with the PAPs. Specific measures will be identified for vulnerable households, as these households may find it more difficult to recover their livelihoods following the implementation of the Project.

One possible method of livelihood restoration is to identify training courses. Training courses would be identified during the implementation of the LRP through a needs assessment of the participants.

An overall budget for compensation, assistance will be prepared and included in the LRP. The budget will be the responsibility of NEGU.

11 Organizational arrangements

To ensure the effective functioning of the LRP it is important to determine responsible parties and allocate responsibilities between them. As of the writing of this LARF, there are 12 main parties:

- The ESIA Consultant team – Juru;
- Project Implementing Organisation – NEGU;
- The Lender – EBRD;
- State Committee on Sericulture and Wool Industry Development – Landowner;
- “Navoiazot” JSC – Landowner;
- JSC Navoi Mining and Metallurgical Company – Landowner;
- "Uchquduq Chorva Klasteri" LLC – Land leaser;
- "Darxan 2019" LLC – Land leaser;
- "Khorezm Sheep-Breeding Cluster" LLC – Land leaser;
- “Jonkeldi” LLC – Land leaser;
- Uchquduq Zamin Gulshani farm – Land leaser;
- Dilmurod Sharif farm – Land leaser;
- Chorvador Rajab Narzulla farm – Land leaser;
- Dilmurod-Chorva" farm – Land leaser; and
- "Oq-Darband-Chorva farm – Land leaser.

The responsibilities for each key party are discussed in the sections below.

11.1 Key responsible parties

11.1.1 Juru

Juru will be responsible for the preparation of LARF (this document) on behalf of NEGU. Juru's responsibilities include:

- assess the current situation;
- identify main PAPs as per suggested route for the OHTL;
- identify main legislation principles for land acquisition and compensation process; and
- identify key stakeholders that should be consulted during the LRP stage.

11.1.2 NEGU

NEGU should take over realisation of land acquisition and livelihood restoration process following the completion of the ESIA phase (some of the responsibilities listed below may be passed on to the Main Contractor). It will be ultimately responsible for resettlement planning and overseeing the preparation of the LRP (by a competent third-party consultant). NEGU's responsibilities are outlined below:

- oversee the development of the LRP (using a qualified third-party consultant);
- conduct meaningful consultations with PAPs and determine their needs and requirements for additional support;
- negotiate with landowners and agree on lease conditions for permanent and temporary land acquisition;
- negotiate with herders and agree on compensation arrangements;
- arrange hiring an independent valuer to evaluate the land and other constructional impact to PAPs;
- disclose the compensation calculation with PAPs;
- sign Land Lease Agreement with the landowners and herders;
- support the grievance mechanism throughout the LRP process;
- provide payment to PAPs before the commencement of constructional works; and
- restore surrounding land after placing towers and completion of construction works.

11.1.3 EBRD

EBRD has specific requirements for involuntary resettlement under its loan modalities. It also has disclosure requirements that a Project must comply with. EBRD will also monitor the implementation of involuntary resettlement per its requirements. EBRD's responsibilities are as follows.

- review of provided reports;
- disclosure of final reports on EBRD's website (as relevant); and
- periodically review implementation of the Project.

11.1.4 State Committee on Sericulture and Wool Industry Development

As a main landowner and government entity, that allocates pasture lands to its subordinate organisations such as the LLCs the State Committee will take on the following responsibilities:

- provide alternative land/re-define land lease agreement for affected LLC if required;

- support NEGU in providing information on activities of the Committee and its subordinate structures as required to assess the level of impact from Project construction and land acquisition; and
- support NEGU in communication with local LLCs and participate in negotiations for Land Lease Agreements.

11.1.5 JSC “Navoiazot” and JSC Navoi Mining and Metallurgical Company

These organizations will take on the following responsibilities:

- provide details about the assets owned by the LLCs situated along the planned route of the OHTL;
- offer details regarding herders employed by farms, including the number of livestock and the dimensions of grazing areas;
- take part in discussions during the formulation of the LRP (Land Resettlement Plan);
- engage in the inventory survey;
- execute the Land Lease Agreement with NEGU.

11.1.6 “Uchquduq Chorva Klasteri”, “Darxan 2019”, “Khorezm Sheep-Breeding Cluster”, “Jonkeldi” LLCs

These LLCs will assume the following duties:

- provide information on assets belonging to the LLCs along the proposed route of the OHTL;
- provide information about herders who work for farms as well as number of livestock and the sizes of grazing areas;
- participate in consultation for the preparation of the LRP;
- participate in the inventory survey; and
- sign the Land Lease Agreement with NEGU.

