

Land Acquisition and Resettlement Framework

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Uzbekistan: Partial Credit Guarantee Facility for Uzbekistan Solar PPP Program

Prepared by the National Electric Grids of Uzbekistan for the Asian Development Bank.

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Abbreviations and Acronyms

ADB	Asian Development Bank
AHs	Affected Households
AM	Accountability Mechanism
APs	Affected persons
CRO	Complaint receiving officer
DLARC	District land acquisition and resettlement committee
DMS	Detailed Measurement Survey
DPs	Displaced persons
EA	Executing agency
ESMS	Environmental Social Management System
GoU	Government of Uzbekistan
GRC	Grievance Resolution Commission
GRM	Grievance Redress Mechanism
Ha	Hectare
Khokimiyat	Local executive power in the regions and districts
ICU	International Communication Unit
IFIs	International Financial Institutions
IOL	Inventory of Losses
IP	Indigenous Peoples
IPP	Independent Power Producer
IR	Involuntary Resettlement
JSC	Joint Stock Company
Km	Kilometer
LAR	Land Acquisition and Resettlement
LARF	Land Acquisition and Resettlement Framework
LARP	Land Acquisition and Resettlement Plan
LC	Land Code
Mahalla	Community-Based Organizations in villages
MV	Megawatts
MIFT	Ministry of Investments and Foreign Trade
MOE	Ministry of Energy
MOF	Ministry of Finance
NEGU	The National Electric Grids of Uzbekistan
PCG facility	Partial credit guarantee facility
PPPDA	Public-Private Partnership Development Agency
PPP	Public-Private Partnership
PIC	Project implementation consultant
PMO	Project Management Office
ROW	Right of Way
SDDR	Social Due Diligence Report
SES	socio-economic survey
SSMR	Semi-annual social monitoring report
SPV	Special Purpose Vehicle
SPS	Safeguard Policy Statement (2009) of ADB
SZ	Safety zone

Glossary

Affected Households (AHs): A household consists of one or more people who live in the same dwelling and share meals or living accommodation and may consist of a single or more families. The AHs in this document are applied to the owners and users of lands and other assets that will experience full or partial, permanent, or temporary physical or economic displacement due to the project; compensations and as relevant assistance allowances are calculated for him/her representing the household. All members of his/her household are referred as Affected Persons.

Cut-off-Date: The date after that anyone who will influx to the area, and/or build/alter structures, will not be eligible for compensation. For this project, the EA will announce the cut-off date as the last day of the DMS which will be conducted based on the final detail design to be prepared during the project implementation.

Detailed Measurement Survey (DMS): Based on the approved detailed engineering design of the project, this activity involves the finalization and/or validation of the results of the inventory of losses, the severity of impact, and final list of AHs during the LARP preparation. The final resettlement cost will be calculated following the completion of the DMS.

Economic Displacement: Loss of land, assets, access to assets, income sources, or means of livelihoods because of (i) involuntary acquisition of land or other economic assets and livelihoods/income sources, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.

Entitlements: The range of measures comprising compensations at replacement cost principle, income rehabilitation assistance, transfer assistance, income substitution, and relocation costs which are due to AHs to compensate and mitigate the impacts, restore, and improve their social and economic living standards. It depends on the type and the degree of impacts/losses as given in the entitlement matrix.

Khokimiyat: District and regional government authorities which have ultimate administrative and legal power over local populations residing within its authority.

Makhalla: Community-based organization recognized officially by the state, to support social and cultural cohesiveness of community members and perform liaisons between the state and communities; local communities elect Makhalla leaders.

Physical Displacement: Physical relocation, loss of residential land, or loss of shelter because of (i) involuntary acquisition of land and/or other properties, or (ii) involuntary restrictions on land use or access to legally designated parks and protected areas.

Rehabilitation assistance: Additional support provided to AHs losing productive assets, incomes, employment, or sources of living, to supplement payment of compensation for acquired assets to restore the living standards and quality of life of APs to at least the pre-project level.

Replacement cost: The value enough to replace the affected assets and cover other relevant uncured/or incurring costs such as transaction and registration costs for the replaced lands as compensation, and without deducting depreciation for such assets as well as cost of salvage materials, any taxes and transportation costs.

Severely Affected Households: This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) must relocate; and/or (iii) lose 10% or more of their total income sources due to the Project.

Vulnerable households: People who may suffer disproportionately or face the risk of becoming further marginalized due to resettlement and specifically include AHs (i) headed by women; (ii) with low income¹; (iii) headed by elderly with no support, (iv) have disabled member, (v) landless.

¹ Income threshold for low-income household to be defined at the time of preparation of LARPs as income that not exceed 52,7% of minimum wage per person during the last three months in order defined by the laws and regulations of Uzbekistan as updated.

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EXECUTIVE SUMMARY

A. Background

1. This Land Acquisition and Resettlement Framework (LARF) is prepared for series of solar power projects to be supported by Asian Development Bank's credit enhancement products. ADB Safeguard Policy Statement (SPS 2009) applies to all ADB-financed and/or administered projects, and their components regardless of sources of financing. The LARF provides guidance in the preparation and implementation of Land Acquisition and Resettlement Plans (LARPs) to be developed under the partial credit guarantee (PCG) for 1 gigawatt solar program in Uzbekistan following ADB's SPS 2009 and national laws. The document will set out the objectives, principles, eligibility criteria for affected households (AHs) and affected persons (APs), entitlements, legal and institutional framework, modes of compensation and rehabilitation, participation and consultation procedures and grievance redress mechanisms which will be employed to compensate, resettle, and rehabilitate living standards of APs.

2. The PCG is an instrument intended to facilitate cofinancing and financing partnerships. It is designed to reduce, eliminate, and/or better allocate a range of risks facing ADB's commercial financing partners and to leverage ADB's own capital base. PCG supports ADB's developmental objectives by facilitating investment, trade, and capital flows into the developing member countries.

3. In accordance with Presidential Resolution PP-4300, the Ministry of Energy (MOE) jointly with the Ministry of Investments and Foreign Trade (MIFT), the Public-Private Partnership Development Agency (PPPDA) under the Ministry of Finance (MOF) of Uzbekistan, has proposed the development of Utility-Scale Solar Photovoltaic Program under a Public-Private Partnership (PPP) modality in Sherabad District, Surkhandarya Region of Uzbekistan (the "Project"). The Asian Development Bank (ADB) has been mandated on 16 August 2019 by MOE and the MIFT to act as a Transaction Advisor.

4. The solar PV plants and transmission interconnection system will be tendered to a "Private Partner" i.e., Independent Power Producer (IPP) through a Special Purpose Vehicle (SPV). The Private Partner through the SPV will design, build, finance, own, operate, maintain (and potentially decommission) the solar PV plant(s). It will also design, build, and finance the transmission interconnection infrastructure and transfer to the National Electric Grids of Uzbekistan at commercial operations date (COD) of the project as will be defined in the PPA. The ownership and the responsibility for operating and managing the solar PV plant(s) will be with the Private Partner while the responsibility for operation and managing the transmission interconnection infrastructure will be with the NEGU. The state-owned land will be made available to the SPV through the land lease agreement.

5. The technical detail design of the project's components and subprojects under this Program shall be developed and potential resettlement impacts are unknown. This LARF is prepared to address unknown involuntary resettlement impacts of the solar projects' preparation and implementation. Whenever such impact will be identified, the SPV shall prepare and implement LARPs based on the detail design, following this LARF and requirements of ADB SPS (2009) and laws of Uzbekistan. The outline of the LARP according to ADB SPS (2009) is provided in Appendix A to this LARF.

6. **Resettlement assessment at the present project preparation stage.** Subprojects under the PCG will include the construction of solar power plants and associated transmission

infrastructure, if needed. All the project components will be designed, engineered, financed, constructed, and operated by the private developers selected by the government. The indicative four subprojects are expected to be category B for involuntary resettlement and not to trigger the indigenous people principles, following ADB SPS (2009).² However, the LAR impacts are unknown until the detail engineering design of the subprojects and their components will be prepared. This LARF is prepared to address those unknown impacts.

7. At present, the project site for the first solar photovoltaic power plant (see below) is selected in Sherabad district of the Surkhandarya region according to the Technical Feasibility Study Report (October 2020, Final Version, Suntrace GmbH).

8. **The project site for the first solar photovoltaic power plant (Project 1).** The site for the first solar photovoltaic power plant is situated in the Sherabad district of the Surkhandarya region of Uzbekistan. It is a state-owned land plot allocated by the Decision of Khokimiyat of Sherabad District of Surkhandarya Region dated February 29, 2020 to develop the first project of the Program for the construction of a solar photovoltaic power plant (Phase I). This reserved state-owned land area for the project is approximately 620 ha. The project will include a new 220/110/10kV substation adjacent to the power plant and a 52 km transmission line to connect the new substation to the grid at the Surkhan 220kV substation (the "Project").

9. The land requirement for the solar PV plant includes developing access road within the project site with a Right of Way (ROW) width 5.5 m, length 2-3 km. The 220kV transmission line from new substation to existing Surkhan substation will affect approximately 52 km ROW of width 35 m or total of 182 ha out of which the transmission tower footings will require permanent acquisition of 12.69 ha as per Uzbekistan Electric Rules and Regulations.

10. There is no new land requirement for the planned upgrade/extension works at existing Surkhan substation. Facilities such as construction and erection staging (unloading, site storage, workshop) areas, construction (workers) camps, spoil disposal sites and access tracks established for the new transmission line alignment will take up land temporarily during the construction stage. The temporary land take areas will be estimated during the detailed engineering design. There is no temporary land-take associated with the solar site since all civil works will be undertaken within the site boundary.

11. The term of experts under the feasibility study analyzed the site's suitability for the project from a technical point of view including access to grid, solar resource assessment, geology, topology, and social and environmental impacts and found it suitable for the implementation of the Sherabad Solar PV Project with a capacity of minimum 200Mwac, with minor environmental and social impacts, mainly related to the transmission line route that will be known after the detail design preparation. There are no Indigenous People living in the Project area. Accordingly, a Social Due Diligence Report (SDDR) has been prepared for this project which will be updated based on the final detail engineering design. The resettlement impact for other subprojects will be assessed and known based on the detail engineering design.

12. **Policy and legal framework.** The key gap between the laws of Uzbekistan and ADB SPS (2009) is that, the laws of Uzbekistan do not envisage compensations for Affected Households (AHs) who have no legal rights to lands and assets they occupy, while ADB SPS (2009) requires

² A proposed project is classified as category B if it includes involuntary resettlement impacts that are not deemed significant. A resettlement plan, including assessment of social impacts, is required. A proposed project is classified as category C for indigenous people's impact if it is not expected to have impacts on Indigenous Peoples. No further action is required. ADB Operational Manual, Bank Policies, 2013.

that this group of AHs shall receive compensation at least for all non-land losses and rehabilitation assistance. ADB SPS (2009) requires providing additional assistance to the severely affected and vulnerable AHs, set up the project-level grievance redress mechanism, conduct information disclosure and meaningful consultations with AHs, and regular monitoring and reporting of the safeguard compliance, which are not specified in Uzbekistan laws. ADB SPS (2009) requirements have been reconciled in previous ADB-assisted projects in Uzbekistan and will be applied for this LARF too as given in the entitlement matrix in the LARF.

13. **Institutional arrangement.** The Ministry of Investment and Foreign Trade (MIFT) and JSC National Electric Grids of Uzbekistan ("NEGU") will be responsible for the program. The Special Purpose Vehicle (SPV) is the implementing agency (IA) responsible for the land acquisition and resettlement safeguards compliance. The SPV will engage a social specialist who will oversee LAR activities and compliance with the SPS 2009. The Private Partner has demonstrated experience in developing and implementing large scale solar power projects. In addition, the SPV has a social specialist on board who will monitor social safeguards compliance.

14. The NEGU PMU, under the Cooperation Agreement entered with ADB, will have the responsibility to supervise and oversee the project implementation including this LARF and subprojects' LARPs, and ensure compliance with involuntary resettlement safeguards requirements, monitoring and reporting.

15. **Grievance Redress Mechanism (GRM).** A project-level GRM is developed based on the experience from ADB-assisted projects in Uzbekistan, and national law and local practices, to resolve any grievances and inquiries that people may have during the project implementation.³ The SPV will formally put in place the GRM and inform AHs and public in the project area about the GRM through public consultations and other information disseminations methods.

16. **Information disclosure and public consultations.** The SPV will ensure continuous information disclosure and meaningful consultations with AHs and the project communities during the preparation and implementation of the LARPs (if will be required) and throughout the project implementation. The SPV will conduct regular social safeguards monitoring and reporting, including on grievance redress. ADB and SPV will disclose the project LARPs and social safeguards monitoring reports in their websites.

17. **Cut-off date.** The SPV will announce the cut-off date in the project areas as the last day of the detailed measurement survey (DMS) that will be conducted for preparing the LARPs based on the detail design of projects and subprojects.

18. **Resettlement due diligence, planning and implementation.** Based on the detailed design, all projects and subprojects will be assessed and the screening will be done for any past, present, and future involuntary resettlement impacts. Civil works can commence on components which will be reconfirmed as having no resettlement impact. The LARF is prepared to address any projects' involuntary resettlement impacts to be known when the detailed engineering designs will be prepared or any unanticipated impacts identified during the projects' implementation in compliance with ADB SPS (2009) and laws of Uzbekistan.

19. The commencement of physical civil works is conditioned to full implementation of LARPs endorsed by ADB, and after ADB approves LARPs implementation Compliance Reports for the respective project components/sections with land acquisition and resettlement impact. For

³ Law on the order of submission of appeals of physical and legal entities" (#378, 03 December 2014).

resettlement impacts that will be identified based on the detail design of projects, the SPV will prepare and implement final LARPs after approval of ADB. ADB and the SPV will disclose the approved final LARPs on their websites and the SPV will disclose them to the AHs and communities. After the final LARP approval, the SPV will pay compensations and allowances to AHs based on the final LARP. After AHs receive full compensations and allowances, the SPV shall submit LARPs implementation Compliance Reports with confirmation of payment of all compensations, and if applicable, assistance allowances to eligible AHs, to ADB for clearance. After ADB confirms, the civil works can start at the land acquisition and resettlement affected project sites. Resettlement safeguard monitoring shall be continued throughout the project implementation period until the restoration of temporarily used land and semi-annual monitoring reports will be submitted to ADB for review and disclosure. If unanticipated impacts will be identified during the civil works that were not covered in the LARPs, the SPV will prepare and implement LARP Addendum or corrective action plan (CAP), and submit LARP compliance reports for ADB approval.

I. INTRODUCTION

A. Background

1. This Land Acquisition and Resettlement Framework (LARF) is prepared for the program of series of solar power projects to be supported by ADB's credit enhancement products. ADB SPS 2009 applies to all ADB-financed and/or administered projects, and their components regardless of sources of financing. The LARF provides guidance in the preparation and implementation of Land Acquisition and Resettlement Plans (LARPs) to be developed under the partial credit guarantee (PCG) for 1 gigawatt (GW) solar program in Uzbekistan following ADB's Safeguard Policy Statement (SPS 2009) and national laws. The document sets out the objectives, principles, eligibility criteria for the project Affected Households (AHs) and their compensations and entitlements, legal and institutional framework, modes of compensation and rehabilitation, participation and consultation procedures and grievance redress mechanism which will be employed in implementation of projects under the program.

2. Subprojects under the PCG will include the construction of solar power plants and associated transmission infrastructure, as needed (Table 1). All the project components will be designed, engineered, financed, constructed, and operated by the private developers selected by the government. The indicative four subprojects are expected to be categorized B for the involuntary resettlement and not to trigger the indigenous people principles.⁴

3. In accordance with Presidential Resolution PP-4300, the Ministry of Energy (MOE) jointly with the Ministry of Investments and Foreign Trade (MIFT), the Public-Private Partnership Development Agency (PPPDA) under the Ministry of Finance (MOF) of Uzbekistan, has proposed the development of Utility-Scale Solar Photovoltaic Program under a Public-Private Partnership (PPP) modality in Sherabad District, Surkhandarya Region of Uzbekistan (the "Program"). ADB has been mandated on 16 August 2019 by MOE and the MIFT to act as a Transaction Advisor.

4. The solar PV plants and transmission interconnection system will be tendered to a "Private Partner" i.e., Independent Power Producer (IPP) through a Special Purpose Vehicle (SPV). The Private Partner through the SPV will design, build, finance, own, operate, maintain (and potentially decommission) the solar PV plant(s). It will also design, build, and finance the transmission interconnection infrastructure and transfer to National Electric Grids of Uzbekistan (NEGU) at commercial operations date (COD) of the project as will be defined in the PPA. The ownership and the responsibility for operating and managing the solar PV plant(s) will be with the Private Partner through the SPV while the NEGU will be responsible for operation and managing the transmission interconnection infrastructure.

