

# Land Acquisition and Resettlement Framework

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## Uzbekistan: Water Supply and Sanitation Services

Prepared by the Uzbekistan Communal Services Agency of the Republic of Uzbekistan for the Asian Development Bank (ADB).

The resettlement document is that of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

## ABBREVIATIONS

ADB	–	Asian Development Bank
AF	–	Affected Family
AP	–	Affected Person
CLARC	–	Central Land Acquisition and Resettlement Commission
DMS	–	Detailed Measurement Survey
EA	–	Executing Agency
EMA	–	External Monitoring Agency
FDEA	-	Farmers and Dehkans Enterprisers' association
FY	–	Fiscal year
GOU	–	Government of Uzbekistan
GRC	–	Grievance Redress Committee
IA	–	Implementing Agency
IMA	–	Internal Monitoring Agency
IP	–	Indigenous People
LARF	–	Land Acquisition and Resettlement Framework
LARP	–	Land Acquisition and Resettlement Plan
MFF	–	Multi-tranche Financial Facility
NGO	–	Non-Government Organization
PC	–	project consultants
PIU	–	Periodical Financial Request
PFR	-	Project Implementation Unit
PLARC	–	Provincial Land Acquisition and Resettlement Commission
PPMU	–	Program Preparation and Management Unit
PPTA	–	Project Preparatory Technical Assistance
PCLRGPC	–	Province Committee on Land Resources, Geodesy, Cartography and Province cadastre
SESU	-	Social and Environment Sub-Unit
WUA	-	Water Users Association

### NOTE

- (i) In this report, "\$" refers to US dollars.

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## DEFINITION OF TERMS

**Beneficiary Community:** All persons and households situated within the government-owned or acquired property, who voluntarily seek to avail and be part of the Program and represented by a community association that is duly recognized by the community residents, accredited by the local government, and legally registered with appropriate institutions / competent authorities.

**Compensation:** Payment in cash or in kind of the replacement cost of the acquired assets.  
**Entitlement:** Range of measures comprising compensation, income restoration, transfer assistance, income substitution, and relocation which are due to affected persons, depending on the nature of their losses, to restore their economic and social base.

**Cut-off-date:** shall conform to the date of commencement of the affected persons (AP) census in the specified area.

**Land Acquisition:** The process whereby a government agency compulsorily alienate all or part of the land a person owns or possesses and transfer the ownership and possession to the government agency for public purpose in return for a consideration.

**Affected Person/People (AP):** Any person affected by Program-related changes in use of land, water, natural resources, or income losses. APs include those having losses as described in Table 2, the Entitlement Matrix which includes both titled and non-titled persons experiencing resettlement impacts due to the Program.

**Affected Family:** All members of a household, residing in one house and operating as a single economic unit, who are adversely affected by the Program or any of its components. It may consist of a single nuclear family or an extended family group.

**Rehabilitation:** Compensatory measures provided under the Land Acquisition and Resettlement Framework other than payment of the replacement cost of acquired assets.

**Replacement Value:** The amount required for the Affected Household to replace/reconstruct the assets acquired by the government agency through purchase in the open market. See Table 2: Entitlement Matrix in this document.

**Resettlement:** All measures taken to mitigate any and all adverse impacts of the Program on AP's property and/or livelihood, including compensation, relocation (where relevant), and rehabilitation.

**Below Poverty Line (BPL) Households:** There is no designated sum determined by the Government of Uzbekistan to define a BPL household. However, the minimum wage rate declared as 28000 Soum per person a month, is being considered as the poverty line for the program. Besides, households availing of assistance under Govt. scheme for the poor families will also be considered BPL households.

**Vulnerable Households:** Households headed by women, having disabled persons, ethnic minorities, elderly persons living alone and BPL households.



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## I. INTRODUCTION

1. The Water Supply and Sanitation Improvement Program (the Program) involves rehabilitation, improvement or construction of water supply and sanitation systems in the country's urban settlements. The program will be financed by ADB through a Multi-tranche Financial Facility (MFF). There will be four or more tranches associated with the Program. Tranche 1 will comprise investments in three provinces (Oblast) of Navoi, Bukhara, and Surkhandarya.

2. Construction activities under the Program are expected to cause no or minimal Land Acquisition and Resettlement (LAR) impacts. This Land Acquisition and Resettlement Framework (LARF) is prepared to address LAR issues if and when they occur in the course planning and implementation of the whole Program. This LARF establishes the principles and procedures for the compensation of possible loss of land, houses, buildings, crops, and livelihoods during the Program implementation in line with the *ADB Policy on Involuntary Resettlement* and the relevant policies and guidelines on land acquisition of the Government of Uzbekistan. Subproject Land Acquisition and Resettlement Plans (LARP), if necessary, will be prepared in accordance with this LARF. This document has been approved by UCSA, the Program Executing Agency (EA), and its provisions have been endorsed by the Rayon Executive Powers in the Program Impact Areas.

## II. LAR PROCESSING REQUIREMENTS

3. Based on ADB policy/practice, the appraisal of the MFF/tranche 1 and the provision of Periodic Financial requests (PFR) for each successive tranche, will require the preparation of the following documents:

- (i) An updated LARF. The present LARF will be reviewed, if necessary updated, and then submitted for ADB approval at the start of the preparation of each tranche after the first;
- (ii) An Initial Poverty and Social Assessment (IPSA) indicating, for each tranche, whether LAR impacts will occur, if so, their type and magnitude.
- (iii) A LARP based on detailed design for each project with LAR impacts. The LARP will include detailed compensation and administration budgets and implementation schedules linking LAR tasks to the initiation of civil works.

4. The content and the level of details of each LARP will be in accordance with ADB procedures as detailed in the *Operations Manual (OM) Section F2/OP & BP (2006)*. Accordingly, a *Full* LARP will be prepared for all subprojects with "significant" impacts (Category A—the impacts are considered *significant* if 200 or more people are being displaced and/or are losing 10% or more of their productive, income generating assets). Subprojects with less significant impacts will require only a short LARP (Annex A).

5. Appraisal of the MFF/tranche 1, PFR approval for each successive tranche, approval of contract awards and provision of notice to proceed to the contractors for projects with LAR impacts will be based on the following LAR-related conditions:

- (i) **MFF and first tranche appraisal:** Conditional to the preparation of: (a) a LARF for the whole MFF approved by ADB and EA and, (b) implementable LARPs approved by ADB and EA for all Tranche 1 subprojects with LAR impacts.
- (ii) **PFR approval for successive tranches:** Conditional to (a) review and, if needed, updating of the LARF, and (b) preparation of an implementable LARP

approved by ADB and EA consistent with the revised LARF for each project requiring LAR.