11.1.7 Uchquduq Zamin Gulshani, Dilmurod Sharif, Chorvador Rajab Narzulla ,Dilmurod-Chorva and Oq-Darband-Chorva farms

Three farms will take on the following responsibilities:

- provide information on assets belonging to the farms along the proposed route of the OHTL;
- provide information about herders who work for farms as well as number of livestock and the sizes of grazing areas;
- participate in consultation for the preparation of the LRP;
- participate in the inventory survey; and

- sign the Land Lease Agreement with NEGU.

12 Time frame

Table 7 provides an overview of the Project timeframes. The preparation and implementation of the LARF and the subsequent LRP is expected to occur during the Pre-mobilization phase, following financial close, but prior to the commencement of construction. Therefore, it is expected that this work will be undertaken in 2024.

Table 7: Current anticipated development schedule (February 2024)

| Activity | Date |
|--|--|
| Project Categorisation | August 2023 (completed) |
| Scoping and route definition | October 2023 (completed) |
| Consultation on draft ESIA | December 2023 – March 2024 (completed) |
| Finalization of the Submission of draft ESIA | March 2024 |
| EBRD 120-day disclosure period | March to June 2024 |
| Finalise ESIA (including public consultation comments and ongoing studies) | June-August 2024 |
| EBRD Board of Director's consideration and project signing | June 2024 |
| Financial close | Q3 2024 (immediately after signing) |
| Pre-mobilisation (finalisation of route corridor, tower micro-siting, planning and design) | Autumn 2024 (Q3) |
| Construction Start | Winter 2024 (Q4) |
| Construction End | Spring 2026 |

As per requirements of PR5, as well as national legislation, all PAPs will be compensated before commencement of any site mobilisation works at each Project location.

13 Disclosure of information and consultations

Stakeholder engagement up to the writing of this LARF has been undertaken for the scoping report and the preparation of the ESIA report (see the Stakeholder Engagement Plan (SEP) Volume V for further details). During these meetings and discussions, the potential land acquisition impacts have been discussed as described in the sections below. Consultation on affected land cannot be completed until the final design of the Project has been determined and will be updated in the SEP and elaborated in an LRP at the appropriate time.

13.1 Consultations

As a part of the ESIA preparation for OHTL, Juru interviewed herders along proposed OHTL route. Initial identification and interviews with herders were conducted on October 21-22, 2023 (at the Scoping stage), and the aim of consultations was to determine the type of land use and gain a preliminary understanding of the PAPs and the Project's impacts on them.

Overall, 9 herder households were identified along the OHTL. All identified herders graze livestock close to the proposed OHTL route and own assets (mainly houses and stables).

13.2 Stakeholders

Key stakeholders for the land acquisition and livelihood restoration impacts include:

- State Committee on Sericulture and Wool Industry Development;
- JSC "Navoiyazot";
- JSC Navoi Mining and Metallurgical Company;
- "Uchquduq Chorva Klasteri" LLC;
- "Darxan 2019" LLC;
- "Khorezm Sheep-Breeding Cluster" LLC;
- Jonkeldi LLC;
- Uchquduq Zamin Gulshani farm;
- Dilmurod Sharif farm;
- Chorvador Rajab Narzulla farm;
- Dilmurod-Chorva" farm;
- "Oq-Darband-Chorva farm;
- Herders;
- Local community leaders; and
- NGOs or other interested parties (if relevant).

13.3 Future engagement with PAPs

Preparation of the LRP will require consultation with all of the identified stakeholders. It will also require a socioeconomic and census survey (which can be undertaken simultaneously), and disclosure

to the PAPs of a cut-off date for compensation and disclosure of the grievance mechanism. This future engagement will be defined in the LRP.

14 Grievance mechanism

EBRD PR10 requires its Clients to establish an effective grievance mechanism in order to keep communication with stakeholders, i.e., be aware of their concerns, and provide responses to their inquiries. At the Scoping and ESIA stages of the Project, Juru will be responsible of receipt of grievances with assistance from NEGU. However, following the ESIA phase the responsibility for grievance receipt and redress will be entirely the responsibility of NEGU. This includes general community grievances and grievances related to involuntary resettlement activities.