5. The technical detail design of components and subprojects under this Program shall be developed and potential resettlement impacts are unknown. This LARF is prepared to address unknown involuntary resettlement impacts of the solar projects' preparation and implementation. Whenever such impact will be identified, the SPV shall prepare and implement Land Acquisition and Resettlement Plans (LARPs) based on the detail engineering design following this LARF and requirements of ADB SPS (2009) and laws of Uzbekistan. The outline of the LARPs according to ADB SPS (2009) is provided in Appendix A to this LARF. In this project, ADB only offers PCG to

⁴ A proposed project is classified as category B if it includes involuntary resettlement impacts that are not deemed significant. A resettlement plan, including assessment of social impacts, is required. A proposed project is classified as category C for indigenous people's impact if it is not expected to have impacts on Indigenous Peoples. No further action is required. ADB Operational Manual, Bank Policies, 2013.

facilitate the private investment and commercial financing for the Project and there may be additional safeguard requirements in addition to ADB SPS (2009) depending on the financiers.

Table 1. Summary of Subproject Pipeline

Tranches	Estimated Capacity	Estimated Project Cost	Solar Irradiation (kWh/m²/year)	Land availability/ Accessibility	Interconnection	Indicative Completion Schedule
Sherabad phase I	200 MW	\$ 165 million (exclusive of transmission facilities)	1,830	600 ha flat state-owned land offers suitable conditions for the PV power plant.	A new 220kV substation and 52km transmission lines will be built to connect the PV plant to the Surkhan 220kV substation.	Q4 2022
Sherabad phase II	300 MW	\$ 250 million	1,830	Land plots right next to Sherabad 1 project will be used. The identified land offers suitable conditions for solar PV plant and allow the project to share the power infrastructure.	The new substation constructed along with the Sherabad I would have enough capacity to accommodate the Sherabad phase 2 project.	Q4 2023
Mubarak	300 MW	\$ 250 million	1,720	An initial land survey has been conducted for the 670 ha of flat land. The identified site has enough accessibility with several paths that connect with the selected area. As some irregular areas were identified, additional civil works to prepare lands would be needed.	Two 220kV substations are located in the city. The nearest substation is 18km away. Construction of overhead transmission lines shall be considered. Construction of access road to the existing substation shall be considered.	Q4 2024
Kokdumalak	300 MW	\$ 250 million	1,650	An initial land survey has been conducted for the 300 ha of flat area. The identified site has adequate accessibility.	The identified site is less than 8km away from the existing substation. Kokdumalak 220kV substation is well-connected to the Guzar 500/220kV substation	Q4 2025

^a PCG amount is equivalent to off-taker's maximum possible 6 months PPA payment obligation. PCG is to be replenished by JSC NEGU (off-taker) or Government of Uzbekistan (GOU) in case of drawing. The exposure would not reduce except for amounts that are drawn from the LC bank and not replenished by the NEGU or GOU. However, not replenishing the LC would trigger an Event of Default potentially leading to termination.

B. Partial Credit Guarantee (PCG)

6. ADB's PCG is an instrument intended to facilitate cofinancing and financing partnerships. It is designed to reduce, eliminate, and/or better allocate a range of risks facing ADB's commercial financing partners and to leverage ADB's own capital base. PCG supports ADB's developmental objectives by facilitating investment, trade, and capital flows into the developing member countries. The PCG is separate from the possible ADB sovereign and non-sovereign direct investment support for which more specific and additional requirements may be needed.

7. 1GW solar program will be developed following an independent power producer (IPP) scheme where a private entity will generate electricity for sale to the power off-taker and recover the operating and investment costs through the electricity tariff. As an IPP will design, finance, build, own, operate and maintain the solar power plants, contracting an IPP avoids the financial pressure for the government to construct and own power plants requiring a vast outlay of initial capital. In many other countries, IPPs are playing crucial roles in adding the power generation capacity and providing security of energy supply with well-structured contractual arrangements and risks allocation.

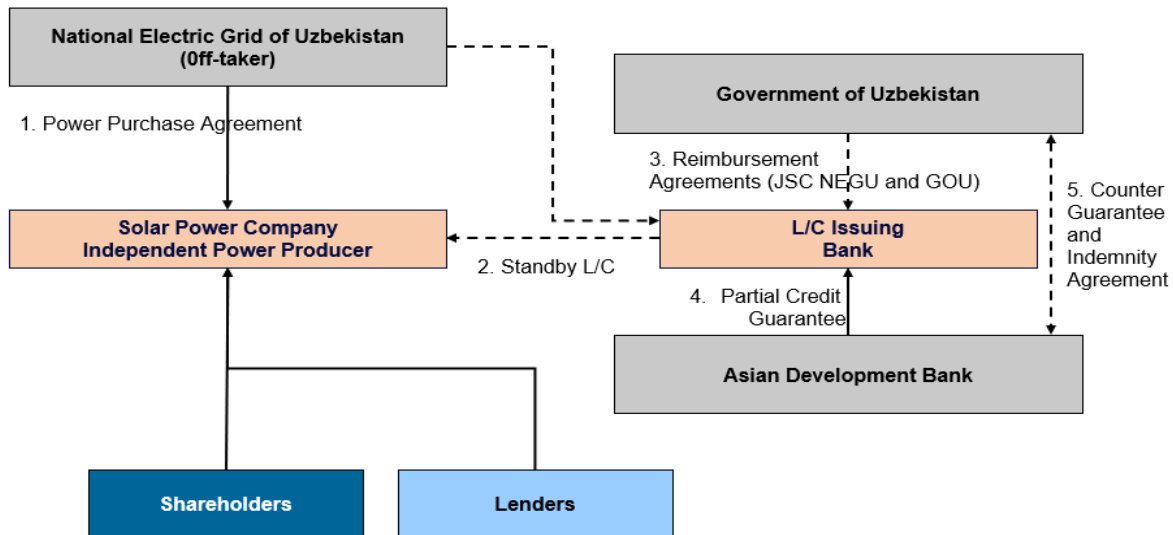
8. **Letter of Credit (LC).** The IPP structure above is anchored on the credibility of the off-taker, the Joint-Stock Company National Electric Grid of Uzbekistan (NEGU). Established in 2019 as a successor of Uzbekenergo for the ongoing transmission project, NEGU inherited poor financial management practices from Uzbekenergo and the initial assessment indicates the financial management risk is high. A time-bound action plan is under implementation to improve its creditworthiness with assistance of ADB and World Bank. It is challenging for NEGU to drastically improve its credit position in a short- to medium-term and establish track record of tariff payments for an IPP. A standby letter of credit (LC) facility provided by a bank (LC Issuing Bank) will cover the risk that the off-taker fails to make payments to the IPP in accordance with the terms of power purchase agreement (PPA). The LC Issuing Bank will be at least independent from the control of the government of Uzbekistan, and have acceptable credit ratings both for the IPP and ADB.

9. **Partial Credit Guarantee (PCG).** The standby LC will be further enhanced by ADB's partial credit guarantee (PCG) with a sovereign counterindemnity. The use of the PCG is essential for the LC Issuing Bank to provide the LC at a reasonable price by reducing credit risk of the off-taker. The involvement of ADB in the project structure with a PCG backed by a sovereign counterindemnity will also be instrumental in giving assurance to the private investors and commercial lenders that the government will honor its obligations. By offering this PCG upfront as a risk-mitigation measure during the international tender process, the bidders will be incentivized to propose the lowest possible tariff, which will eventually benefit the government and end consumers. The mechanism of the PCG is outlined in Figure 1. below: (1) a default in the payment obligation of NEGU under the PPA will result in (2) the on-demand payment of the LC, and (3) the LC Issuing Bank will then seek reimbursement from NEGU or the Government. If the LC is replenished, then the LC will be reinstated. (4) If reimbursement is not paid within 12 months by NEGU or the government, then the guarantee will be called and ADB will reimburse the LC Issuing Bank under the terms of the PCG. (5) ADB can then seek recoveries from the government under the Counter Guarantee and Indemnity Agreement. Provisions will be made in the documentation to ensure that the LC will not disburse in case of disputed payments.

10. Supported by the sovereign counter indemnity, PCG is an ADB's sovereign product to facilitate the commercial loans for the project which is universally available to all commercial

banks who wish to avail of PCG. The contractual structure of the PCG will be expounded in the Section VIII. Institutional Arrangement and Implementation.

Figure 1: Standby Letter of Credit Working Mechanism



GOU = Government of Uzbekistan, JSC NEGU = Joint-Stock Company National Electric Grid of Uzbekistan, LC = letter of credit

Source: Asian Development Bank

C. Project site for the solar photovoltaic power plant

11. At the present project preparation stage, the project site for the first solar photovoltaic power plant is selected in Sherabad district of the Surkhandarya region according to the Technical Feasibility Study Report (October 2020, Final Version, Suntrace GmbH).

12. It is a state-owned land plot allocated by the Decision of Khokimiyat of Sherabad District of Surkhandarya Region dated February 29, 2020 to develop the first project of the Program for the construction of a solar photovoltaic power plant (Phase I). This reserved state-owned land area for the project is approximately 620 ha to allow for a minimum capacity of 200 MWac. The project will include a new 220/110/10kV substation adjacent to the power plant and a 50.43 km transmission line to connect the new substation to the grid at the Surkhan 220kV substation (the "Project").

13. The conducted resettlement due diligence identified no LAR impacts. Accordingly, a Social Due Diligence Report (SDDR) has been prepared for this project which will be updated based on the final detail engineering design. There are no Indigenous People living in the Project area.

II. OBJECTIVES, POLICY FRAMEWORK AND ENTITLEMENTS

A. Objectives

14. The LARF set out principles and requirements for any involuntary land acquisition and resettlement (LAR) impact identified during the detail engineering design and implementation of projects. The document reconciles the discrepancies in the laws of Uzbekistan and involuntary resettlement safeguards requirements of ADB SPS (2009) and (i) stipulates the principles, procedures, and compensation entitlements to be applied in the planning and implementation of the LAR safeguards, and (ii) guide the SPV in preparing and implementing LARPs to ensure the resettlement safeguards are planned and implemented effectively in compliance with ADB SPS (2009).

15. The projects' designs should avoid and/or minimize any LAR impact. When a total avoidance is not possible, the provisions of this LARF will be applied to ensure the resettlement safeguards and mitigation measures for AHs who will lose their lands, properties and/or incomes due to the project. The LARPs will be prepared in accordance with this LARF and ADB SPS (2009) and laws of Uzbekistan if any of the projects or subprojects under the program will cause involuntary LAR. Monitoring of potential LAR impacts will be done throughout the projects' implementation. If unanticipated impacts arise during the projects' implementation and were not considered in the LARPs, a LARP Addendum or corrective action plan (CAP) as per principles of this LARF will be prepared and implemented.

16. The LARF stipulates the eligibility criteria and principles for compensation, entitlements and rehabilitation assistance based on the resettlement impact and the AHs categories. It also defines the principles for valuation of the affected properties, compensation at the replacement cost, requirements for projects information disclosure and public consultations, grievance resolution, institutional arrangement, budget, and monitoring and reporting for resettlement safeguards compliance.

17. The LARF includes the norms of Uzbekistan laws and ADB SPS (2009). In case of discrepancies between the two, the requirements of ADB SPS (2009) shall prevail according to the agreement reached between the Government of Uzbekistan and ADB.

B. Laws and Regulation of Uzbekistan

18. **Constitution** of Uzbekistan (December 8, 1992) guarantees ownership rights, freedom of economic activities and legal protection of all forms of ownership. The property owners can possess, use, and dispose their assets at their own will without harming the environment and infringing the rights and interests of others protected by law (Articles 36, 53 and 54). The land, its minerals, waters, fauna and flora, and other natural resources are the national wealth. The state shall protect and ensure their rational use (Article 55).

19. **Land Code** (30 April 1998) regulates land administration, allocation and transfer of land plots and land use rights. Among other norms it defines (i) responsibilities of authorities (Cabinet of Ministers and regional, districts, and cities authorities) in management of land resources, (ii) rights and obligations of land users, (iii) categories of lands, and (iv) conditions for termination of land use rights including acquisition of lands for the state and public needs based on the decree of the authorities (districts, cities, regional Khokimiyats) or the Cabinet of Ministers and in agreement with the land users. In case of dispute, the Court will decide (article 37). The natural and legal persons can appeal the decree to the Court (article 36). The legal land users shall

receive full compensation for all losses including lost profits and land plots of equal value (articles 39 and 41).

20. Land Code further specifies the provisions for compensations including for lost profits (Article 86) in case of (i) acquisition, redemption or temporary occupation of lands, (ii) restrictions to the land use in connection with establishment of water protection zones, coastal strips, sanitary protection zones of water bodies, zones of formation of surface and underground waters, resort areas, public areas of biosphere reserves, protected zones around national parks, game reserves, national nature monuments, cultural heritage, discharges, roads, pipelines, communication and power lines.

21. **Civil Code** (29 August 1996) among the other norms, (i) defines the legal status of all participants of civil relations, (ii) contractual obligations, (iii) procedure of enforcement of property rights including for intellectual property and personal non-property relations, and (iii) provides general rules of termination of property rights and compensation. As such, it envisages full compensation of all damages for affected persons, unless the law or the agreements provide otherwise. As per article 14, the person who loses property rights has right for compensation of all lost items and lost profit:

- (i) Costs of the AHs have incurred or shall incur to restore the property rights;
- (ii) Loss of or damage to property (real damage); and
- (iii) Incomes the AHs would have received under normal conditions of civil turnover if his/her property rights have not been affected (lost profits).

22. According to the Civil Code, if the international treaty or agreement signed by Uzbekistan stipulates other rules than those stipulated by civil legislation, rules of the international treaty or agreement shall prevail (article 7). As per Article 8, Clause 3, the rights to the property which are subject to state registration arises upon the state registration of such rights, unless otherwise provided by law. Article 84, Clause 1 provides that the ownership rights to the immovable properties are subject to state registration. This means that without undergoing state registration, the land users can not establish property rights. It is important to understand and apply this requirement in the land acquisition and resettlement process including in the demolition of buildings.

23. **Tax Code** (25 December 2007) along with other tax issues, envisages tax reduction and exemption for property, income, and taxable incomes for vulnerable people.

24. **Labor Code** (21 December 1995) regulates labor relations of all forms of employment relations and mandatory for all employers and employees including the Uzbekistan nationals, foreign nationals, stateless persons and employees of the foreign international organizations and legal entities. Among other norms, the Code has provisions about (i) protection of the interests and occupational health and safety of employees, and (ii) indemnity compensation for the loss of employment to paid by the employers. In involuntary resettlement cases, the project proponents pay compensations. This does not guarantee compensation to informal employees and therefore does not guarantee that all APs lose jobs receive compensation⁵.

25. Law About Valuation Activities (2009 as amended to date). The Law envisages that valuation is a licensed activity and the valutors should be licensed and independent (article 4).

⁵ The Labor Code (1996, last amended on 2015) envisage in loss of employment compensation for 2 months average salary plus a severance pay of a maximum of 1-month average salary subject to the employment period.

It envisages the events when valuation is mandatory including in case of acquisition of assets (article 11). The law does not provide detail methodologies for valuation activities but refers to valuation standards and other regulations related to different industries. In case of dispute, if necessary, to verify the reliability of the evaluation report, an examination of the conducted valuation report can be conducted by another valuator (article 181).

26. **Decree of the President of the Republic of Uzbekistan # 5495** (1 August 2018) “On measures on cardinal improvement of the investment climate in the Republic of Uzbekistan” provides acquisition of lands for state and public needs shall take place through discussions with the APs and assessment of costs and benefits. Land acquisition and demolition of immovable properties (residential, industrial, and other forms of structures) can take place after full compensation of owners and users at the market value of the lost property and other relevant costs. The Decree provides that land acquisition may take place by the approval of the Republican Centralized Fund (RCF), discussed below.

27. **Resolution of the Cabinet of Ministers # 1047** (26 December 2018) “On the procedure for the formation and use of centralized funds for the compensation to affected individuals and legal entities due to land acquisition for the state or public needs”. It defines sources of compensation payments based on the type of projects. The Supervisory Board of RCF decides on the allocation of funds for compensation.

28. **Resolution of the Cabinet of Ministers # 3857** (16 July 2018). The resolution “On measures to improve the effectiveness of training and realizing projects with participation of international financial institutions and foreign government financial organizations” specifies about payment of compensation for the land acquisition, demolition of houses/structures and trees for the projects financed by International Financial Institutions (IFIs) if such covenants are specified thereto, and will be carried out by authorized bodies as per the requirements of IFIs or Foreign Governmental Finance Organizations (FGFOs).

29. **Resolution of Cabinet of Ministers № 911** (16 November 2019). The resolution envisages procedures for permanent and temporary acquisition of private lands (individual entrepreneur, citizen of the Republic of Uzbekistan, foreign citizen, and stateless persons) and legal entities (business entities, non-governmental organizations) for state and public needs and for investment projects, and compensation for property owners for lands and properties located on impacted lands. According to the Chapter 3 (General procedure for providing compensation to owners due to demolition of properties), Article 11 of the resolution, compensations are paid as follows:

- Market value of real estate located on the seized land, and the market value of the right to the seized land;
- Expenses associated with the temporary acquisition of properties, including relocation;
- Loss of profits of individuals and legal entities, and other expenses and losses stipulated by law or agreement;
- The cost of self-constructed housing, industrial and other buildings and structures should also be covered.

30. Types of compensation provided:

- Cash;
- Provision of land plot or another property for the acquired land and property;
- Other form of compensation as per agreement of parties.

31. By agreement of the parties, the owner may be provided with several types of compensation, considering the estimated value of the property. The term for the provision of a new property instead of demolished property should not exceed 24 months from the date of provision of another property for temporary use. If a new property is not issued within the indicated period, the entrepreneur pays the owner a fine of 0.01 percent for each day of delay. In this case, the size of the fine should not exceed 50 percent of the value of the demolished property. An agreement providing for the provision of property as compensation is subject to state registration in cases provided for by law.

32. In case of acquiring the land for state and public needs, compensation shall be paid by the Council of Ministers of the Republic of Karakalpakstan, Khokimiyats of the city of Tashkent, regions, or district (city) from the funds of the corresponding centralized fund and other sources not prohibited by law.

33. In case of acquiring the land for investment projects, the investor pays compensation and compensation can also be paid from other sources not prohibited by law, through:

- Transferring funds to the appropriate bank (deposit) account of the affected owner;
- In case of acquiring an apartment building the affected owner shall be given apartment for ownership in the same area or another area based on the agreement of parties;
- A new apartment can be given from an apartment building (or houses) which are being built on the acquired land plot, as wished by the affected owner. In this case, the owner will be provided with temporary housing for rent paid by the investor, until he/she receives a new apartment in the housing buildings which is being built;
- In case of acquiring lands occupied by a non-residential building, as agreed by parties, the affected owner shall be given a non-residential building within the same district (city) and not less than the total area of the acquired non-residential building;
- If a non-residential building to be given as compensation from the buildings being built at the acquired land, the affected owner shall be given a temporary non-residential building for rent at the expense of the investor until she/he will receive the compensated non-residential building;
- In case of acquiring a land, plot occupied by an individual residential premise (including construction in progress, but registered) - by an agreement of the parties, the owner shall be compensated with an individual residential premise within the district (city);
- In case of acquiring a land plot the affected owner shall be given another land plot, the type and area of which is equal to the previous one.

34. If the market value of the right to the seized land exceeds the market value of the right to the land plot provided as compensation, the difference shall be compensated to the right holder of the land plot.

35. If the market value of the right to the affected land is lower than the market value of the right to the land granted as compensation, AHs will not be required not pay the difference.

36. By agreement of the parties, the size, and types of the land plot unit for compensation may be reduced by providing additional land plot as compensation.

37. In case of acquiring the land plot for housing construction, the investor provides the affected owner and his/her family with temporary rent housing until the completion of construction and transferring the housing unit to the affected owner. In this case, the construction period should not exceed two years from the date of conclusion of the agreement.

38. **Resolution of the Cabinet of Ministers # 146** (25 May 2011) provides (i) procedures for allocating lands for urban development and other non-agricultural purposes considering architectural planning of towns and efficient use of lands based on the norms of the Land Code and the City Planning Code; and (ii) methodology for valuation and compensation for loss of lands, plants, agricultural and forestry products, incomes, as well land development costs.

39. The Resolution provides that in case of land acquisition the valuation for compensation of lost plants, agricultural and forestry production shall be carried out following the methodology and formulas described in the Annex 2 of this Resolution. The “*Uzdaverloyiha*” State Scientific-Design Institute and its territorial divisions, branches of state-owned land management enterprises and real estate cadaster of the respective districts, will define amount of compensation with involvement of valuation companies. The valuation and defined compensation will be reviewed by commissions under respective districts Khokimiyats and approved by the Khokimiyats. In the case of dispute of AHs, the Court has own procedure for engaging a valuation commission to value the losses for compensation. The Resolution envisage compensations for all losses (e.g., lands, costs of land development, structures, utilities, crops, trees, and fruits, and the lost income) to AHs with formal rights, but no compensation envisaged to AHs with no legal rights.

40. Compensation in form of replacement land shall be made with lands of equal value, productivity, and irrigation services in a comparable location. If such land is not available, another land plot shall be given plus land development cost to improve the land quality and productivity, and irrigation supply; plus, transitional allowance for loss of income from crops based on the tax reported average annual net income for the last three years multiplied by four (four years during which the land will be selected and developed, or the irrigation system of the existing lands will be improved). EA will pay all transaction costs and registration fees for the replacement land. EA will pay the land development costs to the local authorities to use for land development. If the remained part of the affected land become unviable, the whole land plot shall be acquired and compensated.

41. **Resolution of Cabinet of Ministers № 44 (15 February 2013) with amendments based on Resolution of Cabinet of Ministers № 307 (20 May 2020)**. This resolution determines the procedure for the appointment and payment of Makhalla allowances for a) low-income families with children under the age of 14 years, b) allowances for low-income parents for child care until the age of two years and c) allowance for low-income families. According to this resolution the following types of families are entitled to allowances:

- Families where the average monthly income does not exceed 52,7% of minimum wage per person during the last three months. Along with incomes household members gain officially, additional factors are also to be considered by Makhalla committee members, including the availability of land, employment status of family members, and presence of persons in need of care;

42. The preferential rights for makhalla allowances have:⁶

- Families who have lost both parents and children are in care of relatives;
- Families where one or both parents are disabled;
- Widow(er), raising two or more children under the age of 14, living separately from other relatives;
- Families with disabled children;

⁶ The SPV will verify the vulnerability status of AHs with the Makhallas.

- Mothers or fathers who are bringing up the children in a single-parent family. In this case the fact of child rearing mother (father) in an incomplete family established by makhalla;
- Families in which one or both parents are unemployed who have been registered at state employment bodies (regional and city departments of the Ministry of Employment and Labor Relations) as job-seekers;
- Single retired persons.

43. **Resolution of Cabinet of Ministers №165 (30 March 2017).** Uzbekistan's legislation does not define compensation as targeting the rehabilitation of APs' livelihood. They focus on paying compensation for measurable physical impacts or incomes. The Presidential Resolution №3857 of 2018 (described above) requires that the donor-funded projects follow the specific safeguards requirements of the donor. This resolution theoretically removes any disparity between the country's legislation on LAR issues and ADB's requirements for IR safeguards. However, there are still questions to EAs from state budget controlling authorities that are related to the amount of the rehabilitation allowances provision.

44. This Regulation №165 determines the procedure for the allocation of a one-time financial allowance to needy families in the Republic of Karakalpakstan and the Khorezm region, primarily, single retirees, families with a disabled breadwinner and other low-income groups and families. This allowance to needy families can be appointed by a special decision of makhalla Social Protection Commissions to families (citizens) who find themselves in difficult life situations. The definition of a difficult life situation includes among others the damage to property as a result of emergency circumstances or force majeure. The specific amount of this one-time financial assistance is determined by the Commission for each case individually, considering the complexity of the "difficult life situation". According to regulation №PP-4086 since 28 December 2018, the minimum and maximum amount of this allowance are annually regulated by a special Decree of the President of Uzbekistan. For the year 2020, this amount was determined in the Decision of President №PP-4555, Annex 2 (December 30, 2019) and vary from 434,000 UZS and up to 1,085,000 UZS.

45. Considering that a) there are no other normative to compensate the loss of livelihood and b) absence of the specialized social protection body in the country⁷, it is suggested in this project, based on Resolution #165 (on analogy), to allocate a one-time allowance amounting of maximum value of the allowance envisaged by the Decision of President №PP-4555 to all the displaced AHs as severe impact relocation allowance.

46. **Land Acquisition Normative for the Construction of the TL: KMK 2.10.08-97 and Resolution of the CoM №1050 (26 December 2018).** The Government Construction normative KMK 2.10.08-97 provides standard and guidance for design, construction, and operation of transmission line particularly with its requirement for land acquisition. For transmission line having a voltage of 220 kV, the requirement is as follow:

- (i) The TL requires a temporary alignment corridor of 15 meters in width for stringing the conductor cables for a single-circuit TL in case of steel towers to be erected. For the concrete towers the corridor is 12 meters.

⁷ The Ministry of Labor and Social Protection was reorganized in 2016 and the functions of the centralized regulator of the social protection system has not been yet delegated to any other agency. The Government of Uzbekistan is planning to establish the Ministry of Social Protection by 2022.

- (ii) The TL requires a temporary alignment corridor of 18 meters in width for stringing the conductor cables for a double-circuit TL.
- (iii) Post-construction the TL require 55.06 square meters for each single-circuit type tower and 70.56 square meters for each double-circuit type tower.
- (iv) According to the Article 14(a) of the Annex 1 to the Resolution of the CoM №1050 “On the approval of the rules of protection of power transmission facility objects dated 26.12.2018 a safety zone of 25 meters to each side of the outer conductor cable is required as a safety zone and will be established for 220 kV TL. The safety zone of TLs is a land plot from the surface to the bottom, on which a special procedure is established for the ownership and use of a land plot. Safety zones of TLs established in accordance with the rules are encumbrances of land plots and are subject to state registration in the prescribed manner.

C. Involuntary Resettlement Safeguards Requirements of ADB SPS 2009

47. ADB SPS (2009) principles are triggered both in case of a physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) because of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. The LARPs must be prepared regardless of whether involuntary restrictions are full or partial, permanent, or temporary. Resettlement planning is an integral part of the project design for all ADB projects associated with LAR and shall be started in the early stage of the project cycle, considering the key policy principles of ADB SPS (2009) for involuntary resettlement as summarized below:

- (i) Screen the project impact on early-stage to determine past, present, and future involuntary resettlement impact and risks. Determine the scope of resettlement planning through a survey and/or census of APs, including a gender-related resettlement impact.
- (ii) Carry out meaningful consultations with APs, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs.
- (iii) Pay attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations.
- (iv) Establish a grievance redress mechanism to receive and resolve the DPs’ concerns. Support the social and cultural institutions of APs and their host population. Where involuntary resettlement impact and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- (v) Improve, or at least restore, the livelihoods of all APs through (i) land-based resettlement strategies when affected livelihoods are land-based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit-sharing schemes where possible.

- (vi) Provide physically and economically APs with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (vii) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with the relevant income sources and legal and affordable access to adequate housing.
- (viii) Establish procedures in a transparent, consistent, and equitable manner if the land acquisition is through a negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (ix) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- (x) Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- (xi) Disclose a draft and final LARP, including documentation of the consultation process on time, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final LARP and its updates to affected persons and other stakeholders.
- (xii) Conceive and execute involuntary resettlement as part of a development project/program. Include the full costs of resettlement in the presentation of the project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xiii) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement LARP under close supervision throughout project implementation.
- (xiv) Monitor and assess resettlement outcomes, their impacts on the standards of living of AHs, and whether the LARP has achieved its objectives considering the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

48. ADB SPS 2009 define three categories of AHs with variable compensation entitlements:

- (i) **Legal AHs:** APs with formal legal rights to land/land use right lost in its entirety or part;
- (ii) **Legalizable AHs:** AHs without formal legal rights to land in its entirety or part but have claims to such lands that are recognized or recognizable under the national laws and;
- (iii) **Non-legal AHs:** AHs who have neither formal legal rights nor recognized/recognizable claims to land/use right which they lost in its entirety or part.

49. For categories (i) and (ii) above, compensation should be paid for loss of a land use right and compensation at full replacement cost for structures, land improvements and relocation

assistance. For APs in category (iii) (informal settlers), the borrower/client is expected to compensate all assets other than land (i.e., buildings, trees, crops, businesses) at full replacement cost. The risk of opportunistic encroachment on land designated for acquisition by the project is managed through a cut-off date.

50. Compensation for loss of land may be in the form of replacement land (if feasible) or in cash at “full replacement cost” that includes: (i) transaction costs; (ii) interest accrued; (iii) transitional and restoration costs; and (iv) other applicable payments, if any. Compensation for all other assets is to be provided in cash at replacement cost without deductions for amortization, salvaged materials, and transaction costs.

D. Comparison of Uzbekistan laws and ADB SPS 2009 and reconciliation of gaps

51. There are some gaps between the laws of Uzbekistan and ADB SPS (2009). The laws of Uzbekistan do not provide compensation for AHs who have no legal rights to lands and other assets they use. ABD SPS (2009) requires that this group of AHs shall get compensation at least for all losses but land and provided rehabilitation assistance. It also requires additional assistance to severely affected and vulnerable AHs, setting up the project-level GRM, conducting information disclosure and consultations with AHs, and regular monitoring and reporting of the LARP implementation and resettlement safeguards performance during project implementation, which Uzbekistan laws do not specify. The gaps between the requirements of ADB SPS (2009) and national laws have been reconciled in previous ADB-assisted projects in Uzbekistan. Those reconciliations will be applied in any LARPs or CAPs that may be prepared under this Project (Table 2).

Table 1. Comparison of ADB SPS (2009) and Uzbekistan Laws

Items	ADB SPS (2009) and practices	Uzbekistan laws	Reconciliation measures
1. Eligibility	A. <u>AHs with legal rights</u> . They are eligible for compensation of land and all losses.	A. AHs with legal rights are eligible for compensation of land and all losses.	A. Same in principle and application.
	B. <u>AHs with legalizable rights</u> . They are eligible for compensation of land and all losses.	B. AHs with legalizable rights will receive compensations after legalizing lands and assets on own efforts.	B. <u>AHs with legalizable rights</u> will be compensated for lands and all incurred losses. Resolution of the Cabinet of Ministers № 3857 ⁸ .
	C. <u>AHs with no legal/legalizable rights</u> . They are eligible for compensation of all losses but land.	C. AHs with no legal/ legalizable rights are not eligible for compensation.	C. Informal land users will be entitled to compensation for non-land assets and improvements and for rehabilitation assistance. Resolution of Cabinet Ministers № 3857. Loan agreement shall also provide covenants for application of ADB SPS (2009) for this and all other reconciliation measures below.
2. Compensation	A. <u>Permanent loss of land</u> . Replacement land as preferred option or cash compensation at replacement cost (market value plus other related costs).	A. Replacement land for AHs with formal land title and any other improvement costs in affected private lands.	A. Same in principle and application. Replacement land will be sought as first option for AHs whose livelihood is land based. If suitable land is not available, cash compensation at full market cost. At preparing the LARF permanent land loss is not identified. If there will be any permanent land loss, this be known after the detailed design.
	B. <u>Replacement of leased land</u> . Compensation of lost income and cost and replacement of leased land.	B. Based on lease replacement and compensation in cash for all losses including lost profit.	B. Based on lease replacement and compensation in cash for all losses including lost profit.
	C. <u>Loss of structures/buildings</u> . Compensation in cash at replacement cost for lost item free of depreciation, transaction costs and other deductions.	C. Compensation in cash at market value for lost asset free of depreciation, transaction costs, and other deductions.	C. Same in principle and application. Resolution of the Cabinet Ministers № 3857. Compensation at replacement cost principle without discounting depreciation and transaction cost as already done for

⁸ The Resolution of the Cabinet of Ministers № 3857 “On measures to improve the effectiveness of training and implementing projects with participation IFIs and foreign government financial organizations” and the loan agreement will be bases for compensation.