- (iii) **Civil Works Contract Awards signing:** Conditional to the preparation of an implementable LARP approved by ADB and the EA consistent with the revised LARF for each subproject requiring LAR.
- (iv) **Provision of notice to proceed to contractors:** Conditional to full LARP implementation (full delivery of compensation/rehabilitation provisions) for the relevant project. This condition will be clearly spelled out in the civil works contract.

### III. LARP APPROVAL PROCESS

6. LARP preparation will be carried out by the resettlement specialist from Social and Environmental Sub Unit (SESU) of Program Preparation and Management Unit (PPMU) with support from the Project Consultants (PCs) hired by UCSA for the duration of the Program's LAR activities. The PCs will have international and local LAR capacity sufficient to cover all LAR planning and implementation needs throughout the Program implementation. The LARPs will be first approved by UCSA and then will be endorsed by the Rayon Executive Powers of the subproject impacted areas.

### IV. LEGAL AND POLICY BACKGROUND

#### A. Uzbekistan Laws and Regulations on Land Acquisition and Resettlement

7. There are no laws or legislation in Uzbekistan that specifically address matters related to involuntary resettlement (IR). The most important regulations of these are:

- (i) The Land Code; approved by the Law of the Republic of Uzbekistan from 30.04.1998, taking the changes of 2003-2004 into account;
- (ii) The Civil Code of Republic of Uzbekistan from 1996, taking the changes of 2004-2008 into account;
- (iii) Law of the Republic of Uzbekistan on "State Cadastre" N171-II from 15.12.2000
- (iv) Law of the Republic of Uzbekistan on "State land cadastre" N666-I from 28.08.1998r taking the changes of 2002-2004 into account
- (v) Cabinet of Ministers Resolution on "Approval of Regulation on the order of legalization of seizure and allocation of land plots for non-agricultural needs in the Republic of Uzbekistan" No. 248, 27 May 1992
- (vi) Cabinet of Ministers Resolution on "Approval of the Regulation on the order of adjudication of land disputes in the Republic of Uzbekistan" №246 from 25.05.1992;
- (vii) Cabinet of Minister Resolution on "Order of realization into private property of objects of trade and public services together with land plots, where they are located, and land plots into life inherit tenure" №126 from 11.04.1995, taking the changes of CoM Resolution № 202 from 30.04.1999 into account;
- (viii) Resolution of CoM "On approval of the sizes of agricultural production losses compensation, relating to land acquisition, for needs not connected with farming or forestry management" № 223 from 16.06.1995;
- (ix) Resolution of CoM "On approval of the regulation on the order of identification of the sizes of agricultural production losses compensation, relating to land acquisition, for needs not connected with farming or forestry management" № 282 from 15.06.1992;

8. Collectively, these regulations provide a sound basis for acquiring land for public purpose and for compensating land users registered for particular purpose, such as for cultivation, business, residence etc. However, no one is compensated for land as land is a state owned asset. A brief account of the provisions is given below. A detailed matrix of the relevant provisions is given in Annex B.

#### 9. Land Code of Republic of Uzbekistan (2003).

- (i) According to the **Article 16** of the Land Code of the Republic of Uzbekistan land is a state property, and considered to be national wealth and protected by the state.
- (ii) **Article 17** provides rights of legal entities and individuals for land plots on the basis of constant possession, constant and temporary use, lease and property.
- (iii) **Article 23** regulates the assignment of the land plots. Assignment (realization) of land plots into possession or use is fulfilled as if allotment is made. Land plots allotment is implemented by the CoM, provincial, Tashkent, districts and cities hokimiats in the order to be established by the legislation. Assignment (realization) of land plots, being possessed or used, is carried out only after acquisition of this plot in an established order. Lands that are not suited for agricultural purposes or of low-quality are assigned for construction of industrial enterprises, housing projects, railway, automobile, water and air transport, electric transmission lines, communications and pipelines and for other non-agricultural purposes. Assignment (realization) of land plots for the above mentioned purposes out of land resources of forestry's is carried out firstly in the districts, not covered by plantation, or in regions, covered by bushes or plants, of little value. It is forbidden to start possession or use the given (realized) land plots before appropriate land surveying authority defines the borders of this plot in field and issue documents, identifying rights for this plot. The procedures of concession (realization) into possession and use are carried out according to current legislation.
- (iv) **Article 35** establishes that the right of entities and individuals for land plots is subject to state registration by local authority to be completed within 10 days since the appropriate documents are submitted.
- (v) **Article 37** defines terms of redemption/ seizure of land plot for state and public needs. Land plot acquisition or part of it for state and public needs is carried out at agreement with landowners or with the concurrence of land user and lease holder at decision of district or province hokim or CoM. In case of disagreement with landowner, landuser and leaseholder with the decision on acquisition of land plot, this decision can be appealed in court.
- (vi) **Article 41** ensures the rights for land plots and establishes, that outraged rights of land owners, landusers, leaseholders and owners of land plots are subject to reinstating in legislative order. Losses, caused by the infringement on rights of landowners, landusers, leaseholders and owners of plots (including lost profits) are subject to compensation in full amount. Compensation for land acquisition for state and public needs is regulated by Article 86.

- (vii) **Article 80** defines environmental requirements to location, design, construction and operation of objects, buildings and constructions with reference to environmental protection legislation. For allocation, design, construction and launching of new and under rehabilitation objects, buildings and constructions, as well as realization of new technologies, that has negative impact to land state, land protection activities shall be provided and carried out. Negative impact of newly realized object and technology on a land state and performance of provided activities on land use and protection assessment is done on the basis of environmental expertise. Installation of objects and application of new technologies, not provided with land protection against degradation or infringement and satisfactory conclusion of environmental expertise is forbidden. Allocation of objects, having impact on land state, shall be agreed with land surveying, environmental protection and other bodies in an established legislative order.
- (viii) **Article 86** defines common procedures of compensation to landowners, landusers, leaseholders and owners of plots. Losses, inflicted to landowners, landusers, leaseholders and owners of plots, are subject to compensation in full amount (including lost profits) in the following cases of:
- Acquisition, redemption or temporal occupation of lands;
  - Limitation of their rights in connection with assignment of conservation, sanitary and protection zones around state reservations, wildlife preserves, national recreation areas, natural monuments, cultural-historical monuments, water reservoirs, water supply sources, resorts, along rivers, canals, water escapes, roads, transmission lines, communication and electrical lines;
  - Deterioration of lands, resulting impact, caused by construction and operation of reservoirs, canals, collectors and other objects, emitting harmful for agricultural crops and plants substances, and other activities of legal entities and individuals, causing harvest reduction and agricultural products deterioration.