14.1 Grievance reporting and resolution

Grievances can be raised through the following methods:

- directly to Project staff during meetings, or Project site visits;
- via phone calls;
- in written form (text messages via email, mobile applications, written requests etc).

Contact details for each of these methods are included in the next section (section 14.3).

Juru has prepared a grievance form to be used when a grievance is received. The grievance form is provided in Annex B: Project grievance form. The grievance form was prepared based on location, language preferences as well as communication opportunities of identified stakeholders.

14.2 Responsibilities

14.2.1 Juru

During the scoping and ESIA phase, stakeholder engagement is being undertaken by Juru. Therefore, Juru is acting as the main focus point for PAPs to raise grievances from local communities. Any grievances raised will be recorded in the grievance form and logged in the grievance log. NEGU will assist in the resolution of grievances and Juru and/or NEGU will provide a response to the grievance.

14.2.2 NEGU

NEGU will identify sufficient staff members to undertake land acquisition and livelihood restoration engagement activities as required in this LARF. These staff members will start once identified and assist Juru in engagement activities. It will take over engagement activities following the ESIA phase. It is expected that a Community Liaison Officer will be identified by NEGU. This person will be the main point of contact between the Project and the local communities.

14.3 Contact details

Contact details of Juru representatives that will be responsible for receipt of grievances during the ESIA stage are provided in Table 8.

Table 8: Juru contact details

| Juru | Contact Details |
|--|---|
| Lidia Bakhova – Environmental Consultant | Email: l.bakhova@juru.org ; srmy-murn-esia@juru.org Phone: +998 (91) 009-16-39 |
| Dostonjon Kuldoshov – Social Consultant | Email: d.kuldoshov@juru.org ; srmy-murn-esia@juru.org Phone: +998 (71) 202-04-40 |

The current point of contact for NEGU is included in Table 9.

Table 9: NEGU contact details

| NEGU | Contact Details |
|--|---|
| Shuhrat Badalov – Head of Project Implementation Unit) | Email: piu.sarimay.muruntau@gmail.com Phone: +998 (99) 856-56-92 |

14.4 Confidentiality and anonymity

The grievance mechanism will keep strict confidentiality of data, including the personal information of all applicants. At the stage of grievance receipt/registration the complainant will be informed that they can submit a grievance anonymously. Complainants will be informed that some grievances may not be able to be responded to if they are made anonymously.

14.5 Grievance resolution options and response

The approach taken to resolve grievances will depend on the nature, frequency of occurrence and the number of grievances. Upon the receipt of a grievance, by any means of communication, it will be entered into the grievance log to ensure that all raised concerns/inquiries are investigated and addressed. The grievance log is provided in Annex C: Project grievance log.

After receipt and registration of a grievance, an applicant will receive written notification that includes a proposed timeline for the investigation depending on the request and preliminary time of receipt of a response.

Responses will be provided in a language that is suitable for the complainant, i.e., Uzbek, Russian or Kazakh. JE will be responsible for the receipt and monitoring of grievances during the ESIA phase of the Project and NEGU will be responsible following the ESIA phase. Resolution of the grievance will be communicated to the applicant in written form. In cases where the complainant cannot receive a written response, the complainant will be contacted via phone call and informed of the results of their grievance. Table 10 provides the timeframes for response to grievances.