Items	ADB SPS (2009) and practices	Uzbekistan laws	Reconciliation measures
			previous ADB projects and will be applied in this LARP.
	D. <u>Loss of indirectly affected lands and other assets.</u> Non-affected part of the asset no longer usable after the impact shall be acquired and compensated too.	D. Law requires that all losses including lost profits should be compensated to all legal APs.	D. Same in principle and application. Resolution of the Cabinet Ministers № 3857.
	E. <u>Loss of business.</u> Reimbursement of actual losses plus business re-establishment costs. For application based on tax declared income for period of business stop. In absence of tax declaration based on maximum non-taxable salary.	E. Cash compensation at market value for all damages/expected profit loss incurred. Burden of proof of expected profit loss rests on APs based on the formal documented evidence but no clear methodology.	E. Same in principle and application. Resolution of the Cabinet Ministers № 3857. Business losses will be compensated as per ADB SPS (2009) and good practices.
	F. <u>Loss of non-fruit and fruit trees:</u> (i) non-fruit trees. Irrespective of legal land occupancy status compensation at market rate. Application based on tree type/wood volume or other methods ensuring DPs rehabilitation; (ii) fruit-trees. Compensation at replacement cost based on application of methods: tree reproduction cost, income lost (x tree type x market value of 1-year income x full production years lost); or if no official data available about net income, the valuation specialist will define value.	F. Non-fruit and fruit trees shall be compensated according to the independent valuator's report, but with no right to have felled trees.	F. Loss of trees will be compensated as per ADB SPS (2009) and good practices, as specified in the Entitlement Matrix of this LARF. Resolution of the Cabinet Ministers № 3857.
	G. <u>Loss of crops.</u> Compensation of crop in cash at market price.	G. Loss of crops shall be compensated at market price.	G. Same in principle and application. Loss of crops will be compensated at market price as per the Entitlement Matrix of this LARF.
Involuntary Resettlement Planning, assessment, and impact valuation	A. <u>LARP preparation and implementation.</u> This includes measures such as: (i) impact assessment/APs census and socio-economic surveys; (ii) defining compensations and entitlements; (iii) safeguards monitoring requirements;	A. No requirement to prepare a stand-alone LARP. Involuntary land acquisition and resettlement process entails similar but less detail assessment than ADB SPS (2009), as detailed below: (i) Impacted lands and buildings are measured. Other impacts identified but	A. LARF has been prepared following ADB SPS (2009) and good practices. LARP will be prepared based on final detailed design. Due diligence were conducted: (i) information disclosure, consultation, and socio-economic surveys of households in the project area; (ii) compensations and

Items	ADB SPS (2009) and practices	Uzbekistan laws	Reconciliation measures
	(iv) budget and implementation schedule; (v) DMS that measures all affected lands and assets; (vi) Valuation of all loss assets: a) Land: If land market exist based on a survey of recent transactions; without land market based on land productivity/income; b) buildings and structures: replacement cost of materials, labor and transport and special features of building/ structure without discounting depreciation, salvaged materials and transaction costs; c) trees/crops: As per methodology given in section Compensation.	not measured; (ii) only legal APs are identified ; (iii) No socio-economic survey is required; (iv) Valuation is required: (a) market land value identified based on survey of land market transactions; (b) buildings and structures based on market value; (c) valuation includes transaction costs/third party liabilities; (d) replacement cost but the salvaged materials remain with the developer or discounted from compensation; e) trees and crops valued and compensated as given in section Compensation.	entitlements are defined in Entitlement Matrix of the LARF as per ADB (SPS (2010) principles, (iii) monitoring and reporting requirements specified in the LARF, (iv) GRM is developed and specified in the LARF; Further, if there will be any impact, LARP will be prepared through (v) census of all AHs, (vi) DMS of affected lands and other assets, and (vi) valuation of loss assets following ADB SPS (2009) requirements and good practices including the principle of replacement cost, no discounting depreciation and transaction cost as have been applied for previous ADB projects. Resolution of the Cabinet of Ministers #3857.
Procedural mechanisms	A. <u>Information disclosure</u> . Project and resettlement related information and documents shall be timely disclosed to APs in their language.	A. No disclosure requirement exists.	A. Project information was disclosed during the public consultations in all project districts and LARF, and if LARP will be required, then the final LARP after approval will be disclosed as per ADB SPS (2009);
	B. <u>Public consultation</u> . EA shall ensure meaningful consultations with AHs/APs, and consult them about resettlement planning, compensation options and entitlements.	B. Matters of local importance shall be publicly discussed with local authorities. But no requirement to consult directly the AHs.	B. Public consultations have been conducted in all project districts in preparing the LARF. Public consultations will be proceeded during the project implementation stage and if LARP will be required, then in LARP preparation and implementation stages. Further, final LARP will be disclosed as per ADB SPS (2009);
	C. <u>Grievance procedure</u> . the SPV shall form a project-level GRM and inform the APs about the GRM.	C. Each state agency shall address the citizens' complaints as per the instructions approved by the Government.	C. Project-level GRM and institutional responsibilities are agreed with the SPV and will be in place during the project implementation.
	D. <u>Full compensation before acquisition</u> . Impacted lands and properties can be acquired for the project only after full compensation is paid to AHs.	D. Property can be acquired only after full compensation is paid to AHs.	D. Same in principle and application.

Items	ADB SPS (2009) and practices	Uzbekistan laws	Reconciliation measures
Assistance to vulnerable AHs/APs, livelihood restoration	<u>Vulnerable and severely AHs/APs.</u> EA shall identify these AHs and provide them additional assistance to restore and improve their pre-project level livelihoods.	A. No involuntary resettlement related allowance to vulnerable and severely AHs or for the livelihood restoration are envisaged.	A. Vulnerable and severely AHs will be (i) provided with additional cash allowance, (ii) enrolled in government assistance program, and (iii) prioritized in project-related employment. Resolution of the Cabinet of Ministers #3857. No AHs will experience severe impact.

52. Reconciliation of gaps: The following principles will reconcile the gaps between the laws of Uzbekistan and ADB SPS (2009) and govern resettlement and compensation process:

- (i) Avoid and/or minimize the resettlement impact as possible through the project design options;
- (ii) Where impacts will be unavoidable, assist and compensate AHs and mitigate impacts according to the LARF to ensure the AHs improve or at least regain their pre-project social and economic conditions;
- (iii) Conduct information disclosure and meaningful consultations with AHs continuously about the resettlement planning and compensation options and assistance and ensure their participation in the project implementation and monitoring;
- (iv) Provide additional assistance to vulnerable and severely affected AHs;
- (v) Assist the AHs with income restoration and rehabilitation activities;
- (vi) Provide AHs with no legal rights to land and assets (informal land and property users) full compensations at least for all non-land losses (e.g. buildings and structures, trees and crops, informal business and/or employment, etc.);
- (vii) Disclose the LARF, LARPs and CAP (if any) to AHs in local languages of AHs;
- (viii) Pay full compensations at replacement cost and rehabilitation assistance to AHs according to the LARF and LARPs before physically acquiring lands and commencement of construction works by the contractor in the impacted sites;
- (ix) Ensure that a project-level GRM will be in place and accessible to AHs and public during the project implementation and evaluation; and
- (x) Conduct regular monitoring and reporting of the social and resettlement safeguards performance throughout the project implementation period and take corrective actions as needed. Prepare and disclose semi-annual social safeguard monitoring reports.

E. Eligibility and Cut-Off-Date

53. All AHs are eligible for compensations and assistance according to the entitlement matrix in Table 3. Lack of legal rights to lands and assets do not ban the AHs from receiving compensation of all losses other than land as well as relevant assistance and allowances to help them cope with their displacement and restore their livelihoods. Combination of compensations and assistance to individual AHs depends on lost assets, the severity of impacts and individual social and economic vulnerability. Compensations will be paid based on the principle of replacement cost that besides the market value of the lost assets will include all costs the AHs incurred or shall incur (e.g., transactions registration fees for lands, buildings, business, and other assets, costs for land improvement if relevant, costs for relocation and transportation).

54. The AHs eligible for compensation and rehabilitation assistance under the project are:
- (i) All AHs losing the legal rights to lands;
 - (ii) All AHs losing buildings, crops, plants, or other objects attached to the lands regardless of their legal status; and
 - (iii) All AHs losing business, jobs, and income regardless of their legal status.

55. The SPV through the local media will announce the cut-off date as the last day of the DMS that will be conducted for preparing the final LARPs according to the project detail design. The announcement of the cut-off date will inform the public and AHs that anyone who will settle in the affected areas and/or construct/alter any buildings or business after the cut-off date will not be eligible for compensation of the incurred costs and assistance by the project. However, they shall be given the notice to vacate premises and dismantle affected structures. The dismantled materials will not be expropriated and they will not pay any fine or suffer any sanction.

56. The AHs and public will be informed about the cut-off date also during the DMS, conducting the census of AHs, Inventory of Losses (IOL), and Socioeconomic survey (SES) for preparing the final LARPs. The AHs/APs that have been proven living or having livelihoods activities in the project impacted area but were not identified during the preparation of the final LARPs, or newly identified as AHs due to any changes in the project design will be eligible for compensation and assistance.

F. Entitlement Matrix

57. The Entitlement Matrix (EM) in Table 3 below provides the principles of compensations for losses and assistance allowances to eligible AHs as a minimum benchmark according to ADB SPS (2009).

Table 2. Entitlements Matrix

Specifications	Entitled persons	Entitlement
A. Loss of lands		
Permanent loss of land		
All land losses	State agency responsible for land development	<ul style="list-style-type: none"> Land development cost to develop new lands or improve irrigation supply to raise the productivity of the existing lands⁹.
	All AHs with formal land use rights	<ul style="list-style-type: none"> Land for land compensation with plots of equal value, productivity, and irrigation services in a comparable location. If such land is not available, another land plot plus land development cost to improve the land quality and productivity, and irrigation supply; plus, transitional allowance for loss of income from crops based on the tax reported average annual net income from the affected crops for the last three years multiplied by four (four years during which the land will be selected and developed, or the irrigation system of the existing lands will be improved); or Cash compensation based on the tax reported average annual net income for the last three years multiplied by four years. <p>In addition:</p> <ul style="list-style-type: none"> All transaction costs and registration fees for the replacement land will be covered by the project; and

⁹ According to valuation methodology in the Resolution of the Cabinet of Ministers dated 25.05.2011, №146 “About measures to improve the procedure for allocating land plots for urban development activities and other non-agricultural purposes” (Annex 2 – Regulations on the identification of possessors, users, tenants and land owners, and loss of agricultural and forestry production).

Specifications	Entitled persons	Entitlement
		<ul style="list-style-type: none"> • Unaffected part of the affected land plot will be acquired and compensated if it becomes unviable after the impact.
Loss of land that AHs have no formal rights but rights are legalizable	All AHs whose land use rights are legalizable.	<ul style="list-style-type: none"> • Compensation for all losses on the same principle as above, and for loss of land.
Loss of land that AHs have no formal rights but rights are not legalizable	All AHs whose land use cannot be legalizable.	<ul style="list-style-type: none"> • Compensation for all non-land losses on the same principle as for AHs with legal rights to impacted lands and assets.
Temporary loss of land	All AHs	<ul style="list-style-type: none"> • Any kind of temporary land impact will be compensated as per the provisions of this EM for the loss of crops, income/livelihoods, structures and/or other assets and activities related to the temporary affected land. The temporary affected land will be restored to the pre-project conditions and returned to the land user/owner.
B. Loss of crops		
Loss of crops for one cropping season	All AHs with and without legal rights to lands	<ul style="list-style-type: none"> • Cash compensation equal to loss of net income from the impacted land calculated based on the tax reported average net annual income from the land in the last three years; • If standing crops, in addition to the above, compensation of incurred production costs (inputs and services) for the affected standing crops based on the actual production costs proven by documents (e.g., receipts, invoices for paid inputs and services), or if documents on incurred costs are not available, based on the average costs for such inputs and services in the project district; • Duration of construction works shall not exceed one cropping season; if the impact will be more than one cropping season, the AHs will be paid compensation for loss of net incomes due to loss crops for each impacted season in the same principle as above. • Restoration of lands to the pre-project conditions; AHs will be allowed to cultivate lands after the construction works.
D. Loss of trees		
Loss trees	All AHs with and without legal rights to lands	<ul style="list-style-type: none"> • <u>Fruit trees</u>. Cash compensation based on the average annual net income for the last 3 years multiplied by the duration from planting tree to reach the productive stage and the cost of saplings and planting trees defined by an independent valuator. If no data is available about the net income, compensation at market cost will be determined by an independent valuator including the special indicators such as recovery value and increase index; • AHs can harvest fruits before commencement of construction works without deduction from their compensation amounts;

Specifications	Entitled persons	Entitlement
		<ul style="list-style-type: none"> • <u>Non-fruit trees.</u> Cash compensations based on market value of dry wood volume defined by an independent valuator; • <u>Immature trees.</u> Cash compensation on costs of saplings and costs to grow the trees to the same trees ages defined by an independent valuator. In order to meet the replacement cost, income for lost years shall also be added to the compensation amount. In addition: • The AHs will have the felled trees without any discounts from their compensations. • Restoration of lands to the pre-project conditions after loss of trees due to temporary land impact. AHs will be allowed to continue their cultivation after construction works.
E. Impact on Structures		
Residential / Business structures (Full or partial loss of structures)	All AHs	<ul style="list-style-type: none"> • Cash compensation at full replacement rate for affected structure/ fixed assets free of salvageable materials, depreciation, and transaction costs; • If partial impacts on structures (walls, fences, etc.), cash compensation at replacement cost to restore the remaining structure. • Unaffected portions of the structure will also be compensated at replacement cost if they become unviable after impact. • Cash compensation at replacement cost to be determined by the Independent Valuator and cost of valuation shall be paid by the project.
F. Impact on Income and Livelihood		
Employment from affected land	Agricultural workers	<ul style="list-style-type: none"> • Loss of income/livelihood, if any, will be compensated for the duration of interruption, calculated based on the estimated average monthly income in the past 3 years multiplied by the number of months of income interruption. • If agricultural workers lose employment permanently due to land acquisition by the project, cash indemnity corresponding to their salary (cash and in-kind¹⁰) for the remaining part of the agricultural year/or contractual period whichever is higher in cash value.
Business income loss	All AHs	<ul style="list-style-type: none"> • Reimbursement of actual losses plus business re-establishment costs. The actual losses are defined based on tax declared income for period of business stop. In absence of tax declaration based on maximum non-taxable salary.
G. Assistance allowances		
Vulnerable Affected Households	AHs (i) headed by women; (ii) with low income; (iii)	<ul style="list-style-type: none"> • Rehabilitation allowance equivalent to 3 months of minimum wage.

¹⁰ Products which workers used to receive as payment and/or additional benefit for on-farm work such as wheat, rice, hay etc.

Specifications	Entitled persons	Entitlement
	headed by elderly with no support, (iv) have disabled member, (v) landless.	<ul style="list-style-type: none"> • Priority for employment in project-related jobs, training opportunities, self-employment, and wage employment assistance.
Severely Affected Households	In the case of severe impact, where 10% or more of a productive asset (leased and unleased land) is to be acquired,	<ul style="list-style-type: none"> • Rehabilitation allowance equivalent to 3 months of minimum wage. This is in addition to compensation for loss lands, incomes, and other assets, as applicable; and • Priority for employing family members in the project construction and operations jobs.
Community Structures and Assets (Loss or damage to public infrastructure and utility)	Community-owned Assets	<ul style="list-style-type: none"> • Rehabilitation/replacement of affected structures/utilities (i.e., footbridges, roads, communication lines, water pipelines, power transmission lines, etc.) to pre-project level.
<p>H. Mitigation of more than one-year impact: If the civil works will prolong more than one year, all AHs will be compensated in the same principles as provided in for the first year as per this LARF for crops and trees and any other unanticipated losses.</p>		
<p>I. Any unanticipated impact: The AHs will receive full compensation based on replacement cost for any unanticipated impact identified during the project implementation. In such case, the EM will be updated accordingly.</p>		
<p>J. Financial obligation of AHs for temporary impacted lands. Upon the project approval, as per the national procedures, the District Governments will issue an order about acquiring temporary (if required) the lands from AHs for the temporary ROW. The lands will be formally acquired from AHs and they will not have any financial obligations and responsibility for any taxes and fees related to these lands while the lands are temporary acquired from AHs.</p>		

III. SOCIOECONOMIC INFORMATION

A. General

58. The SPV(s) will prepare LARPs for any projects or subprojects that will have resettlement impact as defined by ADB SPS (2009), and implement them after ADB's approval. This will be ensured through the Project Agreement to be entered into between ADB and the SPV and the Counter Guarantee and Indemnity Agreement between the Government of Uzbekistan and ADB. The LARPs preparation will include conducting of assessments of such impacts including: (i) the census of all AHs and (ii) socio-economic survey of AHs sample, (iii) identify AHs and affected persons who will experience physical and/or economical displacement due to the project, (iv) conduct inventory of losses and DMS, and (iii) identify basic socio-economic baseline conditions of AHs to assess the projects' impacts on their living standards and mitigation measures required. In case of any maintenance work in the future, the SPV will compensate to the AHs any loss due to the works according to the national laws and regulations. In the frames of the analysis of the future impact, this will be considered in the LARPs and Social Due Diligence Reports in the requirements related to the social impact assessment.

B. Census of AHs and inventory of losses

59. The census will be conducted for all 100% of AHs. The census will identify and record all AHs and affected persons (affected persons are members of AHs) and conduct inventory of their lands, assets, and livelihoods to be affected due to the projects, and identify vulnerable AHs to plan additional assistance to these groups as they can be disproportionately affected due to their vulnerability. The data from the AHs' socio-economic survey, census and inventory of losses will be used for preparing LARPs and compensation measures in compliance with ADB SPS (2009) and laws of Uzbekistan. LARPs will be disclosed to all AHs and public after approval by ADB.

60. Compensations for losses and acquired assets defined in LARPs will be based on replacement cost principle to be defined through valuation in compliance with principles envisaged in this LARF, SPS (2009), laws of Uzbekistan and good practices from other ADB projects in Uzbekistan. Details on valuation methods for determining replacement costs of losses and acquired assets are provided in the following section of this document.

C. Baseline socioeconomic surveys

61. A sample survey of 20-25% AHs will be conducted and it will include the following:

- Demographic data (household composition by age, gender, ethnicity, education);
- Income, livelihoods, and assets (individual, collective);
- Occupation (livelihoods/income sources);
- Access to public services (water and sanitation, health, education, transport);
- Gender roles and gendered impacts where relevant, to address gender issues in resettlement planning; and
- Preference on income restoration activities, employment in project construction works.

62. Sample survey questionnaires for census of AHs and inventory of losses, and sample socioeconomic survey are proposed in Appendix C.

IV. COMPENSATION AND RELOCATION

A. Replacement cost principle

63. In case of LAR impacts, all compensation payments for assets and income losses will be paid to AHs at full replacement cost that includes the market value of the loss assets and any other relevant costs such as (i) transaction costs; (ii) interest accrued; (iii) transitional and restoration costs; and (iv) other applicable payments, if any, and without deductions for any taxes, depreciation, and salvaged materials.

B. Valuation regulations and approaches

64. Valuation of assets or incomes for compensation of losses to AHs will be carried out according to the Law About Valuation Activities, Decrees and Resolutions of the President and the Cabinet of Ministers of Uzbekistan, and replacement cost principle of ADB SPS (2009). The national legal acts related to the valuation of losses of lands and other assets for compensation include:

- (i) Resolution of the Cabinet of Ministers dated 16 November 2019, №911 “About additional measures to improve the procedures for provisions for the separation and provisions of lands and provisions of guarantee of property rights of physical and legal entities”;
- (ii) Resolution of the Cabinet of Ministers dated 25.05.2011, №146 “About measures to improve the procedure for allocating land plots for urban development activities and other non-agricultural purposes” (Annex 2 – Regulations on the identification of possessors, users, tenants and land owners, and loss of agricultural and forestry production);
- (iii) National Property Valuation Standards of Uzbekistan (IF) №10 “Valuation of real estate” (registered by the Ministry of Justice of 18.11.2009, №2044);
- (iv) Resolution of the Board of the Central Bank of Uzbekistan “About Approval of the Procedure of valuation of the land lease rights” (registered 8.04.2004 by the Ministry of Justice, №1336).

65. The Resolution of the Cabinet of Ministers # 146 mentioned above provides that in case of land acquisition, all losses of AHs shall be compensated. Resolution provides that in case of land acquisition the valuation for compensation of loss of crops, agricultural and forestry production shall be carried out following the methodology and formulas described in the Annex 2 of this Resolution. The “Uzdavverloyiha” Land Planning State Scientific-Design Institute and its territorial divisions, branches of state-owned land management enterprises and real estate cadastre of the respective districts, will define replacement land, amount of compensation for crops, and loss for agricultural and forestry production. The valuation and defined compensation will be reviewed by commissions under respective districts and cities Khokimiyats and approved by these Khokimiyats. The AHs can dispute the valuation. The project proponent will engage an independent valuation company in cases where AHs disagree with compensation rates determined by Uzdavverloyiha. In the case of further disagreement, the case will be decided by the Court that has own procedure for engaging a valuation commission and determine the value of losses for compensation, following the laws of Uzbekistan.

66. For loss of fruit trees and any other assets, the cash compensation at replacement cost to be defined by an independent valuation company and cost of valuation shall be paid by the project.

67. Compensation of the affected standing crops for compensation shall be based on replacement cost based on 1 year of production cost (inputs) plus an allowance equivalent to 1-year average net income computed based on the average income over the past 3 years. Loss of income from fruits trees shall be compensated based on the average annual income for the past 3 years multiplied by the duration from planting to reach the productive stage. In the case of loss of timber trees, compensation will be based on the costs of planting such trees and saplings of lost trees. If no data is available about the net income, the statistical data about the fruit trees yields and average prices for the last three years considering the type and age of trees, on district level, will be base to determine the income. Compensation at market cost for trees will be determined by an independent valuator. Annex 2 of the Resolution provides formulas for valuation of lost income from affected plants, and losses of and lands for permanent and temporary impacts.

68. In preparing the LARP based on the detail design, the SPV will ensure the official valuations for compensation of losses will be carried out according to the national laws and the replacement cost principle of ADB SPS (2009). Valuations shall consider that compensation of all losses due to the project will be paid based on the replacement cost principle that includes the defined market value of lost assets and other incurred costs as required by ADB SPS (2009).

C. Compensation for trees

69. The value of trees will be defined during the project implementation following the Law of Uzbekistan About Valuation Activities and the Resolution of the Cabinet of Ministers # 146 (2011 and as amended by time of LARP preparation). For fruit trees, cash compensation will be based on the average annual net income for the last 3 years multiplied by the duration from planting tree to reach the productive stage and the cost of saplings and planting trees defined by an independent valuator. If no tax data is available about the net income, compensation at market cost will be determined by an independent valuator based on the available district agricultural statistics about the average fruit trees yields (as per the trees types and ages) and average fruit prices for the last three years.

70. Non-fruit trees. Cash compensation will be based on the market value of dry wood volume.

71. Immature trees. The immature trees will be valued and compensated at the cost for planting and growing them to the same age and cost of saplings to replant the trees.

72. In addition, the AHs will have the felled trees without any discounts from their compensations. The AHs can harvest fruits before commencement of construction works without deduction from their compensation amounts.

73. The SPV will ensure restoration of lands under the impacted trees to the pre-project conditions upon completion of construction works before returning lands to the AHs.

D. Compensation for crops

74. Cash compensation equal to loss of net income from the impacted land calculated based on the tax reported average net annual income from the land in the last three years. If standing crops, in addition to the above, compensation of incurred production costs (inputs and services) for the affected standing crops based on the actual production costs proven by documents (e.g., receipts, invoices for paid inputs and services), or if documents on incurred costs are not available, based on the average costs for such inputs and services in the project district. The SPV will ensure restoration of lands to the pre-project conditions upon completion of construction works

before returning lands to the AHs. The AHs will be allowed to continue their cultivation after the construction works. Duration of construction works will not exceed one cropping season; if the impact will be more than one cropping season, the AHs will be paid compensation for loss of net incomes due to loss crops for each impacted season in the same principle as above.

75. Valuation for the compensations of the lost income due to loss of crops and harvest of fruit trees in the impacted lands will be carried out by the district authorities (Khokimiyats). The value of trees will be defined by the independent valuator.

E. Compensation for land

76. The lands are state-owned and AHs have land leaseholds for up to 49 years. If permanent land acquisition will be required for the project, compensations will be in form of:

- (i) Land for land compensation with plots of equal value, productivity, and irrigation services in a comparable location¹¹. If such land is not available, another land plot plus land development cost to improve the land quality and productivity, and irrigation supply; plus transitional allowance for loss of income from crops based on the tax reported average annual net income from the affected crops for the last three years multiplied by four (four years during which the land will be selected and developed, or the irrigation system of the existing lands will be improved). The SPV will pay all transaction costs and registration fees for the replacement land; or
- (ii) Cash compensation based on the tax reported average annual net income for the last three years multiplied by four years, whichever preferred by the AHs. The SPV will pay for the land development cost to local authorities to develop new lands or provide irrigation supply to increase the productivity of the existing lands.

77. All compensations will be based on replacement costs principle.

78. In case of land for land transaction, the project will pay the cost to the special account of Tashkent Province Cadaster Department as required by the resolution of the Government 146 dated 25.05.2011. Transaction costs, registration fees, if any, will be borne by the project.

79. In cases where all or parts of the lease holding become unviable, unaffected portions of a plot will also be compensated. Compensation for the irretrievable loss of ownership of the affected agricultural land will be paid in the amount of four times the average net income over the past 3 years (from the impacted annual crop).

F. Compensation for structures

80. At the feasibility stage, physical displacement and impact on private structures and buildings are not expected. If any such impact will arise during the detailed engineering design and the project implementation, compensation for these losses will be paid both to the AHs who have legal rights and those with no legal rights based on the principle of replacement cost following ADB SPS (2009) and laws of Uzbekistan, and as envisaged in Entitlement Matrix of this LARF.

¹¹ District Khokimiyats in coordination with the NEGU will allocate replacement land plots to AHs.

G. Compensation for loss of income/livelihoods

81. Loss of income/livelihood, if any, will be compensated for the duration of interruption, calculated based on the estimated average monthly income in the past 3 years multiplied by the number of months of income interruption. If agricultural workers lose employment due to land acquisition by the project, cash compensation equal to their salary for the remaining part of the agricultural year or contractual period whichever is higher, will be paid.

H. Assistance Allowances

82. **Severe impact allowance.** The severe impact occurs if AHs/APs will lose 10% or more of agricultural lands or other income-generating assets permanently. If any such impact will occur after the detail engineering design, the severely AHs will receive rehabilitation cash allowance equal to the minimum monthly wage for 3 months. Currently it is not expected the project will cause any severe impact to any potential AHs and no AHs or APs are expected to be physically displaced: However, this will be re-assessed and verified after the detail design will be finalized.

83. **Vulnerability allowance.** Vulnerable AHs as defined in this LARF, will receive a one-time vulnerability cash assistance allowance equal to the minimum monthly wage for 5 months, and priority for hiring in the projects' construction works. In assessment of LAR impacts and preparing the LARPs, the SPV will verify with the Mahallas the vulnerability status of AHs for additional assistance allowance, and also request the Mahallas to assist in enrolling them to the state-supported assistance programs.

I. Common property resources

84. The project does not envisage to cause impact on common property resources. If this will occur, the project will restore the impacted infrastructures to the pre-project condition.

J. Legalization and registration of lease/ownership of lands and properties

85. To ensure compensation of all losses, apart from the legal land/property titleholders, the inventory of losses will identify if there are AHs who are informally using affected lands/assets or have not registered their ownership/use rights. In such cases, the SPV will identify such AHs and in coordination with the land cadastre agency will assist those AHs to register/legalize their unregistered lands/properties to get compensations. The SPV will make a list of all AHs who need land/property legalization/registration. By the request of the SPV the district Khokimiyat will instruct the land cadastre agency to facilitate the AHs's land/property registering/legalization.

V. INCOME RESTORATION

86. The program for development of solar power plants and transmission lines is not expected to cause physical displacement and an economic displacement would be minimal and scattered. The AHs will be compensated for losses on replacement costs and additional assistance allowances will be paid to any identified vulnerable AHs and Severely AHs. People losing income or livelihoods such as agricultural laborer and employees will be entitled for livelihood assistance as provided in the entitlement matrix. The SPV will provide all compensations for losses and an advance notice to AHs prior to the start of the civil works. The AHs will be allowed to cultivate their lands after the civil works completed and transmission lines are installed and the SPV will ensure the lands will be restored to pre-project conditions (within the RoW). In case of any

maintenance work in the future, the SPV will compensate to the AHs any loss due to the works according to the national laws and regulations. In the frames of the analysis of the future impact, this will be considered in the LARPs and Social Due Diligence Reports in the requirements related to the social impact assessment. However, if any physical displacement or severe permanent impact will arise based on detail design, the SPV will have consultations with AHs about appropriate income restoration programs based on their skills and capacity needs.

VI. GRIEVANCE REDRESS MECHANISM

A. Objective and Responsibility

87. ADB SPS (2009) requires that the borrower/client shall establish a project level grievance redress mechanism (GRM) to receive and resolve the affected persons' concerns and grievances about physical and economic displacement and other possible impacts of the projects. The GRM should be scaled to the risks and adverse impacts of the project. The GRM shall resolve any grievances that may be raised from APs or public during the project related to the project's resettlement and environmental impacts and/or about consultations and information disclosure. It should address the received concerns and complaints promptly, using an understandable and transparent process that is gender-responsive, culturally appropriate, and readily accessible to the affected persons at no costs and without retribution. The borrower/client will inform displaced persons about the mechanism.

88. The project-level GRM should not impede access to the country's judicial or administrative remedies but aims to resolve the grievances effectively and consensus manner at the project level and prevent escalation to the national courts or ADB Accountability Mechanism. It will be maintained for the duration of the project. The aggrieved persons reserve their rights to appeal to the Court of Uzbekistan at any stage of grievance resolution.

89. The GRM will also follow the provisions of the Law of Uzbekistan "About the order of submission of appeals of physical and legal entities" (#378, 03 December 2014). It does not replace the country's judicial system but aims to resolve the grievances effectively. As per the Law, the citizens can make appeals in verbal, written or digital form. The grievances and inquiries under the project-level GRM can be made also through web-based services, the social media and messengers that are currently commonly used in Uzbekistan. The Government also has the State's Public Reception (*Halq Qabulhonasi*) that has a web-based service to receive the complaints and inquiries of people. The Office of the President of Uzbekistan also has a similar electronic resource for receiving complaints of people.

90. The SPV will have overall responsibility for well-functioning of the GRM and resolving the grievances. It will involve other relevant agencies and independent experts as needed. Prior to start of civil works, the SPV will hire an independent engineer who will be responsible for the overall Project activities and will act, on behalf of the SPV, and will establish a similar GRM for this Project. Upon the project approval, a Grievance Resolution Commission (GRC) represented by the local district authorities (Khokimiyats), SPV, land cadastral agency, Contractor, Mahallas, affected persons and civil society if available, and in coordination with the SPV assigned GRM focal person, will be established to address the grievances/complaints of the affected people. The first deputy of the respective districts authorities (Khokimiyats) responsible for industry, capital construction communications, and utility matters, will be responsible for LAR tasks of the project as per the national laws.

B. Accessibility and Awareness

91. Accessibility and awareness of the AHs and communities about the GRM is important for its effective functioning. The SPV will inform the AHs and public about the GRM using appropriate communication means (e.g., public consultations, information leaflets, local media, individual meetings) with special approaches to women and vulnerable APs. It will ensure to disseminate the contact information of staff of the key project stakeholders (e.g., SPV, Contractor, Khokimiyats, Mahalla, and ADB Uzbekistan Resident Mission's Resettlement Specialist/Focal Point) to AHs and project communities. This will ensure that people will know where to contact if they have inquiries or grievances. The AHs and people in the project areas shall also be informed about the ADB's Accountability Mechanism (AM), and that they should at first put good faith efforts for resolving the complaints on the project level-GRM level before approaching ADB' AM.

92. The project level GRM will be disseminated to the chiefs of the project villages and the district local authorities during the public consultations about the Project with consideration of COVID-19 restrictions. The Project information brochure (PIB) with the detailed GRM will be distributed to the Project communities through the makhalla or village assembly and digital/social media to be selected in preparation of LARPs and/or other safeguard documents as relevant.

C. Grievance resolution process

93. People usually approach to Mahallas and Hokimiyats if they have issues or complaints. The district Hokimiyats among others tasks by national laws, are responsible to (i) address the complaints and concerns of citizens; and (ii) initiate and process the LAR due to the state and public needs (e.g., notify the AHs about LAR, negotiate compensations and sign agreements). The Mahallas are key partners for the district Hokimiyats in these tasks in communities. People also can contact directly the project executing agencies. Therefore, all these project stakeholders, will receive, register, and forward grievances by email to the GRM focal person at SPV who will have a database of all grievances and their resolution status.

94. Based on the experience from other ADB-assisted projects in Uzbekistan, national laws¹² and local practices, and the project specifics, two levels of grievance redress are considered for the project that will be led by the SPV. At the **First level** the GRC mentioned above, will resolve the grievance **within fifteen days**.

95. If the local level will not be able to resolve the grievance, it will be resolved at the **Second level** GRC including the Project Sponsor in IA's Headquarter and other related state agencies and independent experts which the SPV will engage as needed for individual case. This level will resolve the grievances **within fifteen days** or maximum **thirty days** if the case requires additional documents or investigation. Tables 7 and 8 describe the grievance redress process.

96. If the project-level GRM will not be able to resolve the grievance or at any stage of the project GRM, the complainant may approach the Court of Uzbekistan to seek resolution of the case. The complaining party if not satisfied can also refer their concerns with ADB's Accountability Mechanism after making good faith efforts for resolving the grievance at the project-level GRM.

¹² Law About the order of submitting appeals of physical and legal entities (#378, 03 December 2014).

Table 3. Grievance resolution process

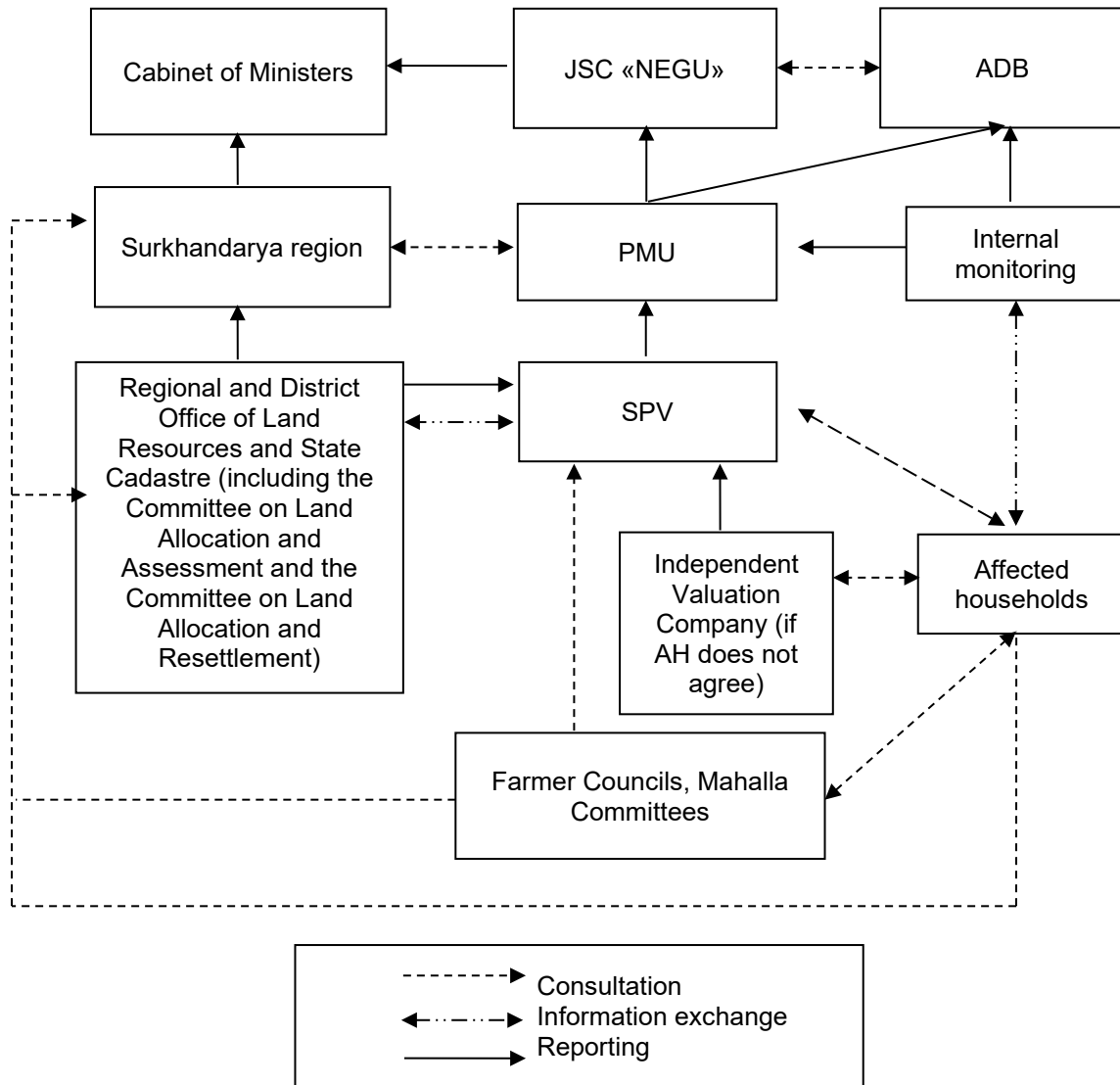
Levels	The summary of the process:	Timelines
<p>Level 1: Chief of respective Makhalla, District Khokimiyats, Contractor, and Focal Point (FP) at the SPV.</p>	<p>The aggrieved person can forward his/her grievance by post/in-person or electronic form (email/social media/ messengers) directly to chiefs of Makhallas, or designated Focal Point (FP) at the SPV or Khokimiyats as per their duties by laws. The FPs receive and register grievances, (sample Logbook in Appendix D) and:</p> <ul style="list-style-type: none"> • If the grievance is not related directly to the project, the aggrieved person will be directed to appropriate departments where s/he should apply for the decision-making; • Provide a written acknowledgment of receipt to the aggrieved person immediately or within two days. If the grievance is not related directly to the project, the complainant will be informed and recommended to contact the relevant agency accordingly; • Put efforts to solve the grievance at the entry point if possible; • Review and assess the nature/specifics of the grievance, inform the SPV management and forward grievances to the relevant parties for resolution. Depending on the nature of the grievance, it may be forwarded to the Contractor, Land Cadaster or Makhalla. The SPV will maintain a consolidated database of all grievances and their resolution status; • Inform the aggrieved person in a written form about the decision and information about how she/he should inform the SPV/appeal within a period given by laws if not agree with the decision. 	<p>15 days</p>
<p>Level 2: Private Partners</p>	<p>In case the grievance was not redressed at the first stage or the aggrieved person is not satisfied with the decision made, s/he can submit the grievance directly to the private partners. The grievance will be submitted to the private partner and the management thereof will appoint a special commission for redressing the grievance.</p>	<p>15 to 30 days</p>

97. Records and documentation.

98. The SPV will ensure that all grievances and their resolution status will be documented in the Grievance Logbook at the offices of the Contractor and SPV. The Mahallas and Khokimiyats of the project districts may use their own procedures for documenting the grievances.

99. The SPV will ensure that all grievances and their status will be monitored and reflected in the project's progress reports. The Contractor should incorporate the grievances and their resolution status in monthly progress reports submitted to the SPV, who in its turn will reflect this in the semiannual social safeguard monitoring reports that will be submitted to ADB.

Table 4. Project-Level GRM Relations



D. ADB's Accountability Mechanism

100. Two or more APs (can be from the same family) can submit their complaint to the ADB's Accountability Mechanism (AM). The AM is a last resort mechanism. The project-affected persons shall first address the issue with the project-level GRM, and then they shall make good faith efforts to address the issue with the relevant ADB operations department. Complaints will not be eligible in certain cases such as:

- About actions not related to something ADB did or not do in formulating, processing, or implementing an ADB-assisted project;
- About an ADB-assisted project for which 2 or more years have passed since the loan or grant closing date;
- About matters that the complainants have not made good faith efforts to address with the operations department concerned;
- About decisions made by ADB, the borrower or executing agency, or the private sector client on the procurement of goods and services, including consulting services; and allegations of fraud or corruption in ADB-assisted projects (these will be managed by other facilities).

101. The complaint may be submitted by mail, fax, email, or in-person:

Complaint Receiving Officer (CRO), Accountability Mechanism

Asian Development Bank Headquarter, 6 ADB Avenue, Mandaluyong City 1550, Metro Manila, Philippines (+632) 632-4444 loc. 70309 (+632) 636 2086 amcro@adb.org

102. Alternatively, complaints may be submitted through ADB office in Tashkent, which will forward the complaint to the CRO.

VII. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

103. ADB SPS (2009) requires the APs must be meaningfully consulted and given opportunities to participate in the resettlement planning and project implementation. They shall be consulted in an appropriate and timely manner about the resettlement and compensation options, assistance, and implementation of the final LARPs.

104. The SPV will ensure conducting information disclosure and meaningful consultation in conducting the social and resettlement impact due diligence based on the final detail design of projects and LARPs preparation implementation during the project implementation. The SPV will announce the cut-off date in the project area through the local media and public consultations as the last day of DMS that will be conducted for preparing the LARPs based on the projects' detail designs that will be available during the project implementation.

105. Face-to-face consultations, conditional to field situation given the COVID-19 pandemic, will be conducted with AHs and people in the project area in each district of the project. During these consultations, the project information will be presented along with the project information brochures including information about the key technical scope, summary of involuntary resettlement and environmental impacts, involuntary resettlement safeguards, and the principles of compensations of losses as given in the Entitlement Matrix of the LARF and LARPs, that will be applied in the project implementation based on the national laws and ADB SPS (2009), as well as the project level GRM, will be disclosed and discussed with AHs and public in local language.

106. Individual meetings will be conducted with AHs for their individual concerns, compensation, and resettlement planning. Upon presentation of the project and anticipated impacts to lands and assets of the AHs, the participating AHs and public will be given opportunity to raise questions and any concerns and suggestions they may have. The process of the consultations and meetings and including the questions and responses of the participants will be recorded as meeting notes with the list of participants and attached to LARPs as relevant.

107. The information disclosure and consultations will apply approaches to meet the needs such as time and venue convenience, and privacy needs of women and vulnerable groups if required, to ensure their participation.

108. Information disclosure measures for LARPs preparation and implementation will include: (i) posting the final LARPs in English and Russian or Uzbek languages on the websites of ADB and the SPV, if any; (ii) available copies of the approved final LARPs in the offices of Mahallas and Khokimiyats, (iii) and disclosure in public consultation with AHs in the project area during the project implementation. The SPV will conduct (iv) regular consultations and update the AHs and communities about the project scope and implementation timelines.

VIII. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION

109. The overall institutional arrangement for the project implementation and related to LAR tasks is discussed below, while the specific institutional arrangements shall be stipulated in the safeguard documents (LARPs and/or SDDRs as relevant) of respective subprojects.

A. Contractual Structure of PCG

110. The figure below illustrates the contractual structure of the transaction, which is further summarized as follows:

- **Guaranteed letter of credit (L/C).** Following the occurrence of a Guaranteed Event, the SPV draws down from the Guaranteed L/C. L/C Issuing Bank is a commercial bank acceptable to ADB (as Guarantor under the Guarantee Agreement), the L/C Applicant, and the L/C Beneficiary. An acceptable L/C Issuing Bank will be selected by the JSC NEGU and the GOU following ADB procurement regulations.
- **Reimbursement and Credit Agreement (RCA).** Following a draw under the L/C by the SPV following the occurrence of a Guaranteed Event, the amount drawn becomes a loan from the L/C-Issuing Bank to JSC NEGU. The NEGU would be obligated to repay the Lender such L/C loan, together with accrued interest thereon, within a period of twelve (12) months (the "L/C Reimbursement Period") from the date of each draw (loan), pursuant to the RCA.
- **Guarantee Agreement.** ADB (as Guarantor) will backstop the payment obligations of the JSC NEGU under the RCA to the extent that (i) the said obligations result from a Permitted Drawdown under the L/C and (ii) the L/C Applicant has failed to repay the L/C Issuing Bank in accordance with the RCA; and (iii) the GOU has also failed to repay the L/C Issuing Bank pursuant to the terms of the GSA). That is, if the amount remains unpaid after the expiry of the L/C Reimbursement Period, the L/C Issuing Bank would have the right to call on the Guarantee for the principal amount (equal to the amount drawn under the L/C) plus accrued interest due from the L/C Applicant.
- **Counter Guarantee and Indemnity Agreement (CGIA).** If the GOU breaches any of its obligations under the Indemnity Agreement, ADB may suspend or cancel, in whole or in part, the rights of the GOU to make withdrawals under any other loan, credit or grant agreement with ADB or any ADB loan to a third party guaranteed by the GOU, and may declare the outstanding principal and interest of any such loan or credit to be due and payable immediately.
- **Project Agreement.** The project agreement is entered into between ADB and the SPV. The agreement defines the guarantee and other related fees payable by the SPV to ADB. This will require compliance with applicable laws and the applicable ADB guidelines, environmental and social safeguard requirements.
- **Cooperation Agreement.** The cooperation agreement will be entered into between ADB and JSC NEGU to oblige JSC NEGU to comply with all its obligations under the transaction documents, obtain ADB's consent prior to agreeing to any change to any transaction document, take all actions in accordance with and as required by terms of the project related agreements.

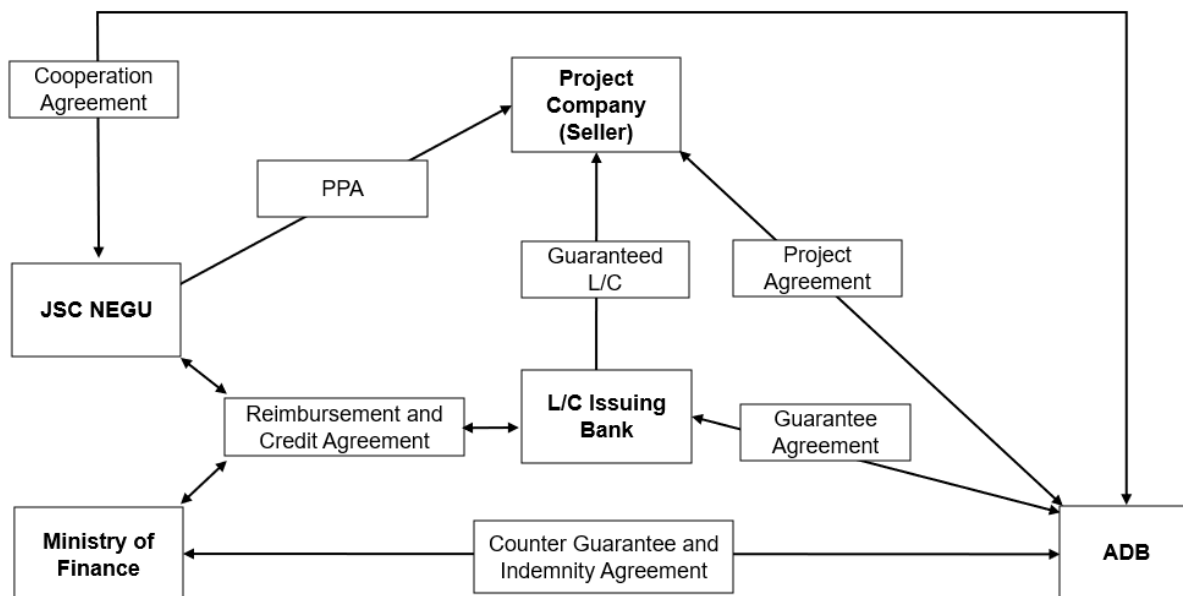


Figure 2. Contractual Structure of PCG

111. Public Partners: The following entities are designated as Public Partners for the Project:

- JSC National Electric Grids of Uzbekistan ("NEGU");
- The Ministry of Finance ("MOF");
- The Ministry of Energy ("MOE"); and
- The Ministry of Investments and Foreign Trade ("MIFT")

112. The Ministry of Finance ("**MOF**"), on behalf of the government of Uzbekistan, will enter into a counter guarantee and indemnity agreement with ADB by which the government commits to reimburse ADB in case of a call of the guarantee. Through the PPP Development Agency ("**PPPDA**") and its related units, the MOF has been involved in the preparation of the overall program with MIFT and the Ministry of Energy ("**MOE**"), including the impact of the fiscal impact of the PPP transactions and the government's obligations arising from the project-related agreements. The MOE will provide the policy direction on the sector development and long-term plan for investment.

113. In addition to the contractual arrangements in Figure 2, NEGU is obliged to purchase electricity generated from the SPV based on the power purchase agreement and in case of default of NEGU's obligation, the government will provide certain guarantees as envisaged under the Government Support Agreement:

- the Power Purchase Agreement ("PPA") will be signed by the NEGU as a Public Partner with the off-taking obligation. The form of Grid Connection Agreement ("GCA") to be entered into will be included as a schedule to the PPA;
- the Government Support Agreement ("GSA") will be signed by MIFT, as representative ministry for Government support to, and obligations towards the Project.

114. In addition, the SPV will have a social specialist on board who will monitor and ensure social safeguards compliance in the project implementation.

B. Private Partners

115. The Winning Bidder, selected by the way of competitive tender, will set up and assign all of its rights and obligations under the investment agreement to a joint stock company or limited liability company validly existing under the Laws of Uzbekistan for the duration of the Project (the “**Private Partner**”) and in compliance with ADB Eligible Country requirements.

116. Under the PCG structure (Figure 2), the SPV shall enter into a Project Agreement with ADB. The agreement defines the guarantee and other related fees payable by the SPV to ADB. Besides, this agreement will require compliance with applicable laws and the applicable ADB guidelines, environmental and social safeguard requirements during the implementation of the project.

C. Ministry of Investment and Foreign Trade

117. The Ministry of Investment and Foreign Trade (MIFT) will be the executing agency (EA) responsible for overall supervision and monitoring of project implementation and a Private Partner (private-developer-investor) to be developed, and through a Special Purpose Vehicle (SPV) that will be the implementing agency (IA).

D. National Electric Grid of Uzbekistan Project Management Unit (NEGU PMU)

118. The National Electric Grid of Uzbekistan (NEGU) will utilize the Project Management Unit (PMU) set up for current ADB funded energy projects in the region. The NEGU PMU will have the responsibility to supervise and oversee the project implementation including (i) review this LARF and subprojects’ LARPs, and ensure compliance with involuntary resettlement safeguards requirements, (ii) oversee preparation and implementation of the resettlement safeguard documents including Land Acquisition and Resettlement Plans (LARPs) and/or Social Due Diligence Reports (SDDRs) as relevant for the respective subprojects, monitoring and reporting to ADB to ensure resettlement safeguards compliance and smooth implementation of projects, (iii) engage the Independent Engineers to supervise and monitor the project implementation, (vi) report to the ADB and MIFT. In particular, the NEGU PMU will ensure resettlement safeguards documents prepared and endorsed in compliance with ADB SPS (2009) and relevant national policies, laws, and regulations national, state, and local levels.

119. To ensure effective preparation and implementation of the resettlement safeguards documents and requirements of ADB SPS (2009) and national laws and regulations, the NEGU PMU will assign one staff person as a safeguard’s manager and one staff person as safeguards specialist (NEGU PMU-SS) on full time basis.

120. The tasks of NEGU PMU-SS include;

- (i) conduct subsequent tranches (subprojects)’ resettlement screening and categorization following the ADB SPS (2009) and this LARF;
- (ii) oversee preparation and endorsement of the subprojects’ safeguard documents, including LARPs and/or SDDRs as relevant for the respective subprojects following ADB SPS (2009) and this LARF including national laws and regulations, and submit to ADB for review, approval, and disclosure;

- (iii) conduct meaningful consultation with AHs and communities¹³ during the resettlement impact assessment and preparation of LARPs;
- (iv) prepare periodic Social Monitoring Reports on LARP implementation and resettlement safeguards, including any issues of unanticipated LAR impacts and grievances, and submit to ADB for disclosure;
- (v) disclose relevant information about the project and from LARPs to the project affected persons.

E. Special Purpose Vehicle Project Implementation Unit (SPV PIU)

121. The SPV PIU as an implementing agency for the Program will implement all LAR tasks. The land required for the project will be made available through the Land Lease Agreement to the SPV. If LAR impact will be identified during the detailed design, SPV shall prepare LARPs according to involuntary resettlement requirements of ADB SPS (2009), and any other international financiers, and laws and regulations of Uzbekistan, which will be submitted to ADB for approval prior to the installation/physical activities on the section/component with LAR impacts. The LARPs will be implemented in accordance with ADB's SPS (2009) and national laws and regulations. Similarly, in case LAR issues emerged during the implementation of the civil works, the SPV will prepare corrective action plan (CAP) and seek ADB approval prior to its implementation.

122. The SPV will set up a SPV PIU in each project district. SPV will assign to SPV PIU at least one full time staff to handle safeguards implementation in the field (SPV PIU-SS). SPV PIU will be responsible for day-to-day activity and compliance with safeguards during project implementation including engaging in project GRM, information disclosure and meaningful consultations.

123. The tasks of SPV PIU-SS include;

- (i) ensure inclusion of resettlement safeguards in bid and contract documents;
- (ii) review contractor's monthly reports on summary updates about resettlement monitoring outcomes, including any issues of unanticipated resettlement impacts and grievances;
- (iii) conduct resettlement safeguard monitoring and ensure that the day-to-day construction activities are carried out following the LARP and LARF;
- (iv) ensure corrective actions are implemented when necessary;
- (v) report in a timely manner to ADB of any non-compliance or breach of ADB safeguard requirements in project implementation and construction process;
- (vi) prepare and update the subproject's LARPs in case of resettlement impacts, and Addendums in case of unanticipated resettlement impacts;
- (vii) establish GRM, monitor and promptly address complaints, and ensure their effective and adequate resolution, and keep the relevant records.
- (viii) make sure that the GRM is operational to effectively handle environmental, resettlement and social concerns of project affected persons.

¹³ Meaningful consultation is a process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

- (ix) carry out disclosure and public consultation during implementation to ensure the proper implementation of the project's LARPs and progress;
- (x) carry out ongoing monitoring and submit regular Social Safeguards Monitoring Reports to NEGU PMU and ADB on regular periodic reports as specified in LARPs based on the respective projects' resettlement impact scopes.

F. Project Implementation Consultancy Services (Independent Engineer)

124. The Project Implementation Consultancy (PIC) services (or Independent Engineer¹⁴) will be engaged by SPV to assist the NEGU PMU and SPV PIU with the implementation of the project, LARPs and oversight of the contractors. However, the NEGU PMU and SPV PIU will be directly responsible for ensuring compliance with the resettlement safeguards requirements.

125. The PIC will: (a) assist the NEGU PMU to conduct involuntary resettlement impact assessments and due diligences, prepare and update, as necessary, the LARPs and/or SDDR, and after endorsement of NEGU PMU and ADB's approval, assist in LARPs implementation, monitoring and reporting; (c) assist in the integration of safeguard measures into the design, installation, and commissioning of the solar PV plant(s) and transmission interconnection infrastructure works by SPV / contractor or sub-contractors; and assist the NEGU PMU, SPV PIU and contractors / sub-contractors with overall compliance to ADB SPS resettlement requirements including resolving grievances of any affected persons filed through the project GRM, if any.

126. The PIC will be responsible for building NEGU PMU and SPV PIU capacity in resettlement safeguards monitoring and reporting. The PIC will assist SPV in coordination activities with relevant Government agencies and local authorities on preparing the project's LARPs and their endorsement and implementation in compliance with the requirements ADB SPS (2009) and national laws and regulations.

127. The PIC will consist of one international and one national resettlement specialists. Number of person-month inputs for each specialist shall be specified in LARPs for each respective tranches and projects considering the scope of their LAR impacts.

G. Contractors

128. All contractors will be responsible to comply with the mitigation measures to be specified in project LARPs during construction and commissioning under the direct supervision of the PIC and SPV PIU and overall supervision of NEGU PMU. To ensure that the contractors comply with the LARF and LARPs provisions, NEGU PMU will ensure that the resettlement safeguards requirements are included in all bids, contracts and tender documents including the provision to apply penalties in case of non-compliances to safeguards are encountered repeatedly.

129. Each contractor will be required to work under supervision of PIC in social and resettlement monitoring during construction,¹⁵ appoint a Contractor's Grievance Focal Person from its staff and provide summary of social and resettlement updates in its monthly progress reports to the NEGU PMU. Contractors will also be required to regularly co-ordinate with relevant stakeholders such as project affected persons, households, Makhalla leaders, Hokimiyats to

¹⁴ Independent Engineer is the term used in the power purchase agreement which will perform the consultancy services for the project supervision and implementation.

¹⁵ The SSEMP will need to be fully compliant with the EMP and will need to be prepared within 30 days of contract award and approved 10 days prior to access to the site.

provide up to date information on project activities and address any resettlement issues that arise during project ring construction stage. The SPV PIU will be required to regularly co-ordinate with the relevant stakeholders to provide up to date information on project activities and address any issues that arise during project implementation and operation stage

130. If needed, in case of involuntary resettlement, other organizations and specialists might be consulted. Figure 3 illustrates the basic institutional and Project implementation arrangements.

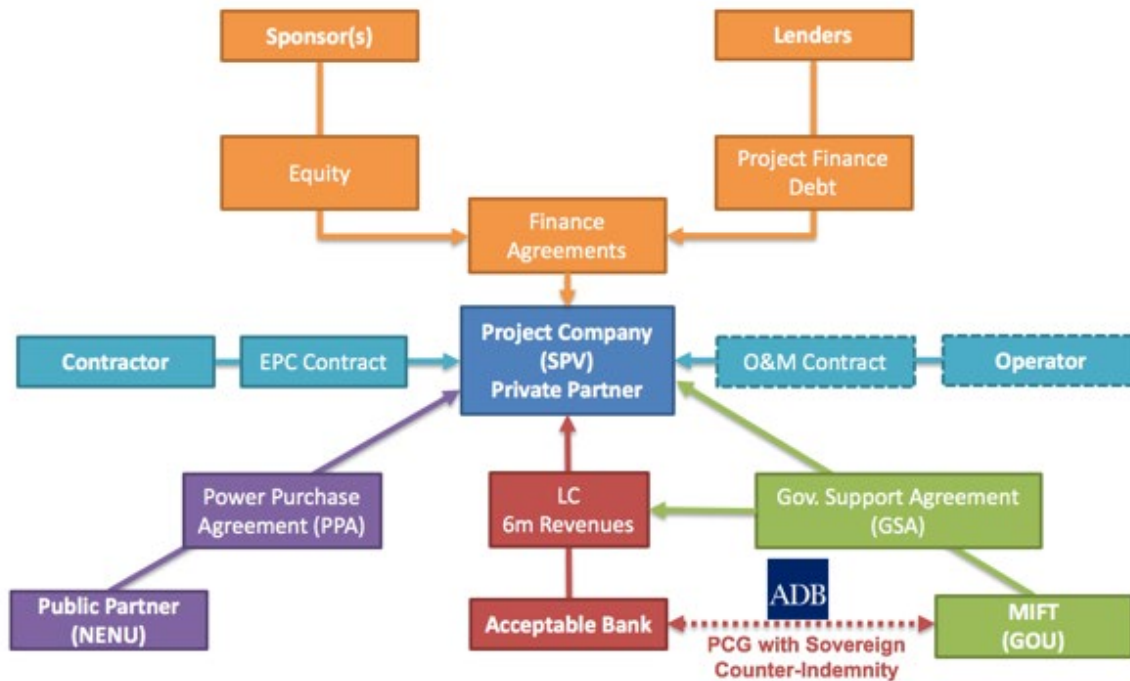


Figure 3. Institutional Arrangements (project structure and key parties)

H. Other state agencies

131. **District Khokimiyat.** The District Khokimiyat will enter into a Land Lease Agreement with the SPV where the District Khokimiyat leases the site to the SPV, the SPV has taken possession of the site upon payment of the rent, and the District Khokimiyat grants to the SPV a full, free, uninterrupted and unrestricted right of way for the purpose of access to and egress from the site of its personnel, representatives or contractors with or without vehicles, machinery and implements of any kind in connection with the execution of the Project and the provision of utilities and other services to the site.

132. The Land Code stipulates that the local state authorities (district Khokimiyats) shall issue a decree about the land acquisition for the state needs. For the major projects, the Office of the Prime Minister shall approve the decree and endorse compensation packages. Thereafter, Khokimiyat of the respective districts is responsible by law for initiating and completing the land acquisition and involuntary resettlement process including:

- (i) Allocate land for the construction sites and notify AHs about land plots/structures to be acquired for the project's temporary or permanent needs;

- (ii) Negotiate compensation options, sign purchase agreements, and acquire affected lands, provide the value rate for the agricultural losses/crops;
- (iii) Address the complaints and concerns of the citizens within own competence/ forwards the complaints of citizens and AHs to SPV and assist in resolving grievances;
- (iv) Assist in conducting the DMS according to the detail design of the project, disclosure, and public consultations with APs (representative of Khokimiyats are part of the GRM);
- (v) Allocated replacement land plots for affected AHs in case of permanent land loss; and
- (vi) Assist AHs with no formal rights to legalize their land/property rights if applicable.

133. The district Khokimiyats will support the SPV in preparing and implementation of LARPs and form a district land acquisition and resettlement committee (DLARC) to support the finalization and implementation of the LARPs and the above-mentioned tasks.

134. **The Land Use Planning Institute (*Uzdavyerloyiha*)**. By the Resolution of Cabinet of Ministers #317, the Land Use Planning Institute is authorized to prepare the documents for land acquisition and calculate agricultural losses due to permanent and temporary land acquisition. It is also responsible to identify and verify property boundaries and ownership for allocated land during the preparation of the Land Acquisition and Allocation Act (*otvod zemli*) or in common term DMS. The DMS documents should show the final list of AHs and maps of their affected lands. It also prepares the Government Decree on Eminent Domain (*Dalolatnoma*) for affected lands. The Decree contains the agreement letters from AHs, the conclusions of the utility companies about the affected lands' legal status. The Eminent Domain Decree should reflect also the impacted assets and lands, and the compensation amounts for the AHs. The Institute provides the list of AHs, inventory of losses and the scope of land impacts.

135. **The State Committee on Land Resources, Geodesy and Cartography** shall assist in:

- (i) Inventory of and crops losses incurred by land users, land restoration, including removal and temporary storage of productive soil layer;
- (ii) Determine the need for sanitary and water protection zones around constructions;
- (iii) Propose allocation of land plots of equal value for land swap compensation, and amend the cadastral documents on land use and ownership; and
- (iv) Explore alternatives to design to avoid land impact as possible.

136. **Mahallas**: They will help the SPV in finalizing and implementing LARPs including:

- (i) Information disclosure, consultation, and participation of AHs in implementation of the LARPs and the project;
- (ii) Receiving and resolving the grievances from AHs and people who could be are adversely affected by the project; forward the received grievances to the SPV;
- (iii) Identify and verify vulnerable AHs as envisaged in the LARPs;
- (iv) Assist in enrolling the vulnerable AHs to the national livelihood support program; and
- (v) Identify any unexpected impact including through the grievance redress mechanism.

IX. BUDGET AND FINANCING

137. All costs for LARPs preparation and implementation will be a part of the project cost. The LARPs shall include budgets with detailed costs for compensations for all property and income/livelihoods losses, LARPs operational, monitoring and reporting, and contingency. The SPV will be responsible to secure budget for all costs related to LARPs' preparation and implementation and shall secure timely adequate budgets for LARPs and pay AHs their compensations and entitlements prior to acquiring the impacted land and assets and commencement of civil works on LAR affected sections/components.

X. MONITORING AND REPORTING

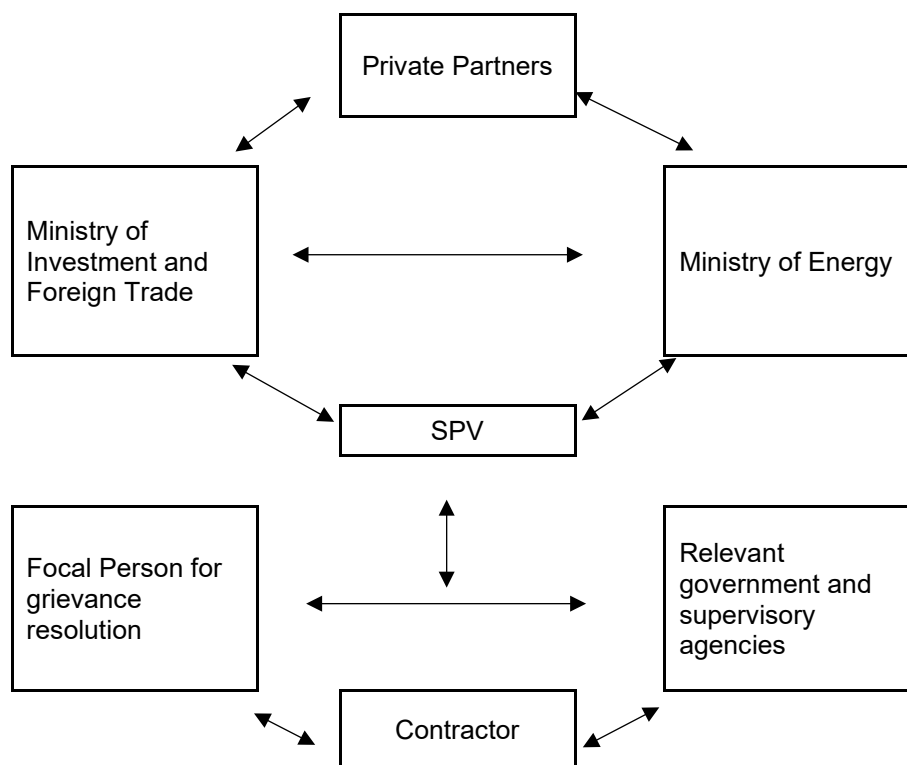
A. Overview

138. ADB SPS (2009) requires the borrower/client to monitor and assess resettlement outcomes and impact on the standards of living of the APs. The objective of the monitoring is to ensure social safeguard compliance during the project implementation, timely identify any unanticipated resettlement impacts, and monitoring the grievance redress process, consultations and project information disclosure with AHs and project area communities. Monitoring will help to identify any unanticipated resettlement impact and take corrective actions timely to avoid delays in project implementation.

139. The Project is expected to be category B for involuntary resettlement and will may require routine internal monitoring and the SPV will submit semi-annual social safeguards monitoring reports to ADB the during the project implementation. The monitoring requirements and indicators shall be specified in LARPs according to scope of the involuntary resettlement impact of the project.

140. The SPV is the Implementing Agency and will conduct social safeguards monitoring in the project implementation. If unanticipated involuntary resettlement impacts are found during the project implementation, the SPV will inform ADB and following ADB SPS 2009 requirements, it will develop LARPs and/or corrective action plans (as relevant) in compliance with ADB SPS (2009) and implement it upon ADB review and approval. Upon implementation of LARPs (and any corrective action plan, if required), the IA will prepare LARPs compliance reports and submit for ADB review and approval. The following figure presents monitoring arrangement within the Project implementation structure (Figure 7).

Table 5. Safeguards Monitoring of Project Implementation and GRM



B. LARP Compliance Report

141. If there will occur LAR impact, the SPV will prepare and implement LARP(s), and prepare a LARP Compliance Reports (for project components or subprojects with LARP) confirming the LARPs implementation completion including payment of compensation to all AHs and assistance allowances to eligible AHs. Preparing the LARPs Compliance Report will include the following activities:

- Review LARPs and internal monitoring reports, principles of valuation of losses, compensation, and payments processes and timeframe;
- Conduct interviews with at least 25% of AHs to verify they received compensations and evaluate the level of their satisfaction with type and amount of compensations;
- Assess satisfaction of AHs on valuation of their losses and acquired assets, time taken to process and deliver compensations to AHs, full amount received by AHs as envisaged in LARPs;
- For any identified incompliances, gaps, or undelivered compensation cases (if relevant), propose corrective actions to solve the issue and ensure compliance with LARF and ADB SPS (2009);
- Recommend lessons learned and development of recommendations for future projects to ensure compliance.

142. Commencement of civil works for such components will be conditional to ADB's review and approval of the LARP implementation Compliance Report. The proposed outline for the LARP Compliance Reports is given in Appendix F.

C. Semiannual Social Safeguard Monitoring

143. In addition to above stated, the Semi-annual Social safeguard Monitoring Report will be submitted during the project construction and will reflect the monitoring activities conducted continuously for identifying and addressing on time any social and resettlement issues, including any unanticipated impacts to land, assets, or livelihoods of people due to the project. Continuous internal monitoring will allow to take corrective actions on time to solve the issue and ensure the AHs are provided with mitigation measures and compensations in compliance with LARF, ADB SPS (2009) and laws of Uzbekistan. An indicative outline of the Semi-annual Social Safeguard Monitoring Report is given in Appendix G.

144. The SPV will conduct regular internal monitoring and provide semi-annual monitoring reports to ADB for review and approval for the entire duration of the project to monitor and report on any emerging LAR issues and complaints during implementation. The approved monitoring reports will be posted on ADB's website. The semi-annual monitoring reports that will cover emerging issues during construction, monitor restoration of temporarily used land and resumption of farmers livelihood/agricultural activities. At the end of the project, a LARP completion and evaluation report will be prepared summarizing the LARP implementation experience in the entire project. Process of land plots transfer to the farmers after construction should be also monitored and reflected in the monitoring report.

145. Information for monitoring will be collected directly from the field through AHs' satisfaction surveys by the staff of the SPV, and the Contractor about the progress of LARPs implementation including complaints or inquiries of AHs and other land users in the project alignment. The SPV will perform: (i) monitoring and reporting the LARPs implementation progress; (ii) verify the compliance implementation of the involuntary safeguard and mitigation measures; (iii) disclose monitoring reports and identify necessary corrective actions; and (iv) as needed identify and follow-up on the corrective actions to ensure progress toward the compliant outcomes. The SPV will disclose relevant information from monitoring reports to AHs upon ADB's review and approval.

146. The SPV will inform promptly ADB about (i) any unanticipated impacts arise during the project implementation or operation (information shall include a detailed description of the event and proposed corrective action plan); and (ii) any incurred or potential breach related to LARPs compliance implementation by any of the parties engaged in the project implementation, with the proposal of measures and actions to address the breach.

APPENDICES

A. Outline of LARP

The proposed outline according to ADB's SPS (2009).

A. Executive Summary

This section provides a concise statement of subproject scope, key survey findings, entitlements, and recommended actions.

B. Project Description

This section provides a general description of the project, discusses project components that result in land acquisition, involuntary resettlement, or both and identify the project area. It also describes the alternatives considered to avoid or minimize resettlement. Include a table with quantified data and provide a rationale for the final decision.

C. Scope of Land Acquisition and Resettlement

This section:

- (i) discusses the project's potential impacts, and includes maps of the areas or zone of impact of project components or activities;
- (ii) describes the scope of land acquisition (provide maps) and explains why it is necessary for the main investment project;
- (iii) summarizes the key effects in terms of assets acquired and displaced persons; and
- (iv) provides details of common property resources that will be acquired.

D. Socioeconomic Information and Profile

This section outlines the results of the social impact assessment, the census survey, and other studies, with information and/or data disaggregated by gender, vulnerability, and other social groupings, including:

- (i) define, identify, and enumerate the people and communities to be affected;
- (ii) describe the likely impacts of land and asset acquisition on the people and communities affected taking social, cultural, and economic parameters into account;
- (iii) discuss the project's impacts on the poor, indigenous and/or ethnic minorities, and other vulnerable groups; and
- (iv) identify gender and resettlement impacts, and the socio-economic situation, impacts, needs, and priorities of women.

E. Information Disclosure, Consultation and Participation

This section:

- (i) identifies project stakeholders, especially primary stakeholders;
- (ii) describes the consultation and participation mechanisms to be used during the different stages of the project cycle;
- (iii) describes the activities undertaken to disseminate project and resettlement information during project design and preparation for engaging stakeholders;

- (iv) summarizes the results of consultations with affected persons (APs)/including host communities)), and discusses how concerns raised and recommendations made were addressed in the resettlement plan;
- (v) confirms disclosure of the draft and final resettlement plan to affected persons and includes arrangements to disclose any subsequent plans; and
- (vi) describes the planned information disclosure measures (including the type of information to be disseminated and the method of dissemination) and the process for consultation with affected persons during project implementation.

F. Grievance Redress Mechanisms

This section describes mechanism to receive and facilitate the resolution of affected persons' concerns and grievances. It explains how the procedures are accessible to affected persons and gender sensitive.

G. Legal Framework

This section:

- (i) describes national and local laws and regulations that apply to the project and identify gaps between local laws and ADB's policy requirements; and discuss how any gaps will be addressed;
- (ii) describes the legal and policy commitments from the executing agency for all types of displaced persons;
- (iii) outlines the principles and methodologies used for determining valuations and compensation rates at replacement cost for assets, incomes, and livelihoods; and set out the compensation and assistance eligibility criteria and how and when compensation and assistance will be provided.
- (iv) Describes the land acquisition process and prepare a schedule for meeting key procedural requirements.

H. Entitlements, Assistance and Benefits

This section:

- (i) defines displaced persons' entitlements and eligibility, and describes all resettlement assistance measures (includes an entitlement matrix);
- (ii) specifies all assistance to vulnerable groups, including women, and other special groups;
- (iii) outlines opportunities for AHs/APs to derive appropriate development benefits from the project.

I. Relocation of Housing and Settlements

This section:

- (i) describes options for relocating housing and other structures, including replacement housing, replacement cash compensation, and/or self-selection (ensure that gender concerns and support to vulnerable groups are identified);
- (ii) describes alternative relocation sites considered; community consultations conducted; and justification for selected sites, including details about location, environmental assessment of sites, and development needs;
- (iii) provides timetables for site preparation and transfer;
- (iv) describes the legal arrangements to regularize tenure and transfer titles to AHs/APs;
- (v) outlines measures to assist DPs with their transfer and establishment at new sites;
- (vi) describes plans to provide civic infrastructure; and
- (vii) explains how integration with host population will be carried out.

J. Income Restoration and Rehabilitation

This section:

- (i) identifies livelihood risks and prepare disaggregated tables based on demographic data and livelihood sources;
- (ii) describes income restoration programs, including multiple options for restoring all types of livelihoods (examples include induced benefit sharing, revenues sharing arrangements, joint stock for equity contributions such as land, discuss sustainability and safety nets);
- (iii) outline measures to provide social safety net through social insurance and/or project special funds;
- (iv) describes special measures to support vulnerable groups;
- (v) explains gender considerations; and
- (vi) describes training programs.

K. Resettlement Budget and Financing Plan

This section:

- (i) provides an itemized budget for all resettlement activities, including for the resettlement unit, staff training, monitoring and evaluation, and preparation of resettlement plans during loan implementation;
- (ii) describes the flow of funds (the annual resettlement budget should show the budget scheduled expenditure for key items);
- (iii) includes a justification for all assumptions made in calculating compensation rates and other cost estimates (considering both physical and cost contingencies), plus replacement costs;
- (iv) includes information about the source of funding for the resettlement plan budget.

L. Institutional Arrangements

This section:

- (i) describes institutional arrangement responsibilities and mechanisms for carrying out the measures of the resettlement plan;
- (ii) includes institutional capacity building program, including technical assistance, if required;
- (iii) describes role of NGOs, if involved, and organizations of affected persons in resettlement planning and management; and
- (iv) describes how women's groups will be involved in resettlement planning and management.

M. Implementation Schedule

This section includes a detailed, time bound, implementation schedule for all key resettlement and rehabilitation activities. The implementation schedule should cover all aspects of resettlement activities synchronized with the project schedule of civil works construction, and provide land acquisition process and timeline.

N. Monitoring and Reporting

This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the resettlement plan, It specifies arrangements for participation of affected persons in the monitoring process. This section will also describe reporting procedures.

B. Sample census and survey questionnaires

CENSUS SURVEY (DETAILED INVENTORY) QUESTIONNAIRE

A. GENERAL

A-1	Name of Project Component:	
A-2	Type of Impact: 1. Permanent, 2. Temporarily	
A-3	Name of the Massive:	
A-4	Name of the Region:	
A-5	Name of the Province	
A-6	Type of Settlement 1. Urban 2. Rural	
A-7	Effect of Impact to: 1, Farm Land, 2. Structure, 3. Business, 4. Other (specify)	

B. DETAILS ON LAND PARCEL ONLY IN FARM AND LAND USE

B-1	Name of the farm (if applicable):	
B-2	Name of the Land Owner/User	
B-3	Gender of the Land Owner/User	
B-4	Age of the Land Owner/User	
B-5	ID Number:	
B-6	Total area (m ²)/ha	
B-7	Total affected area (m ²)/ha and in %	
B-8	Total Land Holding of the Household/Family in Hectare (affected and other land holding inside and outside project area)	
B-9	Ownership of Land: 1. Private, 2. State-owned	
B-10	Type of Owner 1 - Registered/Legalized; 2 -Unauthorized/Non-registered; 3- Other (specify)	
B-11	Legal Status of the Land Owner/User: 1- Owner (in case of private garden) ; 2.- Formal lessee/tenant (tenant for 49 years by the government) 3.-Share cropper 4.- Informal lessee	
B-12	In case of Agricultural land use: 1- Arable/Crop Cultivation; 2- Orchard/Garden (Fruit); 3- Pasture; 4. Plantation (Timber), 5. Grass land, 6- Other (Specify).....	
B-13	Irrigation Status 1- Irrigated; 2- Non-irrigated	

C. DETAILS ON ASSOCIATED USERS/PERSONS ON THE LAND

C-1	Agricultural Tenant/leaseholder (tenant for 49 years by the government) 1. Yes 2. No	
C-1.1	Type of Labour Contract 1. Seasonal 2. Permanent 3. Seasonal and permanent	
C-1.2	If Yes (How many in Numbers) in Seasonal	
C-1.3	Number of Men	
C-1.4	Number of Women	
C-1.5	If Yes (How many in Numbers) in Permanent	
C-1.6	Number of Men	
C-1.7	Number of Women	
C-1.8	Is there any formal rent agreement made between owner and agricultural Labourer 1. Yes 2. No	
C-2	Agricultural Share Cropper 1. Yes 2. No	
C-2.1	If Yes (How many in Numbers)	
C-2.2	Number of Men	
C-2.3	Number of Women	
C-2.4	Is there any formal rent agreement made between owner and agricultural share cropper? 1. Yes 2. No	

D.	IMPACT ON CROPS	1. Yes; 2. No	<i>If no, forward to E</i>
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No	Name of the Crop	Affected Cultivated Area (Ha)	Average Yield or harvest (Ton) from affected cultivated area	Market price per kilogram (Som)
D-1				
D-2				
D-3				
D-4				
D-5				
D-6				
D-7				
D-8				

E.	IMPACT ON PLANTS/TRESS ON AFFECTED LAND	1. Yes; 2. No	<i>If no, forward to F</i>
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No	Name of Plant/Trees	Quantity (Number of affected Unit)	Age of the tree (Approximate Average)	Type of Trees 1. Fruit Trees 2. Non-Fruit/Timber Trees 3. Others	Yield (kg/tree) in case of fruit trees per season	Cost to grow per unit (in case of seedlings)
E-1						
E-2						
E-3						
E-4						
E-5						
E-6						
E-7						
E-8						
E-9						
E-10						
E-11						
E-12						

F. AFFECTED STRUCTURE

F-1	Is there any building/structure in the Affected Land which is subject to demolition by the project? 1-Yes; 2-No	<i>If no, forward to I</i>
F-2	If yes, How many.....	
F-3	Name of the owner/user	
F-4	Gender of the owner/user	
F-5	Age of the owner/user	

G- PHYSICAL DETAILS OF THE STRUCTURES

#	Description	Building/Structure No.1	Building Structure No.2	Building Structure No.3
G-1	Use of Building 1. Residential House, 2. Commercial, 3. Religious, 4. Community, 5. Cattle shed, 6. Boundary wall, 7. Garage, 8. Well, 9. Others (specify)			
G-2	Ownership of Building 1. Ownership Right, 2. Illegal			
G-3	Ownership Since Years			
G-4	Availability of legal documents to support claim for compensation 1. Yes, 2. No			
G-5	If Yes, name of the document			
G-6	Size of Land plot owned			
G-7	Total floor Area of Building (Square meter)			
G-8	Affected Area of Building (Square meter)			
G-9	Year of Construction			
G-10	Number of Storey's			

H. DETAILS ON ASSOCIATED USERS/PERSONS IN THE STRUCTURE

H-1	Case of residential structure	
H-1-1	Residential Tenant 1. Yes 2. No	
H-1-2	Number of Men	
H-1-3	Number of Women	
H-1-4	How much rent do you pay per month (Som).....	
H-1-5	Is there any formal rent agreement made between owner and tenant 1. Yes 2. No	
H-2	Case of commercial structure	
H-2-1	Commercial tenant 1. Yes 2. No	
H-2-2	Number of Men	
H-2-3	Number of Women	
H-2-4	How much rent do you pay per month (Som).....	
H-2-5	Is there any formal rent agreement made between owner and tenant 1. Yes 2. No	

I. DETAILS ON AFFECTED BUSINESS AND EMPLOYEES

I-1	Is the business affected 1. Yes 2. No (<i>forward to J</i>)	
I-2	Name of the owner/user	
I-3	Gender of the owner/user	
I-4	Age of the owner/user	
I-5	Registration status of Business 1. Legal/registered (with permission/License), 2. Illegal/Unregistered (without permission/License)	
I-6	Type of Business 1. Small Scale 2. Medium Scale, 3. Large Scale, 4. Industrial	
I-7	Value if business sold (million som)	
I-8	Income per year (Som)	
I-9	Expenditure per Year (Som)	
I-10	Profit per Year (Som)	
I-11	Employees/Wage Earner 1. Yes 2. No	
I-12	If Yes (How many in Numbers)	
I-13	Number of Men	
I-14	Number of Women	
I-15	How much average salary do you pay per month per employee (Som).....	

J. AFFECTED HOUSEHOLD DETAILS

J-1	Name Head of Household:	
J-2	Age	
J-3	Sex 1. - Male 2- Female	
J-4	Ethnic Background 1. Uzbek; 2. Tajik; 3. Kazakh; 4. Karakalpak; 5. Jewish; 6. Russian; 7. Ukranian; 8. Others (Specify)	
J-5	Number of families	
J-6	Number of family members	
J-7	Number of Male	
J-8	Number of Female	
J-9	Is it a woman headed household? Yes 2. No	
J-10	Is it a Below Poverty Line Household? Yes 2. No	
J-11	Is it headed by physically/mentally challenged person? 1. Yes 2. No	
J-12	Is it a household headed by Elderly Person? 1. Yes 2. No	
J-13	Main Occupation of the Head of the Household: 1. Agriculture; 2. Business; 3. Government Jobs; 4. Private Jobs; 5. Daily Wage; 6. Pension; 7. Others (Specify)	
J-14	Total Annual Income of the Household/Family (Som)	
J-14-1	The annual income in percentage; 1. Agriculture _____%; 2. Business _____%; 3. Government Jobs _____%; 4. Private Jobs _____%;5. Daily Wage _____%; 6. Pension _____%; 7. Any social allowance by Government 8. Others (Specify) _____	
J-15	Total Annual Expenditure of the Household (Som)	
J-16	Compensation Options for Structure loss 1. Structure for Structure 2. Cash for Structure	
J-17	If the Household has any loans: from government for agricultural purposes: 1- Yes ; 2- No (forward to J-20)	
J-18	If yes, from whom? 1- government; 2- private bank, 3- other	
J-19	If yes, what is the monthly amount to be paid for the loan (Som)?	
J-20	If the Household is leasing equipment for agricultural purposes: 1- Yes; 2- No	

K. FAMILY DETAILS OF AFFECTED HOUSEHOLDS

#	Name of the Family Member	Age	Sex 1. Male 2. Female	Marital Status 1. Married 2. Unmarried 3. Widow 4. Widower 5. Others	Education 1. Illiterate 2. Primary 3. Secondary 4. Higher 5. College 6. University 7. Kinder garden	Occupation 1. Agriculture 2. Business 3. Government Jobs 4. Private Jobs 5. Daily Wage 6. Retired 7. Student 8. Self Employed 9. Housekeeping 10. Under employment 11. Unemployed 12. Disabled 13. Others (Specify)	Type of Skill/ handicraft/mastership 1. Skilled 2. Un Skilled
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							

I. Any comments/observation/feedback:

Name of the respondent

Signature:

Date:

Contact phone:

C. Sample GRM Logbook

Grievance Redress Mechanism: the Log book of complaints and suggestions

Project name: _____ Makhalla _____

Contractor working office _____ or district Khokimiyat _____

Note: The compliant book should sequentially numbered and pages have been

#	Date	Summary content of complaint/inquiry/suggestion	Applicant/ Aggrieved Person (Full name, address)	Contact details	Accepted by	Redress process/dates 1) Verbal response 2) Written response 3) Through authorities 4) Other (specify)	Status summary (1-satisfactory 2-partially satisfactory, 3-unsatisfactory)
1							
2							
3							
4							
5							
6							
7							
8							

D. Indicative Outline for SDDR

Executive Summary

Introduction

Methodology

Project description, outputs, and components

Description of the physical works for each infrastructure components (including the ROW and Safety Zone)

Due diligence activities and findings

Mitigation measures during the project implementation

Grievance Redress Mechanism

Public consultations and disclosure

Conclusions and recommendations

Annexes as relevant to due diligence

E. Indicative Outline for LARP Compliance Report

Abbreviation

Executive Summary

Introduction and Methodology

Project description

Scope of LAR impact

Conducted Activities and Verifications

- Review of documents verifying the compensation payments (e.g. bank statements, signed receipts of AHs, minutes of public consultations and meetings);
- Interviews with sample of AHs and AHs self-assessment and satisfaction on resettlement process, valuation and compensation received, timelines of compensations disbursement, satisfactions on handling grievances through the project GRM, and verification of other resettlement planning actions provided in LARP.

Conclusion and Recommendations

Annexes as relevant.

F. Indicative outline of the Semiannual Social safeguard Monitoring Report

Abbreviation

Introduction

Methodology and activities conducted for internal monitoring

Description of the project and infrastructure components

- Summary of civil works and project construction progress per infrastructure components

Scope of land and resettlement impact (as relevant)

Internal Monitoring Findings (per each infrastructure components)

- Unanticipated impacts if any, not covered in LARP
- Corrective actions required (if relevant)
- Grievance redress mechanism (including the set up GRM, grievances received and their resolution status)
- AHS income restorations, restoration of affected lands,

Public consultations and disclosure conducted and outcome

Conclusions and lessons learned for future operations

Annexes as relevant