Losses compensation is carried out by enterprises, organizations and agencies, which has been allocated with plots under acquisition, as well as by enterprises, agencies and organizations, whose activity causes limitation of rights of landowners, landusers, leaseholders and owners of plots or deterioration of nearby lands, in order established by legislation.

- (ix) **Article 91** provides return of self willingly occupied land parcels and establishes, that occupied lands shall be returned according to their property without refunding the expenses made during illegal possession and use. Bringing land parcels into suitable condition for use, including demolition of buildings, shall be done on the expense of those, who occupied land plots self willingly. Return of land plots occupied in such manner to landowners, landusers, leaseholders and land holders is carried out in agreement with local authority or under the court decision.

#### 10. **Civil Code (1996/1997).**

- (i) **Article 187** establishes acquisitive prescription and states that a person who is not the owner of property but who has in good faith, openly, and uninterruptedly possessed as his own immovable property for fifteen years or other property for five years, shall acquire ownership of this property.

- (ii) **Article 199** states that the alienation of property from an owner shall be allowed only by the procedure provided by legislative acts. If property has come into ownership by a person to whom by virtue of a Law the property may not belong to him, the right of ownership for this property shall be terminated by the procedure of a court with compensation the value of taking of property to the person.
- (iii) **Article 206** states that termination of the right of ownership in connection with a decision of state body non-directed to the taking of property from an owner including with a decision on the taking of land parcel on which there are a house of the owner, other buildings, structures or plantations, shall be allowed only in cases and by the procedure established by legislative acts with provision to the owner equal property and compensation to him in full of value of losses caused by termination of the right of ownership. In case of disagreement of an owner with a decision entailing termination of the right of ownership, it may not be made before the rendering of a decision in the dispute by a court
- (iv) **Article 212** defines an unauthorized building is a dwelling house, other structure, construction, or other immovable property made on a land parcel not allocated for these purposes by the procedure established by legislation and also made without receipt of the necessary permissions thereto or with substantial violation of architectural and construction norms and rules. A person who has made an unauthorized building does not acquire the right of ownership to it. He does not have the right to dispose of the building.
- (v) An unauthorized building by a suit of a person whose rights have been violated or the respective state body must be torn down by a decision of a court at this person's expense. The right of ownership to an unauthorized building may be recognized by a court for the person who made the building on a land parcel not belonging to him on the condition that the given parcel shall be granted to this person by the established procedure for the building that was made. The right of ownership to an unauthorized building may not be recognized for the person if the keeping of the building violates the rights and interests of other persons or creates a threat to the life and health of citizens.

## **B. Compensation Valuation Methods in Uzbekistan**

11. **Land.** Land is an exclusive ownership of the Republic of Uzbekistan (Land Code, article 16). Individuals and juridical persons may to petition and receive land plots for use in specific intents in legislatively established order, including auction and tender grounds. Lands, acquiesced for water supply and sanitation mains are not subjects to assignment for private property (appendix № 4 to the Resolution of CoM "On realization procedure to private property of trade and public services objects along with land plots, where they are located and land plots in lifelong inheritable tenure" № 126 from 11.04.1995). Then those land plots are subject to registration in established order.

12. If the land is alienated for public needs to individuals, who has right of owner, user and land owner, optionally the equal land is provided. In case of impossibility to provide equal land at will of land owner, land user or owner he is compensated the values of land plot. Value of land plot is calculated according to normative value in accordance with Resolution of the CoM

“On realization procedure to private property of trade and public services objects along with land plots, where they are located and land plots in lifelong inheritable tenure” № 126 from 11.04.1995” and temporal instruction of calculation of normative value of agricultural lands of agricultural manufactures in the Republic of Uzbekistan (Decree of the Chairman of Uzbekistan State Committee for land resources, geodesy, cartography and state cadastre, approved by the Order of Chairman of the Committee №19 from 16.02.2006 and registered in Ministry of Justice on 19.04.2006 №1563). Abovementioned normative acts provide opportunity to apply multiplying factors at cost estimation of land plots depending on their real demand and supply (appendix 3 to the Resolution of CoM “On realization procedure to private property of trade and public services objects along with land plots, where they are located and land plots in lifelong inheritable tenure” № 126 from 11.04.1995)

13. **Other immovable property, including buildings, constructions, structures, planting.** In case of land alienation for state and public needs, enterprises, agencies and organizations, for who the land is alienated, should provide construction works of living, production and other structures on new lands, in substitution of impounded ones and compensate individual and juridical persons, who has rights of owner, user or landholder in full volume all other losses (including lost profit), according to article 37, 41, 86 of the land code

14. Cost estimation of compensation for immovable property (buildings, constructions, perennial and annual planting) is undertaken by valuation committee of hokimiyat, with all juridical and individual persons, whose property was alienated during Project implementation involved. The amount of compensations should be obligatory agreed with all effected persons and households.

### **C. ADB’s Involuntary Resettlement Policy**

15. The ADB Policy on Involuntary Resettlement is based on the following principles:
- (i) Involuntary resettlement should be avoided, and if unavoidable should be minimized by applying alternate engineering option.
  - (ii) Compensation will ensure the maintenance of the APs’ pre-project living standards.
  - (iii) APs should be fully informed and consulted on LAR compensation options.
  - (iv) APs’ socio-cultural institutions should be involved as much as possible in the resettlement process.
  - (v) Compensation/rehabilitation will be executed with equal consideration of women and men.
  - (vi) Absence of formal legal land title should not be a bar to compensation entitlements.
  - (vii) Particular attention should be paid to households headed by women and other vulnerable groups, such as IPs and ethnic minorities, and appropriate assistance should be provided to help them improve their status.
  - (viii) LAR should be conceived and executed as a part of the Program, and the full costs of compensation should be included in Program costs and benefits.
  - (ix) All compensation and resettlement subsidies should be provided prior to the dispossession of the property.

### **D. Comparison of Uzbek LAR Laws/Regulations and ADB Resettlement Policy**

16. Comparison of Land Code of Republic of Uzbekistan with the ADB Policy on Involuntary Resettlement (IR) indicates that key elements of the ADB Policy are present to a certain degree

in these laws, specifically in the context of valuation of immovable property, except for compensation for land, not registered legislatively other than land, such as, usage of right over land and compensates citizens having land use registered under the Article 35 of Land Code of Republic of Uzbekistan.