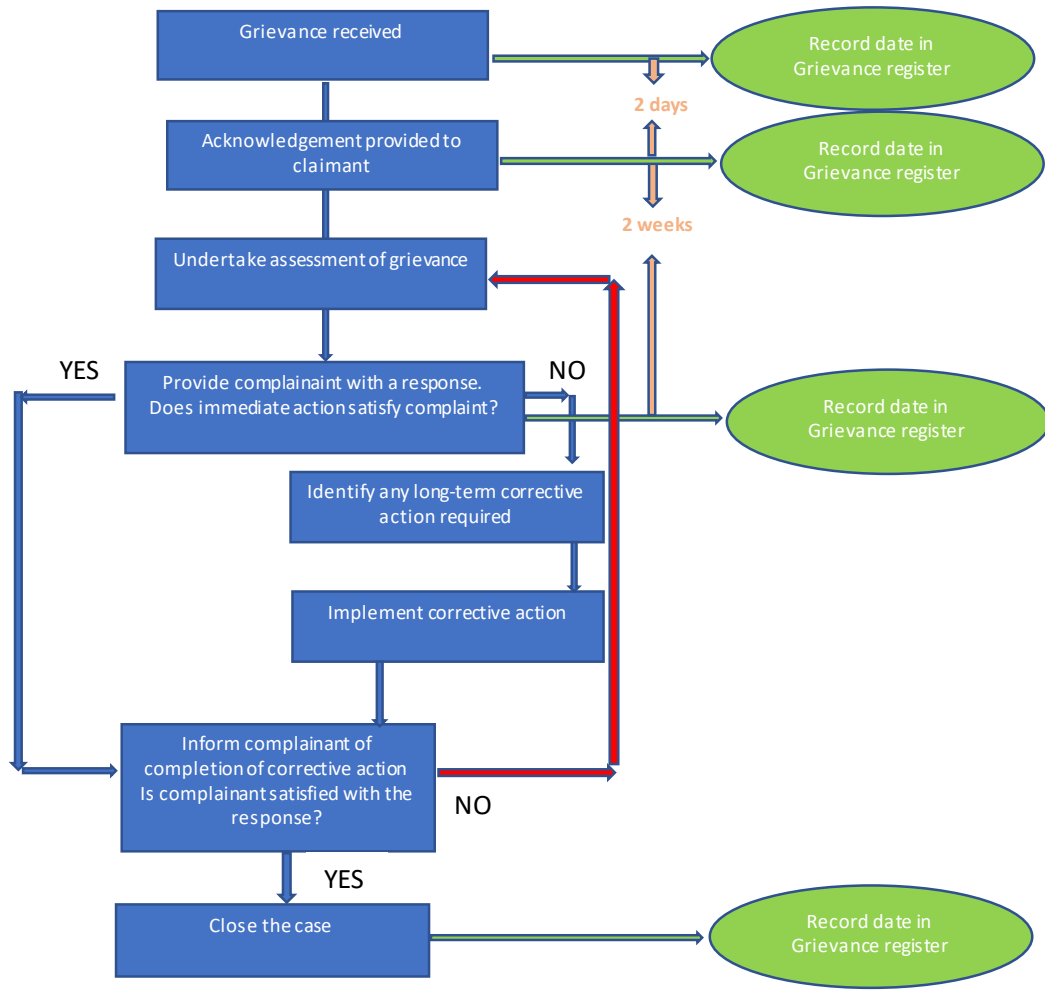
Table 10: Grievance Process and Timeline

| Receipt and registration of grievance | - |
|--|--|
| Providing acknowledgement of grievance receipt to complainant | Maximum 2 days after submission of grievance |
| Assessment/investigation of received grievance | Maximum 2 weeks after submission of grievance |
| Providing complainant with a response | Maximum 2 weeks after submission of grievance |
| Reassessment of grievance in case if complainant is not satisfied with previous provide response | Maximum 2 weeks after notification of dissatisfaction by the complainant |

Where complex grievances, or other factors are extending the investigation time, the complainant will be informed of this delay and advised of an updated expected timeline for a response. Figure 23 provides a flow chart of how a grievance can be filed by a PAP.

In cases, when a complainant is not satisfied with proposed solution/response to the grievance, they have the right to take other legal action to resolve the grievance.

Figure 23: Grievance mechanism flow chart



15 Implementation costs

The final budget intended for compensation, monitoring as well as the type of additional support to be provided to PAPs will be included in LRP.

16 Monitoring and reporting

Monitoring will enable the Project to establish continuous communication with PAPs through the grievance mechanism, assess the process of LRP implementation, and ensure the implementation of actions required under national law and EBRD requirements while land acquisition and restoration of livelihoods are being achieved.

The livelihood restoration process will be monitored by NEGU (or the Main Contractor). There are various activities that require monitoring and reporting as part of this LARF. They are discussed in the following sections.

16.1 Resettlement reporting

Current LARF will be disclosed as part of the ESIA documentation. Following preparation of the LRP, regular monthly internal reporting will be prepared during LRP implementation to disclose livelihood restoration progress. Main indicators will include, but will be not limited to, the following:

- consultations with stakeholders and PAPs. Outcomes of consultations (response letters, MoMs etc);
- compensation paid;
- livelihood restoration activities undertaken; and
- grievances received.

16.2 Resettlement completion report

Following the completion of LRP implementation an LRP completion report will be prepared which will disclose the process undertaken, any lessons learned and the final outcomes of the livelihood restoration activities. As the level of impact is not significant, it is expected that an external completion audit will not be necessary.

16.3 Grievance logging

Tracking and logging for each grievance should be recorded in a grievance log (Annex C: Project grievance log). Each grievance will be given an individual identification number and followed through by recording details and timing of its resolution and close-out.

Annex A: Resettlement Plan Table of Contents

| | |
|----------------------------|--|
| Introduction | <ul style="list-style-type: none"> • Purpose, scope and content of the plan. • How the plan was prepared and approved and by whom. |
| Project description | <ul style="list-style-type: none"> • General description of the project and description of the project components and activities that will require land acquisition and cause physical/economic displacement. |
| Project impacts | <ul style="list-style-type: none"> • Expected project impacts/losses associated with the project components/phases covered by the plan. • Explanation of all activities and alternatives considered to avoid or minimise displacement. |
| Legal framework | <ul style="list-style-type: none"> • National legal framework (expropriation, land tenure) and provision of resettlement/livelihood restoration assistance). • EBRD requirements. • Gap analysis between national legislation and EBRD requirements and measures to bridge any gaps between them. • If necessary, a more detailed gap analysis addressing the specific legal requirements that pertain to the displacement caused by project components in question. |
| Affected people and assets | <ul style="list-style-type: none"> • Results of the socio-economic survey and any other tools used, such as focus groups, covering, for example: <ul style="list-style-type: none"> ○ people/households who will be physically displaced and their land ownership status; ○ people/households/businesses who will be economically displaced and their land ownership status; ○ standard characteristics of displaced people/households businesses and baseline information; ○ information on vulnerable groups; ○ social networks and social support systems, and how they will be affected by the project. • Description of affected assets, including natural resources, public infrastructure and services. |
| Eligibility | <ul style="list-style-type: none"> • Description and results of the census. • Cut-off date for eligibility. • Eligibility of categories of displaced persons for compensation and other resettlement assistance. |

| | |
|---|---|
| Entitlements matrix | <ul style="list-style-type: none"> Entitlements matrix addressing categories of losses and entitlements pertaining to the project components/phases in question. |
| Compensation and assistance | <ul style="list-style-type: none"> Description of the methodology for valuing losses to determine their replacement cost. Description of compensation and assistance measures. Description of process for executing compensation and assistance. Description of organised resettlement programme (selection of locations, design of housing, planned infrastructure, improvements for host community), if applicable. |
| Organisational arrangements | <ul style="list-style-type: none"> Procedures for the delivery of entitlements and the roles and responsibilities of all involved agencies/organisations (client, authorities, various service providers), including coordination arrangements. |
| Time frame | <ul style="list-style-type: none"> Implementation time frame covering all activities from preparation of the plan through implementation, including monitoring and evaluation. |
| Disclosure of information and consultations | <ul style="list-style-type: none"> Description of engagement activities undertaken as part of developing the plan, its finalisation and approval. Summary of the views expressed and how these were taken into account in preparing the plan. Description of planned stakeholder engagement during implementation. |
| Grievance mechanism | <ul style="list-style-type: none"> Description of grievance mechanism with contact details of those responsible for grievances for the project component/phase in question. |
| Monitoring and reporting | <ul style="list-style-type: none"> Description of the internal and external monitoring and evaluation arrangements. Monitoring indicators to measure inputs, outputs, and outcomes for resettlement/livelihood restoration activities. Reporting on implementation of the plan. |
| Implementation costs | <ul style="list-style-type: none"> Tables presenting expected costs for all resettlement activities and sources of funds. |

Annex B: Project grievance form

a) English version

| <u>SARIMAY-MURUNTAU OHTL GRIEVANCE FORM</u> | |
|--|---|
| <i>To be used for grievance(s) comments, suggestions, or/and inquires or any other matters</i> | |
| Reference number | <i>(to be filled in by Juru representative)</i> REF: |
| INSTRUCTIONS | <p>Please fill in this Grievance form in clear handwriting and submit through one of the following means:</p> <ul style="list-style-type: none"> - Directly to Juru - By email to: <ul style="list-style-type: none"> g.nematullaeva@juru.org l.bakhova@juru.org - Phone Number: <ul style="list-style-type: none"> +998 97 445 95 04 +998 91 009 16 39 |
| Full Name | First Name: |
| | Last Name: |
| | <input type="checkbox"/> I wish to raise my grievance anonymously <i>(You can remain anonymous if you prefer but we may not be able to contact you with a response to your concern)</i> |
| | <input type="checkbox"/> I wish to raise my grievance confidentially <i>(You can remain confidential in all reporting if you prefer)</i> |
| Contact Information | <input type="checkbox"/> By Post: <i>Please provide:</i> |
| | <input type="checkbox"/> By telephone: <i>Please provide:</i> |
| | <input type="checkbox"/> By email: <i>Please provide:</i> |