17. The ADB's principle of avoidance or minimization of resettlement is reflected in Uzbekistan Legislation. According to Land Code for construction of industrial enterprises, railway, automobile roads, communication and electrical lines, transmission pipelines, and for other non-agricultural purposes, lands of non-agricultural purposes or not suitable for agriculture, or agricultural holding of lower quality are assigned. Allotment of land plots for abovementioned purposes is undertaken in first line at the areas, not covered by forests or covered by bushes and not valuable plants resettlement is partially addressed in the Uzbek legislation particularly Article 64 of the Land Code (1998), which states that land for common use of settlements can be acquired only for locating state, municipal or public utility services.

18. The main gaps between Uzbek laws/regulation and ADB policy are outlined in Table 1 below.

**Table 1: Comparison of LAR-related Laws under Land Code of Republic of Uzbekistan and Regulations and Involuntary Resettlement Policy of ADB**

<b>Uzbekistan Land Laws and Regulations</b>	<b>ADB Involuntary Resettlement Policy</b>
Land code of Republic of Uzbekistan does not recognize individual ownership on land, but only permits use of land. People apply for registration for particular of use land and are granted possession against fixed rate of taxes along with provision of all documents related to land details, quality, area, which give evidence for occupancy right in the court of law.	Lack of title should not be a bar to compensation and/or rehabilitation. Non-titled landowners receive rehabilitation assistance.
All houses/buildings/shops which are registered under Land Code are valued at the respective province / district level. Unregistered buildings are not liable for compensation	All houses/buildings are compensated for damage or demolition caused by a project irrespective of the status of formal title.
Crop loss/loss of trees/forest farming at self willingly occupied land parcels are not compensated to the owners	Crop losses compensation provided to landowners and sharecroppers/lease tenants whether registered or not
No provision for compensation of income/livelihood loss or expenses incurred during relocation within Land Code	The ADB policy requires compensation for income/livelihood losses and for expenses incurred by the APs during the relocation process.

## **E. Remedial Measures to Bridge the Gap**

19. The Program LARF is intended to clarify these issues and to reconcile the gaps between the Land Code of Republic of Uzbekistan and the ADB Policy. The LARF ensures compensation at replacement cost for all acquired assets, rehabilitation benefits to informal/unregistered settlers/dwellers/land users and provision of subsidies or allowances for APs who suffer income losses or are required to be relocated.

## V. THE PROGRAM COMPENSATION ELIGIBILITY AND ENTITLEMENTS

20. The land acquisition and resettlement tasks under the program will be carried out according to the compensation eligibility and entitlement provisions developed in line with the Uzbek laws and the ADB policy as detailed in the next chapter.

### A. Eligibility and Entitlements

21. Under the Program LARF the following categories of affected persons will be entitled to compensation and/or rehabilitation benefits:

- (i) APs losing land irrespective of whether land is held under valid legal rights or customary rights with or without legal status;
- (ii) Tenants and sharecroppers (the workers working for a share of a crop) whether registered or not;
- (iii) Owners of buildings, crops, trees or other objects attached to the land; and
- (iv) APs losing business or income/employment opportunities.

22. APs and affected assets will be identified through a detailed survey/census or DMS. The DMS end date will be the census cut-off date for compensation eligibility. APs settling in affected areas after this date will not be eligible for compensation. They, however, will be given sufficient advance notice to vacate and dismantle the affected land/structures. Their dismantled structures will not be confiscated nor will they be fined or sanctioned.

23. The compensation and rehabilitation entitlements for each type of loss due to involuntary resettlement for the program are detailed below on Table 2.

**Table 2: Entitlement Matrix**

Loss type	Specification	Affected People	Compensation Entitlements
Permanent loss of Arable Land	All land losses independent of impact severity	Farmer/Titleholder	Land for land compensation with plots of equal value/productivity to plots lost; or cash compensation at replacement cost with application of multiplying factors, considering real supply and demand, registration and transfer charges if any to be borne by the project: if the land plot is obtained at auction, then compensation of land purchase cost. Unaffected portions of a plot will also be compensated if they become unviable after impact occurs.
		Leaseholder (registered or not)	Transfer of lease to other plots of equal value/productivity of plots lost, or Cash equivalent to the net income from the land calculated on the basis of the market value of annual production of affected land for the remaining lease years (up to maximum 10 years).
		Sharecroppers (registered or not)	<b>Cash</b> compensation equal to market value of the lost harvest share once (temporary impact) or twice (permanent impact)
		Agricultural workers losing their contract	<b>Cash</b> indemnity corresponding to their salary in cash and kind for the remaining part of the agricultural year/or contractual period.
		Non-titled cultivators	<b>1 rehabilitation allowance</b> equal to 1 year's net income from the affected land (in addition to lost crop compensation) for land use loss.

Loss type	Specification	Affected People	Compensation Entitlements
	Additional provisions for severe impacts  (> 10% of land loss)	Farmer/Titleholder Leaseholder  Sharecroppers ( <i>registered or not</i> )  Non-titled land owners	1 <b>severe impact allowance</b> equal to the net income from annual crop production (inclusive of winter and summer crop in addition to standing crop compensation) and the waiving of taxes and fees  1 <b>severe impact allowance</b> equal to the net income from their annual share of harvest lost (additional to standard crop compensation)  1 <b>severe impact allowance</b> equal to the net annual income from the affected land (additional to standard crop compensation). cash compensation in amount of taxes and compulsory payments for 1 year
Temporary Land Acquisition		All APs ( <i>including those, who has right of use</i> )	Affected land/communal infrastructure will be restored or reconstructed to pre-project conditions.  Rent shall be agreed between landowner and contractor equal to the revenue lost at market value (e.g. compensation for harvests lost at average yield/hectare). Payment of such compensation to be assured by the Project by the means of LA for temporal use Act
Residential/ Commercial Land		Titleholder  Non-titled land owners	Land for land compensation through provision of a plot comparable in value/location to the plot lost; or  Cash compensation for affected land at full replacement cost with application of multiplying factors, considering real supply and demand,, registration and transfer costs, if any, to be borne by the project: if the land plot is obtained at auction, then compensation of land purchase cost  Provision of a free or leased plot in a Government resettlement area or a self-relocation allowance equal to 1 year at minimum salary:
Houses Buildings and Structures	Full/partial loss of structures	owners ( <i>with/without house or building registration</i> )  Tenant/Leaseholder	<b>Cash</b> compensation at replacement rate for affected structure/fixes assets free of salvageable materials, depreciation and transaction costs. For partial impacts, full cash assistance to restore remaining structure. Cost of lost water and electricity connections will be included in the compensation.  Compensation of the lost incomes of tenancy of houses, buildings and structures at a rate of annual cost of rent
Standing Crops	Crops affected	All APs ( <i>including non-titled land owners</i> )	<b>Cash</b> compensation equivalent to the gross income from the crop computed as the market value of the total annual produce from affected land. To be paid both to landowners and tenants based on their specific sharecropping agreements.
Trees	Trees affected	All APs ( <i>including non-titled land owners</i> )	<b>Cash</b> compensation shall reflect income replacement. Fruit trees will be valued at market value multiplied on the number of years until the end of fruiting period; or in case of granting the land plot instead of alienated one, the compensation of full cost of seedling, cost of preparation of a garden and lost profit at annual income multiplied the number of years till the trees gain fruiting period will be paid

Loss type	Specification	Affected People	Compensation Entitlements
Business/ Employment	Temporary/ permanent loss of business or employment	All APs ( <i>including non-titled land owners</i> )	Business owner: (i) <b>Cash</b> compensation equal to 1 year's income, if loss is permanent; (ii) <b>cash</b> compensation for the period of business interruption, if loss is temporary. Compensation is estimated on the basis of tax declarations, imputed earnings or average income in this area  Worker/employees: Indemnity for lost wages for the period of business interruption (including fixed by oral agreement with employer) up to a maximum of 3 months.
Livelihood		Vulnerable AP: AP below poverty line	1 additional <b>allowance</b> equal to 3 months at minimum salary. Priority for employment in project-related jobs, training opportunities, self-employment and wage-employment assistance
Relocation	Transport/ transitional livelihood costs	All APs affected by relocation  House tenants	Provision of <b>cash compensation</b> to cover transport expenses and livelihood expenses for one month  on the basis of documents, confirming the income of household members, but no less than 1 minimum salary per member
Community assets	Loss/damage to public infrastructure/ utilities		Rehabilitation/replacement of affected structures/utilities (i.e. mosques, footbridges, roads, schools, health centres, etc.) to pre-Program level

## B. Assessment of Compensation Unit Values

24. The methodology for assessing minimum compensation rates of different items is as follows:

- (i) Land will be valued at replacement normative cost with application of multiplying factors, considering real supply and demand. Transaction cost, registration fees, if any, will be spent from the project.
- (ii) Houses/buildings will be valued at replacement cost based on cost of materials, type of construction, labor, transport and other construction costs. No deductions will be applied for depreciation and transaction costs. Salvaged materials will be allowed to be taken away by the APs.
- (iii) Annual crops will be valued at full market rate.
- (iv) Fruit trees will be valued based on age of the trees, such as seedling, not yet productive or productive. Productive trees will be valued at market price of 1 year produce multiplied by the number of years until the end of fruiting period: or in case of granting the land plot instead of alienated one, the compensation of full cost of seedling, cost of preparing a garden and lost profit at annual income multiplied the number of years till the trees come to fruiting period will paid.

25. Initial asset valuation will be done by the SESU, with support from the Project Consultants (PCs) in coordination with the Design Institute (DI), the evaluation committee headed by district's SCLRGCS and District Vodokanal. It will be verified and certified first by the UCSA Social and Land Acquisition sub-Unit and then by the Rayon LAR Commission<sup>1</sup>. If the

<sup>1</sup> The Rayon LAR Commission will be comprised of local government, Council of Rural Communities (CRC) and the representative of the Mahalla communities of the affected area.

land/property is being acquired with the owners consent, this valuation will be used as the basis of negotiation between the owners and the local authorities.

## **VI. PROVISION OF LAND FOR LAND COMPENSATION**

26. The decision on assigning the land plots instead of alienated ones is taken by district/province hokimiyats. If “land for land” is the chosen as the compensation option, the SESU/PC will locate on the town map the possible relocation site / replacement plots from which the APs can choose. They will also identify the associated infrastructure requirements (service roads, drainage, sanitation, water supply and electricity facilities) and site-preparation costs. All relocation activities will be carried out with the consent and cooperation of the affected people and local authority can be instrumental in carrying out resettlement activities as scheduled.

## **VII. GENDER IMPACT AND MITIGATION MEASURES**

27. Women have important economic roles and engage in a very wide range of income generating activities in the agricultural, small scale industry and marketing sector. The Program will pay particular attention to ensure that women are the recipients of the compensation pertaining to their activities and to ensure that women who are de-facto household heads are clearly listed as beneficiaries of compensation and rehabilitation proceedings under the loan. In order to ensure the above the following actions will be considered:

- (i) Impact assessment will disaggregate the APs gender-wise and will clearly indicate the number of affected women-headed households and their pre-Program socioeconomic status.
- (ii) Women will be encouraged to actively participate in all LAR-related consultations and negotiations about compensation for loss of productive assets.
- (iii) LARP monitoring/evaluation team, both internal and external, will pay special attention on the impact of resettlement on women and other vulnerable groups and will documents such impacts.
- (iv) All compensation due to woman-headed families will be given to only the women family head.

## **VIII. PUBLIC PARTICIPATION AND DOCUMENTS DISCLOSURE**

28. All land acquisition and resettlement activities will be carried out with the cooperation and assistance of affected people, the respective Makhallas and the local administrative agencies. More specifically:

- (i) Officials of district (rayon) and municipal towns will be informed about the Program and their assistance will be solicited in the supervision of the AP census and the inventory of affected assets and verification during implementation stage;
- (ii) The PSC will carry out the DMS of under alienation property with the cooperation of affected families and will inform them the results of the survey and the inventory prior to the finalization of the RP and its submission to Program authorities.
- (iii) The preference of APs will be taken into consideration while working out on compensation and other resettlement assistances during the planning process.
- (iv) The SESU of UCSA will establish and announce the census cut-off-date for the proposed subproject based on the eligibility criteria defined in this LARF.
- (v) Specific mechanisms for ensuring the active involvement of APs and other stakeholders will be detailed in subproject LARPs which also will include an

appendix on participatory consultation meetings with date, list of participants, and minutes of meetings.

29. This LARF will be translated in Uzbek language and will be made available to the APs at the relevant Rayon and Municipal offices once subprojects are identified. Its English version will be disclosed on the ADB website after EA endorsement. The LARPs in Uzbek will be disclosed to the affected communities and a pamphlet in Uzbek, summarizing compensation eligibility and entitlement provisions, will be sent to all APs before tranche appraisal. The English translations of the LARPs and pamphlets will be disclosed on the ADB website prior to tranche appraisal.

## **IX. INSTITUTIONAL ARRANGEMENTS**

30. The main institutions that will be involved in LAR activities are UCSA the program executing agency (EA), Social and Environmental Sub Unit (SESU), Design Institute (DI), Project Consultants (PC), rayon (district) and municipal towns authorities, the State Committee on Land Resources, Geodesy, Cartography and State cadastre (SCLRGCS) at the apex as well as the district level.

31. In accordance with Uzbekistan legislation provincial LA and valuation committees, with representatives of the following organizations involved are responsible for resettlement activities:

- (i) Provincial/district department of Goskomzemgeocadastre State Committee on Land Resources, Geodesy, Cartography and State cadastre (SCLRGCS)
- (ii) Provincial/district Hydrogeology and land reclamation expedition
- (iii) Provincial department on environment protection
- (iv) Provincial/district subdivisions of state sanitary-epidemiologic service
- (v) Provincial/district subdivisions of fire-fighting service
- (vi) Organizations, and civil works subcontractors to whom the alienated lands are transferred for use (UCSA, EA, Social issues and environment protection department, design institute, consultants)

32. All affected juridical and individual persons, otherwise their legal representatives affiliate the commission. Besides state organizations and structures, NGO – Water Users Association (AVP) and Farmers’ and Dehkans’ Enterprisers’ Association (FDEA) and mahallas may be involved in resettlement activities to ensure legal rights and interests of land users, subjected to resettlement.

### **A. UCSA**

33. UCSA has overall responsibility for all aspects of the program. The Program Preparation Management Unit (PPMU) within UCSA is responsible for the day to day management of the Program including LAR and cross-agency coordination.

34. The social section of the Social and Environmental Sub-Unit (SESU) and Project Implementing Unit (PIU)/ Vodokanal under PPMU will be directly involved in all LAR related planning, implementation, inter-agency coordination and monitoring. This include establish layout of lands proposed as option for compensation. However, they will carry out this responsibility with technical assistance from the Project Consultants (PC) of the Program and with the active participation of the Design Institute (DI), district/municipal executive powers and as advised by SCLRGCS from time to time. If required an NGO or impact assessment or valuation teams is hired for on-site impact surveys or monitoring assistance. In collaboration with resettlement team of the PC, DI and PIU, the SESU will review the LARPs and provide the

necessary information for an updated estimate of the effective compensation plan and related cost for each subproject.

## **B. Design Institute**

35. The Design Institute is in charge in elaborating the design and construction documents for the project. It will collaborate with the PPMU/SESU, PC and PIU to: (i) assemble all documents required for compensation; (ii) carry out topographic surveys of the expropriated land and replacement lands; (iii) elaborate layouts indicating the location of the worksites and the permanent infrastructures and the perimeter of the required surfaces differentiating the land use patterns in the areas being occupied to serve as a base for the selection of compensation land; (iv) conduct the land marking and pegging of the land assigned for temporary use and permanent occupation and of the compensation lands.

## **C. Project Consultant–Resettlement Team**

36. The Project Consultants (PC) are engaged to design and assist in the implementation of subprojects under the Program. The PSC will have sufficient in house expertise on resettlement consisting of international and national resettlement specialists. Together with the Design Institute, SESU and PIU, they will analyze the cadastral maps, carry out DMS, conduct first level compensation negotiation with the APs and prepare subproject LARPs. The LARPs will be submitted to the respective Vodokanal for approval and to the respective provincial and Rayon LAR Commission.

## **D. Province/District Governments**

37. Local government agencies involved in LARP review and implementation are Province (Oblast) and District (Rayon) Executive Authorities who form Province Commissions on Land Acquisition and District Evaluation Commissions. These commissions will form a provincial land acquisition and resettlement committee (PLARC) which include the institutions as described below.

38. Province Commission on Land Acquisition, established under the Province Khokimiyate decision undertakes the following: i) outlines location of constructions and structures, envisaged by the project; ii) selects land plot for construction site, iii) prepares and approves Act for the right to use the land plot (title) and (iv) approved the Act for the right to use the land plot, specifying areas of the acquired farm land, accepted norms and total agricultural production losses. In addition to permanent members the Commission includes representatives of UCSA, as well as affected legal entities and individuals.

39. The Evaluation Commission established under the district khokim decision estimates losses of land owners and land users in accordance to the standard procedure, as well as losses in agricultural output as a result of the farm land acquisition based on data provided by the Design institute. The Commission prepares Act for the right to use the plot of land specifying the acquired farm land area, accepted norms and total value of losses and agricultural output losses.

40. The regional representatives of the SCLRGCS is the key executive authority responsible for the following: i) identify land losses, incurred by land owners and land users as well as agricultural output losses; ii) determine the degree and area of land recultivation, including removal and temporal storage of productive soil layer; iii) determine the need for protective sanitary and water protection zones around the constructions being built and regime of their use; (iv) prepare

proposals on allocation of land plots of equal value instead of the acquired; (v) estimate possibility and approximate cost of development of new land instead of the acquired; (vi) approve the Benchmark Setting up Act and the attached plan; (vii) amend the government acts on land use and land ownership as well as other cadastre documents.

41. Department of SCNP: (i) environmental impact assessment of construction projects and implemented methods, (ii) approves location of the sites affecting the land condition; (iii) develops measures for land protection for designed sites and launched facilities adversely affecting the land; (iv) approves Act of the Land Plot Acquisition.

42. Government SES and Fire Inspection and Water Supervision authorities approve the Act of the Land Plot Acquisition.

43. At town/regional/ rayon level a grievance redress committee (GRC) will be established with the involvement of PIU/SESU/PC, leaders of affected Mahallas and Hakimiyat (the local executive body).

## **X. COMPLAINTS AND GRIEVANCES**

44. A grievance mechanism will be established to redress grievances/disagreeable decision, practice or activity arising from land or other assets compensation or payment disbursement. APs will be fully informed of their rights and of the procedures for addressing complaints verbally during consultation, measurement survey and the procedure will also be incorporated in the disclosure pamphlet.

45. Special attention will be taken to prevent grievances rather than going through a redress process by ensuring active consultation with and participation of affected households during the LAR planning and implementation process. If grievances still arise, all attempts will be made to resolve those informally at the local level. If this attempt fails, APs will have the option of taking their complaints to the formal mechanism of addressing grievances described in Table 3.

**Table 3: Grievance Resolution Process**

<b>Assets Compensation Issues</b>
1. First, complaints resolution will be attempted at town/district (Rayon) level of grievance and redress committee with the involvement of the PC, leaders of the affected Mahallas and Khakimiyat (the local executive body)
2. In absence of a settlement, APs may lodge a complaint to District/Oblast Khokimiyate as part of provincial land acquisition and resettlement committee (PLARC) and get a reply within 15 days.
3. If the District/Oblast Khokimiyate. decision is unacceptable to the APs, they he/she may approach the appropriate court of law for its resolution.

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AP = affected person, PC = project consultant.

46. All LAR tasks under the program will be subjected to both internal and external monitoring. Internal monitoring will be conducted by PPMU's Social and Environmental Sub Unit (SESU). External monitoring will be assigned to the supervision consultants or to an External Monitoring Agency (EMA) to be engaged by the EA with specific terms of reference (TOR) and approved by ADB immediately after commencement of LAR implementation.

## **A. Internal Monitoring**

47. Internal monitoring will be carried out routinely by the SESU. The results will be communicated to ADB through the quarterly Program Implementation Reports. Indicators for the internal monitoring will be those related to the processes and immediate outputs and results. This information will be collected directly from the field and reported monthly to the PMU. The monthly reports will be consolidated and included in the standard quarterly supervision reports to ADB. Internal monitoring will specifically focus on the status of:

- (i) information campaign and consultation with APs;
- (ii) land acquisition and compensation payments;
- (iii) compensation for affected structures and other assets;
- (iv) relocation of APs;
- (v) payments for loss of income;
- (vi) selection and distribution of replacement land areas; and
- (vii) income restoration activities.

48. The above information will be collected by the UCSA-SESU which will monitor the day-to-day resettlement activities of the program through the following instruments:

- (i) review of census information for all APs;
- (ii) consultation and informal interviews with APs;
- (iii) in-depth case studies;
- (iv) sample survey of APs;
- (v) key informant interviews; and
- (vi) community meetings.

## **B. External Monitoring**

49. External monitoring results will be communicated to UCSA and ADB through ad hoc reports to be included in the quarterly supervision reports. Subprojects with a LARP implementation time frame under three months will entail only one report in case of six months and more two reports including one completion report. External Monitoring will cover:

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

50. External monitoring will also assess the status of vulnerable groups such as female-headed households or vulnerable families. The following will be considered as the basis for indicators in monitoring and evaluation of the program:

- (i) socio-economic conditions of the APs in the post-resettlement period;
- (ii) feed back and opinion of the APs on entitlements, compensation options, alternative developments and relocation schedule etc.;
- (iii) changes in housing and income levels and hygiene status;

- (iv) rehabilitation of resettled people;
- (v) valuation of property;
- (vi) grievance procedures;
- (vii) disbursement of compensation and
- (viii) level of satisfaction of APs in the post resettlement period.

51. A final external evaluation of LARP implementation will be carried out about a year after completion of its implementation. The compelling reason for this study is to find out if the objectives of the LARP have been attained or not. The benchmark data of socioeconomic survey of severely affected APs conducted during the preparation of the LARP will be used to compare the pre and post program conditions. The evaluation will recommend appropriate supplemental assistance for the APs should the outcome of the study shows that the objectives of the LARP have not been achieved.

## **XI. TRAINING IN LARP IMPLEMENTATION**

52. All Project Consultants (PCs) involved in LAR activities and all SESU officials will undergo a week-long orientation and training in ADB's involuntary resettlement policy and implementation of RP. The training will be provided by the international specialist under the Program consultant's contract and will cover the following topics:

- (i) principles and procedures of land acquisition based on Uzbekistan's law and regulation;
- (ii) principles and guidelines of ADB's involuntary Resettlement Policy
- (iii) public consultation and participation;
- (iv) entitlements and compensation & assistance disbursement mechanisms;
- (v) grievance resolution; and
- (vi) monitoring of resettlement operations.

## **XII. RESETTLEMENT BUDGET AND FINANCING**

53. All LARP preparation and implementation costs including cost of compensation and LAR administration will be considered as an integral part of the Program cost. Each LARP will include a budget section indicating: (i) unit compensation rates for all affected and resettlement allowances; (ii) methodology followed for the computation of unit compensation rates; and (iii) a table showing budgetary cost for all compensation, assistance, administrative costs, cost of monitoring and contingencies.

54. Finances for compensation, allowances, and administration of LARP preparation and implementation will be included in the project cost under the loan. Costs for external monitoring tasks will be allocated under the loan. In order to ensure that sufficient funds are available for LAR activities, the SESU will have to allocate 100% of the cost of compensation at replacement cost and scheduled allowances estimated in each LARP plus 15% of contingencies before RP implementation commences.

55. Being the Program owner, UCSA is responsible for the timely allocation of the funds needed to implement the LARPs. Allocations will be reviewed twice a year based on the budget requirements indicated by the LARPs.

56. As per the LAR finances, the budget for land, structures, tree and crop compensation as well as loss of employment / livelihood / income, etc. will be funded by rayon/provincial

hokimiyats and will be disbursed to the APs under direct supervision of the SESU of UCSA/PPMU.

### XIII. LARP IMPLEMENTATION PROCESS

57. The resettlement team of the project consultants (PC) including a local and an international resettlement specialist and with assistance of a local non-government organization, if available, will be engaged by UCSA to facilitate smooth RP implementation process. The SESU within UCSA will establish and announce the census cut-off-date for the proposed subproject based on the eligibility criteria defined in this LARF. The APs of affected structures/assets will be paid their due compensations at least 1 month (30 days) prior to demolition of their affected structures in order to dismantle and remove all salvageable material for rebuilding of houses /structures and re-establishment of businesses, if necessary. However, Provincial / Regional Hakimiyat reserves the right of demolishing unauthorized structures without paying any compensation by serving a notice of eviction for a period of two weeks, provided it is established that those structures were constructed after the “cut-off” date.

58. The basic LAR-related steps for the preparation and implementation of tranches and within tranches, subprojects are summarized on Table 4 below.

**Table 4: LAR Tasks Process and Schedule**

Step	Action / Tasks	Responsibility	Indicative Schedule
<b>A)</b>	<b>TRANCHE PREPARATION</b>	PPMU/PC	
	1. Subprojects identification	SESU and PC	Q1
	2. Assessment of Project's Poverty and Social Impacts (IPSA)	SESU and PC	Q1
	3. Review and update of LA and other property RF	SESU, ADB and CLARC	Q1
	4. Preparation of an Activities Plan detailing RP tasks and schedules for SESU, consultants, and an NGO (if available)	SESU and PC	Q1
<b>B)</b>	<b>LA and other property RP PREPARATION</b>	SESU	
	1. Conducting public consultations and preliminary reviews on identification of potentially affected persons to prevent/minimize resettlement/acquisition of property	SESU/PC/ valuation commission members	Q2
	2. Finalization design plans of subproject with a view to minimization of land acquisition requirements	SESU/PC	Q2
	3. Collection of cadastral and parcel maps of the subproject area, Verify land records in affected areas, update cadastral maps	District department of SCLRGCS / design institute/ PPMU/PC	Q2
	4. Submission of written request to provincial hokimiat on siting of land for permanent or temporal acquisition for construction, in terms of the projects accompanied with all permission documents	PIU	Q2
	5. Submission of design documentation, required for compensation estimation for property acquisition to district department of SCLRGCS and valuation commission	PIU	Q2
	6. Inform interested organizations on construction plans (border guards, railways, communal services and etc.). Harmonization and meeting with approval of construction plans. Conduct public consultations	SESU/PC, Mahalla , local government at Rayon or oblast level, RLARC	Q2
	7. Harmonization of land plots siting and obtainment of Land Plot Siting Act	SESU/PC, SESU/PC, Mahalla , local government at Rayon or oblast level, RLARC	Q2

Step	Action / Tasks	Responsibility	Indicative Schedule
	8. Preparation and carrying out census of affected resources, persons, whose land or property alienated. Document-gathering, confirming right of possession on property or right to dispose it. Preparation of calculations for compensation. Amount and types of compensations endorsement with state bodies and AP, recognized to have right for compensation.	SESU/PC	Q2
	9. Inform households through mahalla and WUS on forthcoming construction plans and proposed crop and trees losses in alienation zones along canals. Provide information on work schedule, terms and duration, information on land acquisition procedures, compensations, appeal of a decision mechanism, juridical assistance. Administration of complaints and satisfaction of claims. Processing of complaints and proposals	SESU/PC, Mahalla , local government at Rayon or oblast level, RLARC	Q2
	10. Receipt of land plot acquisition and property alienation endorsement act from provincial commission.	PIU	
	11. Preparation of Final RP	CLARC/PIU/SESU/PC	
	12. Submission of LARP to SESU, RLARC, CLARC and ADB for approval.	SESU/PC	
<b>C)</b>	<b>RP IMPLEMENTATION</b>		
	1. RP disclosure: Distribution of RP and information pamphlets in Uzbek among the affected communities; posting of RP in English on the ADB website	SESU/ADB	Q3
	2. Notice for Relocation / demolition of structures to APs	SESU/PIU/PC	Q3
	3. Payment of compensation by PIU/UCSA.	SESU/PIU	Q3
	4. Payment disbursement for other Compensation & Assistance/ Rehabilitation	SESU/PIU	Q3
	5. Obtainment of Act of transformation of design into nature in rayon hokimiat and Act of right of land plot use at provincial hokimiyat	APs with assistance from Oblast/ Rayon Administration, if necessary	Q3
	6. Review of RP Implementation	SESU/RLARC/ADB	Q3
	7. Approval of Contract awards and commencement of civil works	ADB	Q3
	8. Demolishment/ relocation of affected buildings/property. Making alterations in land-cadastral documents	ADB/UCSA	Q3
<b>D)</b>	<b>PERIODICAL/CONTINUOUS TASKS</b>		
	1. Internal monitoring: Submission of Quarterly report on LAR implementation to ADB	SESU	Q4
	2. External Monitoring: Submission of Bi-annual report on LAR implementation to ADB	EMA	Q4
	3. Grievances Redress / Law Suites	PIU/PSC/SESU/RLARC/ CLARC/Court	Q4
	4. Inter-agency coordination and Communication with AP	PC/ SESU/ CRC (Mahallas)/Oblast executive	Q4
<b>E)</b>	<b>POST-IMPLEMENTATION TASKS</b>		
	1. Independent evaluation of RP	EMA	Q4

## **ANNEX A STANDARD LARP OUTLINE**

A Full LARP is required if a subproject of the Program involves relocation of 200 or more persons or they are losing 10% or more of their productive assets or income (Category A, Significant Impact). Such LARP should be detailed and should be prepared in accordance with the following outline. Projects with less than “significant” impacts would need only a short LARP. A short LARP may also follow the same outline, but in lesser detail.

### **1. LAR issues for the scheme**

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

### **2. Scope of land acquisition and resettlement**

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

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

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

### **4. Consultation and grievance redress participation**

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

### **5. Compensation, relocation, and income restoration**

This chapter outlines the income restoration measures to be implemented.

### **6. Institutional framework**

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

### **7. Resettlement budget and financing**

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

### **8. Implementation schedule**

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

### **9. Monitoring and evaluation**

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

**ANNEX B**  
**OVERVIEW OF EXISTING NATIONAL REGULATORY FRAMEWORK RELATED TO LAR**

№	Relevant Law	Relevant articles
1.	The Land Code; approved by the Law of the Republic of Uzbekistan from 30.04.1998, taking the changes of 2003-2004 into account;	16,17,23,35,37,41,80,86,91
2.	The Civil Code of Republic of Uzbekistan from 1996, taking the changes of 2004-2008 into account;	187,199, 206,212, 230
3.	Law of the Republic of Uzbekistan on “State Cadastre” N171-II from 15.12.2000	Full text
4.	Law of the Republic of Uzbekistan on “State land cadastre” N666-I from 28.08.1998r taking the changes of 2002-2004 into account	13,15,16,19
5.	Cabinet of Ministers Resolution on “Approval of Regulation on the order of legalization of seizure and allocation of land plots for non-agricultural needs in the Republic of Uzbekistan” No. 248, 27 May 1992	Full text, including appendices
6.	Cabinet of Ministers Resolution on “Approval of the Regulation on the order of adjudication of land disputes in the Republic of Uzbekistan” №246 from 25.05.1992;	Full text, including appendices
7.	Cabinet of Minister Resolution on “Order of realization into private property of objects of trade and public services together with land plots, where they are located, and land plots into life inherit tenure” №126 from 11.04.1995, taking the changes of CoM Resolution № 202 from 30.04.1999 into account;	Full text, including appendices
8.	Resolution of CoM “On approval of the sizes of agricultural production losses compensation, relating to land acquisition, for needs not connected with farming or forestry management” № 223 from 16.06.1995;	Full text, including appendices
9.	Resolution of CoM “On approval of the regulation on the order of identification of the sizes of agricultural production losses compensation, relating to land acquisition, for needs not connected with farming or forestry management” № 282 from 15.06.1992	Full text, including appendices
10.	Law of the Republic of Uzbekistan on “State Cadastre” N171-II from 15.12.2000	Full text, including appendices