| | | | |
|--|--|-------|--|
| Please mark how you wish to be contacted (mail, telephone, e- mail) | | | |
| Preferred Language of Communication | <input type="checkbox"/> Uzbek | | |
| | <input type="checkbox"/> Russian | | |
| | <input type="checkbox"/> Turkmen | | |
| | <input type="checkbox"/> Kazakh | | |
| | <input type="checkbox"/> English | | |
| <p>Description of Incident/Grievance</p> <p><i>What happened?</i></p> <p><i>Where did it happen?</i></p> <p><i>Who did it happen to?</i></p> <p><i>What is the result of the problem?</i></p> | | | |
| Date of Incident/Grievance | <input type="checkbox"/> One-time incident/grievance (date...) | | |
| | <input type="checkbox"/> Happened more than once (how many times?) | | |
| | <input type="checkbox"/> Ongoing (currently experiencing problem) | | |
| What would you like to see happen to resolve the problem? | | | |
| Signature: | | Date: | |

b) Uzbek version

| SHIKOYAT MUROJAATNOMASI SHAKLI | |
|---|--|
| <i>Izohlar, takliflar yoki/va yoki boshqa masalalarni ko'tarish uchun foydalanilmaydi</i> | |
| YO'RIQNOMA | <p>Iltimos, ushbu shikoyat murojaati shaklini aniq yozuvda to'ldiring va quyidagi aloqa vositalari orqali taqdim eting:</p> <ul style="list-style-type: none"> - To'g'ridan-to'g'ri Juru ga - Elektron manzil orqali: g.nematullaeva@juru.org l.bakhova@juru.org - Telefon orqali: +998 97 445 95 04 +998 91 009 16 39 |
| F.I.Sh | Ismi: |
| | Familiyasi: |
| | <input type="checkbox"/> Murojaatimni anonim tarzda bo'lishini istayman. (Hohishingizga ko'ra anonim tarzda murojaat qilishingiz mumkin, ammo u holda masalangiz yuzasidan sizga javob bilan murojaat qila olmaymiz) |
| Aloqa ma'lumotlari | <input type="checkbox"/> Pochta orqali: <i>Iltimos, manzilni ko'rsating:</i> |
| Murojaatga javob olish shaklini ko'rsating (pochta, telefon, e-mail). | <input type="checkbox"/> Telefon orqali: <i>Iltimos, manzilni ko'rsating:</i> |
| | <input type="checkbox"/> Email orqali: <i>Iltimos, manzilni ko'rsating:</i> |
| Afzal ko'riladigan aloqa tili | <input type="checkbox"/> O'zbek |
| | <input type="checkbox"/> Rus |
| | <input type="checkbox"/> Turkman |
| | <input type="checkbox"/> Qozoq |
| | <input type="checkbox"/> Ingliz |

| | | | |
|---|--|--------------|--|
| <p>Murojaat/shikoyat mazmuni</p> <p><i>Nima sodir bo'ldi?</i></p> <p><i>Qayerda?</i></p> <p><i>Kim buni boshidan o'tkazdi?</i></p> <p><i>Natijada nima sodir bo'ldi?</i></p> | | | |
| <p>Murojaat/shikoyat sanasi</p> | <input type="checkbox"/> Bir martalik murojaat/shokioyat (sana _____) | | |
| | <input type="checkbox"/> Bir necha marta yuborilgan murojaat/shikoyat (necha marotaba _____) | | |
| | <input type="checkbox"/> Davom etayotgan (ayni paytda yechimi topilayotgan murojaat) | | |
| <p>Muammoni hal qilish uchun qanday chora-tadbirlar qo'llanishini xohlaysiz?</p> | | | |
| <p>Imzo:</p> | | <p>Sana:</p> | |

Annex C: Project grievance log (template)

| ID | Date | Name of Grievant | Contact Details | Preferred Language | Requested Anonymity? | Description of the problem | Responsible Person | Actions to be undertaken | Due date | Results of the Actions | Closing date | Evidence (if applicable) |
|----|------|------------------|-----------------|--------------------|----------------------|----------------------------|--------------------|--------------------------|----------|------------------------|--------------|--------------------------|
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |