Land Acquisition and Resettlement
Due Diligence Report

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TAJ: Building Climate Resilience in the Pyanj River Basin
Rural Water Supply in Kulub District
Grant 0352

Prepared by Khojagii Manziliyu Kommunali (KMK) for the Asian Development Bank.

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Due Diligence Report

Land Acquisition and Resettlement Impacts of Subprojects in Kulob District under Package 1

27 January 2016

BETS Consulting Services Ltd., Bangladesh
in association with
LLC Panasia Ltd, Tajikistan
Due Diligence Report: Land Acquisition and Resettlement Impacts

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I. INTRODUCTION

1. Rural Water Supply Project in Kulob, Vose and Pyanj districts in Khatlon Province of Tajikistan is the output 3 of the Program for Building Climate Resilience in the Pyanj River Basin under grant financing from the Asian Development Bank (ADB).\(^1\) The project aims for more resilient drinking water supply systems comprising rehabilitation of drinking water supply infrastructure in highly vulnerable communities and capacity development of water consumer groups. Existing water supply systems of Tajikistan require significant reconstruction and rehabilitation. This project will address some of the challenges related to the provision of quality, safe and sustainable drinking water supply and improvement of the overall management, accountability and efficiency of water supply system. The project's outcome will be reduced adverse effects of climate variability and climate change in 25 villages of 7 jamoats, 2 in Kulob, 2 in Pyanj and 3 in Vose districts. Water supply infrastructure climate-proofed in seven jamoats will:

   (i) rehabilitate and climate-proof rural drinking water supply systems, including rehabilitation, upgrading and construction of boreholes, provision of new and rehabilitated pumping equipment, construction of new service reservoirs and water tanks;

   (ii) establish O&M practices for drinking water supply systems, develop O&M guidelines, and train local units of the responsible agencies;

   (iii) establish drinking water consumer groups to influence responsible agencies and ensure performance of the water supply facilities; and

   (iv) raise awareness of health and other risks associated with climate change.

2. State Unitary Enterprise (SUE) for Housing and Communal Services “Khojagii Manziliyu Kommunali” (KMK) is the Executing Agency (EA) of the Project through a Project Implementation Group (PIG) in Dushanbe and Project Implementation Offices (PIO) in the District level. The Project is following the Land Acquisition and Resettlement Framework (LARF) for social safeguard compliance and a Gender Action Plan (GAP) for gender mainstreaming as per ADB requirements.

3. KMK is designing the subprojects for implementation in three works packages. Civil works designed for construction under Package 1 cover two subprojects in Kulob District; one at Ziraki for 4 villages and the other at Dahana for 8 villages. Other two packages are being designed for Pyanj and Vose districts. Subproject design includes social screening and social impact assessment for identification of

\(^1\) ADB Grant No. 0352-TAJ: Building Climate Resilience in Pyanj River Basin
any social safeguards compliance issues and consultation with beneficiaries and other stakeholders for inputs to inclusive design of subproject activities. The subprojects as per the LARF need to ensure compliance with the ADB Safeguard Policy Statement (SPS 2009).

4. Social screening in Package 1 subprojects provides the information that all civil works construction will be within existing land owned by Kulob Vodokanal and no one (titled or non-titled) will be displaced or their livelihoods affected due to undertaking of the subprojects. A land acquisition and resettlement (LAR) due diligence has therefore been carried out and this due diligence report (DDR) has been prepared to document the compliance.

II. OBJECTIVES OF DUE DILIGENCE REPORT

5. The project is classified as Category B for involuntary resettlement. No or minor resettlement impact is expected. Since detailed engineering design of the subprojects was not completed during project inception phase, potential permanent or temporary impact on private or collective land users could not be assessed a land acquisition and resettlement framework (LARF) has been adopted to guide preparation and implementation of land acquisition and resettlement activities. Where subprojects have existing facilities and civil works will be limited within existing available public land, a due diligence is conducted based on detailed engineering design to determine past or present social safeguards concerns, and identify corrective actions.

6. This DDR has been prepared based on the detailed engineering design and presents the subproject activities in Kulob District in Ziraki and Dahana Jamoats that have fully avoided involuntary resettlement and impacts on indigenous peoples. The need for any mitigation measures, compensation and preparation and implementation of land acquisition and resettlement plan has been reviewed.

III. METHODOLOGY

7. The DDR has been prepared based on detailed design carried out for Package 1 Subprojects in Kulob District designed for construction in Ziraki and Dahana jamoats in compliance with ADB SPS 2009 which requires due diligence to be carried out when no land acquisition and population displacement are induced due to implementation of a subproject and no LAR plan is required. Since the project is catured as B and no physical and economic displacements have occurred as per the detailed design, it was pertinent to carry out the due diligence on involuntary resettlement and indigenous peoples.

8. The requirement of LAR DDR was surfaced when ADB reviewed the Inception Report submitted in July 2015 and subsequent social safeguards status report forwarded in August 2015. The due diligence document is produced, if it is determined (through appropriate assessment) that a LAR plan is not needed. In response to ADB’s advise for the social safeguards compliance report in late September 2015, the safeguards team on the Project comprising the Environmental and Social Officer (ESO) in PIG and the national Social Safeguards and Gender specialist visited the site, met the beneficiaries, Jamoat

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2 Kulob Vodokanal is the Municipal Waterworks but also assigned for water supply in rural areas of the district. The Vodokanals at the District level are responsible as PIOs of the project under the PIG of KMK at Dushanbe.
representatives and the Hukumats in order to prepare this DDR and compiled the first draft of the report. Site reviews and consultation with communities and Vodokanal representatives indicated that no privately used land have been taken for infrastructure construction and the existing available lands, proposed for civil works activities as per the detailed design, are free from any encumbrances by any non-title holders. The draft report was edited by the international Social Safeguards and Gender Specialist, who has earlier visited the sites in June/July 2015 and consulted the beneficiaries and other stakeholders at village, Jamoat and Hukumat levels.

9. The methodology includes review of layout plans and detailed design, site visit, interviews with key stakeholders and focused group discussion with the beneficiary communities. The methodology has included the following tasks:

(i) Collection and review of site layout plans and designs developed by OJSC “TOJIKKOMMUNPROEKT” (Sub-Consultant of BETS Consulting Services Ltd.) and other information provided by KMK;

(ii) Collection and review of Jamoat profiles visiting the Jamoat offices;

(iii) Review of statistical information about the subproject area prepared by the National Statistical Committee;

(iv) Review of documents prepared by ADB and other agencies;

(v) Consultation with relevant KMK, Vodokanal staff and Jamoat representatives;

(vi) Consultations with residents in the subproject areas;

(vii) Social screening of subproject sites using appropriate checklist following the LARF and GAP.

(viii) Compiling the draft Due Diligence Report.

(ix) The draft DDR was shared with the engineering team and finalized with feedback from the team.

IV. PACKAGE 1 SUBPROJECTS

10. The package 1 subprojects include Ziraki Subproject and Dahana Subproject for improved water supply systems, capacity development of existing management and participatory water supply management in Kulob District.

A. Ziraki Subproject

11. The subproject will benefit 4 villages namely Ziraki, Khoiaisok, Zerkala and Chorvodor in Ziraki Jamoat of Kulob District. The project has planned to execute the following civil works under the subproject for construction and rehabilitation of water supply infrastructures:
• Rehabilitation of borehole № 10 and drilling of new borehole № 1 on the right border of the river Dahana in the school territory of village Ziraki. Existing area of water intake structure and reservoir occupy 0.9 ha of land.

• Rehabilitation of existing reservoir № 2 in the plot Zirkala in Khojaisok village, to the east side of Ziraki, to the left side of highway Kulyab - Muminabad. This site consist of 4 tanks with capacity 10 m³, bordered with mesh fence. Water is supplied through the pipeline to Ziraki. The water delivers to the tank from the spring, located in 2.3 km in south-east part of reservoir.

• Construction of new reservoir № 3 in Chorvodor village, which is located in the distance of 2.0 km from existing borehole of Khojaisok village.

• For water supply to Khosaisok and Zerkala village two boreholes are proposed with depth 150 meters each on the right side of the river Dahana on the south outskirts of Zerkala village. The land belongs to district authority and vacant.

• For water supply to Chorvodor village the existing borehole of Zerkala village will be rehabilitated. There is no need of land acquisition and resettlement as the site is existing with fencing.

B. Dahana Subproject

12. Dahana subproject will benefit 8 villages namely Yochsuchiyon, Dahana, Oltovul (gulrez), Chinor, Bahoristo (Damarik), Kamar, Kul, Safar Amirshoev (Mirapok) in Dahana Jamoat of Kulob District. The project has planned to execute the following civil works under the subproject for construction and rehabilitation of water supply infrastructures:

• Rehabilitation of existing boreholes No. 1 and drilling of borehole No. 2 on the eastern outskirts of the village Yokhsuchiyon in the area of Dahana river valley. The existing borehole drilled in 1985 and currently operates only for 12 hours per day. This borehole is used by the villagers of Dahana, Chanor and Oltovul villages. For the water supply of Mirapok (S.Amirshoev) and Kul villages of Dahana Jamoat the borehole № 2 is designated which will be located at the distance of 4.5 km in Yokhsuchiyon village in 0.1 km northwest of the well №1. A test drilling will also be constructed to explore the location of aquifer for Borehole No.2.

• Rehabilitation of existing reservoir No. 1 and construction of reservoir No. 2 at the site Lazardin upstream of Dahana river in about 1.0 km to the north east from borehole No. 1 and No. 2.

• Construction of new reservoir No. 3 in the Kul village of Dahana Jamoat, will be located at the distance of 4.5 km from the well No. 1 and No. 2 in the village Yokhsuchiyon.
V. SUBPROJECT AREAS

13. Kulob is a district under Khatlon Province, located 203 km south-east of the capital Dushanbe on the Yakhshu River (a right tributary of Panj). Kulob has four Jamoats (Kulob, Dahana, Zarbdor and Ziraki) with a total population of 94,950 (2010). The main occupation of the population is agriculture, including cotton, grain, and vegetable production and livestock breeding. Arable land amounts to 18,717 hectares. The two subprojects are located in Ziraki and Dahana Jamoats.

14. Ziraki Subproject will benefit a total of 8352 persons in 956 households residing in 4 villages and also serve a livestock population of 1958 cattle heads. According to Jamoat sources, there are schools in Ziraki, Khojaisok and Zerkala villages attended by about 1810 students altogether. Table 1 provides the details. Subproject locations are shown in maps attached at Annexure-1.

<table>
<thead>
<tr>
<th>Village Name</th>
<th>Household</th>
<th>Population</th>
<th>School / Student</th>
<th>Livestock</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ziraki</td>
<td>335</td>
<td>3051</td>
<td>1 /647</td>
<td>647</td>
</tr>
<tr>
<td>Khojaisok</td>
<td>251</td>
<td>2161</td>
<td>1 /500</td>
<td>500</td>
</tr>
<tr>
<td>Zerkala</td>
<td>328</td>
<td>2814</td>
<td>1 /663</td>
<td>663</td>
</tr>
<tr>
<td>Chorvodor</td>
<td>42</td>
<td>326</td>
<td>-</td>
<td>148</td>
</tr>
<tr>
<td>Total</td>
<td>956</td>
<td>8352</td>
<td>3/1810</td>
<td>1958</td>
</tr>
</tbody>
</table>

Source: Jamoat Office, Ziraki Jamoat, July 2015

15. Dahana Subproject will benefit a total of 10713 persons in 1271 households residing in 8 villages and also serve a livestock population of 2882 cattle heads. According to Jamoat sources, there are 6 schools in six villages. Table 2 provides the details.

<table>
<thead>
<tr>
<th>Village Name</th>
<th>Household</th>
<th>Population</th>
<th>School / Student</th>
<th>Livestock</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yochsuchiyon</td>
<td>210</td>
<td>1897</td>
<td>1 /426</td>
<td>918</td>
</tr>
<tr>
<td>Dahana</td>
<td>175</td>
<td>1390</td>
<td>1</td>
<td>426</td>
</tr>
<tr>
<td>Oltovul (Gulrez)</td>
<td>345</td>
<td>2703</td>
<td>1</td>
<td>146</td>
</tr>
<tr>
<td>Chinor</td>
<td>172</td>
<td>1489</td>
<td>1 /1368</td>
<td>536</td>
</tr>
<tr>
<td>Bahoristo (Damarik)</td>
<td>40</td>
<td>329</td>
<td>-</td>
<td>125</td>
</tr>
<tr>
<td>Kamar</td>
<td>29</td>
<td>238</td>
<td></td>
<td>108</td>
</tr>
<tr>
<td>Kul</td>
<td>85</td>
<td>671</td>
<td>1</td>
<td>379</td>
</tr>
<tr>
<td>Safar Amirshoev (Mirapok)</td>
<td>215</td>
<td>1996</td>
<td>1 /966</td>
<td>244</td>
</tr>
<tr>
<td>Total</td>
<td>1271</td>
<td>10713</td>
<td>0</td>
<td>2882</td>
</tr>
</tbody>
</table>

Source: Jamoat Office, Dahana Jamoat, July 2015
VI. HISTORY OF ALLOCATION AND USE OF EXISTING LAND

A. Land Allocation and Use in Ziraki Subproject Sites

16. Existing borehole № 10 was constructed in 1973 and the land for this construction was allocated by the Government under Soviet regime. Currently, additional land for drilling of new borehole service infrastructure is allocated near the existing one from the free lands of the Jamoat from the category of state reserve lands. This land does not belong in any form to any household or dekhkan farms. Therefore, construction of the infrastructure will not involve resettlement and other mitigation measures relating to damages to private people.

17. Existing reservoir № 2 to the east side of Ziraki, to the left side of highway Kulyab – Muminabad was constructed in 1986. The land before construction of the site belonged in long-term use to seed-growing collective farm and the reservoir was built by that collective farm. At present, the reservoir also located on the territory of the reorganized seed-growing farms MSA Hamadoni. In this case, the allocation of land is not required, but extending of the land around existing reservoir will be required, from the free lands. The reservoir is located at a distance from the villages at the foothill. Therefore, the site will not require resettlement.

18. The proposed site of new boreholes to the south of Zerkala village to supply water for Khosaosok and Zerkala village is on vacant state reserve land and will not require any resettlement or compensation.

19. The rehabilitation of existing borehole to supply water to Chorbodor village will not require any land acquisition or resettlement.

B. Land Allocation and Use in Dahana Subproject Sites

20. Existing borehole №1 in Dahana gully in Yokhsuchiyon village was constructed in 1984 in the riverbed of the named river and the land for the borehole belongs to the Government. Drilling of new borehole № 2 in Dahana gully in Yokhsuchiyon village is planned to execute in the distance 0.1 km from the existing borehole No. 1. Also the given land belongs to the Government and will be allocated by the decision of the local state authority. Test drilling will also be carried out in the river bed and no land compensation and resettlement will be involved. Interests of villagers (land, property and other assets) will not be adversely affected, resettlement and other forms of compensation will not be required.

21. Existing reservoir in Yokhsuchiyon village, in location Lazardin is constructed in 1958. Land for this site is located away from household, gardens and land of agricultural enterprises. The land for the site originally belonged to the state land reserve and is classified as idle as it is situated close to the river Dahana Gully. Land for additional reservoir and service structures will be allocated near the existing reservoir. All issues on land allocation agreed between Vodokanal of Kulyab city, Dahana Jamoat and Hukumat of Kulyab city. In allocating land interests of the residents will not be adversely affected, the resettlement and compensation of any material assets will not be required.

22. Construction of new reservoir № 3 will be realized at the junction of villages Kul and Muapok (Safar Amirshoev) of Dahana Jamoat on the high land about 4.5 km from water intake structure № 1 and № 2 in Yokhsuchiyon village. The land selected for the reservoir falls into the category of unused, in this
land that is not cultivated with crops, and there are perennial plantings. The land belongs to state land reserve. In allocating the land from the state reserve, no private people or their interests will be affected needing compensation, resettlement or livelihood restoration.

23. Construction of the pipeline network from the borehole to reservoir and to the population in accordance with the project documents and statements of Vodokanal of Kulyab and Dahana Jamoat require temporary land allocation only from pasturages and roads, which is owned by the state. This construction work will not affect the lands and assets of any private households, farms, industrial and social infrastructures.

C. Current Use of Land Proposed For Subprojects

24. The project design has been made and sites have been selected in a way to avoid lands used by private households, dekhan farms and other agricultural enterprises, and lands used for agriculture farming. The design team reviewed location of water supply facility, the proximity to the village and storage reservoir, and convenient route of the pipeline to avoid the lands of the said categories. The sites have been selected largely on existing lands and vacant public lands. at is, they tried not to choose the most land belonging to the population, dehkan farms and other agricultural enterprises with, as well as categories of agricultural land. Therefore, for the project land plots are mainly selected from categories of unused land and in the territory of the existing water supply infrastructure.

25. A reservoir site under Dahana Subproject was initially selected on a privately owned land in Kul village. The private person was agreed to give his land in the beginning in lieu of replacement land from the neighboring lands. He also asked for permanent access to the tank and to the water. Hydrogeological evaluation was conducted on the site when the owner changed his decision and began to raise unacceptable conditions. Under the circumstances, Jamoat Dahana offered the best option - a place 100 m above the private land from a state reserve land.

26. In all other cases, the land is under existing infrastructure and belongs to the state. All the existing infrastructure of drinking water supply, which will be rehabilitated and modernized under the project were constructed during the Soviet time. The reservoir in Yokhsuchiyon village in Dahana Jamoat was construction in around 1958 and the most recent construction was in Ziraki village in 1986 for a water reservoir tank. In all cases, the owner is the state. Land mostly belongs to the state land reserve and is not in agricultural use also not transferred to private people. Moreover, during those days, construction of various infrastructures including water supply systems were done avoiding productive agricultural lands and built areas like housing sites. Many sites of drinking water supply in rural areas were constructed by the collective farms. After the collapsing of the Soviet Union and the discontinuation of central funding to the agricultural sector, the collective farms were not able to contain the boreholes and reservoirs, to pay the cost of electricity, and others. The collective and state farms began to reorganize into many individual and family dehkan farms. After that, rural water supply was entrusted to an organization like Selhozvodoprovod, now transferred to SUE Vodokanal under KMK.
VII. DISCLOSURE AND COMMUNITY CONSULTATION

27. Communities and local authorities, including district and jamoat levels are informed about the Subproject in Kulob in the initial months of the design activities. The beneficiary communities and local authorities in Kulob were consulted prior to preparation of this due diligence report. Rounds of consultation meetings with appropriate representatives of local Vodokanal and Jamoats were consulted for information related to the history of land taking for the existing water reservoir and bore well sites. Required information about the project was provided in a form, manner and language accessible to the beneficiary communities. Subproject design, safety, consultation and participation and gender action plan were disclosed to the communities and local authorities. Communities have also provided their comments and opinions to consider in the project process. Details of the consultation process were presented in Annexure-2. The consultation process will continue (see section IX.B) during the construction and operation process. Roles and responsibilities have been allocated to implement and monitor project ensuring compliance with the Tajikistan Laws and safeguard policies of ADB.

28. Accountability mechanism will be set up to provide a platform where communities could express their grievances, seek solutions and report on alleged violations of the adapted policies established for the implementation of the Subproject. Within each subproject site, a Grievance Redress Committee will be established where communities have proper access to and bring their issues on the table with a special grievance form available at GRC representative offices in each Jamoat (see section IX.C).

VIII. SUBPROJECT IMPACTS AND CONSEQUENCES

A. Consequence on Communities

29. The interviews conducted in each community suggest that the offered subproject works will not induce any negative impact to the community peoples and groups. No one will be displaced physically or economically and any adverse impact on their livelihoods.

30. The proposed project works will not have any negative impacts and consequences on public facilities (schools, hospitals cemeteries, mosques and other sites of religious, cultural and historical values). All works will be carried out at locations away from the populated areas and the location of these objects.

31. The subprojects upon completion, will bring in the following positive effects on the communities during operation of the water supply systems:

- Reduce the cost of water collected from distant sources using the various transports and involving workdays of the family members especially the women and children;

- Improve the health of the beneficiaries, those are currently using low quality water and exposed to infectious diseases related to the water.

- Savings from reduction in the need of medical treatment and purchase of medicines allowing more expenditure on education;
• Improve the health of children engaged in the collection of water in the adverse weather conditions;
• Employment in project civil works construction providing increased income to the beneficiary families;
• Women in families will enjoy savings of time used for collecting water from distant sources and provide more attention to family betterment;
• The children in particular will enjoy better health from safe drinking water.
• Above all, water supply will be available in all weather conditions.

B. Involuntary Resettlement

32. As stated in section VI, all lands proposed for civil works construction are existing land owned by the Kulob Vodokanal. The lands are free from all the encumbrances especially any encroachments, squatter or kiosks or any kind of agricultural activity (including fruit trees). No involuntary resettlement issues have been found requiring any measure as per Safeguard Requirements 2: Involuntary Resettlement under the ADB Safeguard Policy Statement 2009.

C. Impacts on Ethnic Minorities

33. The population in Kulob District are largely Tajik with concentration of few Uzbeks and others. Uzbeks in Kulob are around 12% and other minorities include about 2%. However, the ethnic minorities in jamoats Ziraki and Dahana, according to interviewed people, are very small. They are about 5-7%. They are identical to the Tajiks in cultural, historical and religious lifestyles. They are using common public facilities (mosques, cemeteries and holy places of worship) with the mainstream Tajiks. There are no religious or cultural differences. The families of Tajiks and Uzbeks do not live in isolation. There are mixed marriages and families.

34. All ethnic minorities have the same and equal access to all types of resources alike the mainstream Tajiks, including the land, irrigation and drinking water, and other resources.

D. Temporary Impacts during Construction

35. Although there will be no acquisition of privately used land or displacement of any people, whether titled or non-title holders, communities in the site neighborhood may suffer temporary impacts during construction. Civil works constructors will establish site camps and access roads as well as stockyards requiring land those may have private users for agriculture and businesses. The measures for such temporary impacts will be the responsibility of the civil works contractor. To eliminate such impacts the civil works contractors will undertake the following measures:

a) Informing all local communities about the nature and duration of work well in advance so they can make necessary preparations;
b) Always keep clean of construction materials and provide full access to houses, business places, ensure vehicle and pedestrian access is not disturbed all the time;
c) Increasing the workforce and using appropriate equipment to complete the work in a minimum timeframe with least impact on livelihoods and economic resources;

d) Continued accessibility to all types of facilities including communication lines, water systems, electricity, etc. that are available in the construction zone, should be ensured;

e) If rental land is used, negotiate with the land owners and users as appropriate on fair terms and conditions, and

f) Measures for minimizing dust and noise pollution as per the environmental management plan.

36. KMK will monitor the identification of construction related temporary impacts and ensure that GRM is fully functional and accessible to the communities for any events of inconveniences to the communities out of civil works construction.

IX. SOCIAL MANAGEMENT

A. Institutional Capacity of KMK PIG and Vodokanal

37. The current structure and experience of the KMK and local Vodokanals have been reviewed to understand their capacity in the implementation of LARF and GAP of the project (output 3). KMK has past experience in implementation of infrastructure projects with financing from European Bank for Reconstruction and Development (EBRD), Japan International Cooperation Agency (JICA) and the World Bank (WB). KMK has so far completed at least three projects, one each with finance from EBRD, WB and JICA and is implementing 4 projects with finance from EBRD and one each with finance from WB and JICA. None of the projects involved involuntary resettlement. Only state owned lands without any encumbrances have been used for infrastructure constructions. This Grant Project (Output 3 of Grant No. 0352-TAJ) is the first in KMK with financing from ADB.

38. KMK has the knowledge about the policies of JICA, EBRD and WB on procurement, safeguards and gender. KMK HQ has a total of 48 staff including 8 women. Only 6 staff have been assigned to the PIG for implementation of the Project headed by a Chief. There is no special unit or division for land acquisition or estate management. KMK, as per state regulations, applies to the Executive Unit of State Authority of Town or District for allocation of state owned land for project use. For this Grant Project, KMK has assigned an Environmental and Social Officer (ESO) with the PIG with effect from April 01, 2015. No training has so far been imparted to the in-house staff of KMK on management of involuntary resettlement and gender mainstreaming in infrastructure development and rehabilitation projects. However, a safeguards orientation workshop was organized at Dushanbe for 25 participants from PIG, PIOs, Hukumats and Jamoat representatives on 22 July 2015.

B. Consultation and Participation Plan

39. Consultation process has been a continuous process for the project components from preparation to implementation processes. A total of 1,320 individuals (42.4% were women) were consulted during the project preparation stage during 119 stakeholder consultations conducted in May to November 2012. Specific approaches used during the stakeholders consultations include the following: (i) public
consultation or community assembly meetings held at the Hukumats, jamoats and villages covered by the project; (ii) roundtable discussion/consultation meetings with the Hukumat, jamoat and village heads; and (iii) FGD with various sectors (i.e. NGOs, women, men, farmers, school children, WUAs/DWCs, and other sectors). Consultation meetings with selected government agencies (i.e., MOLRWR, KMK, CWFA, MOF, etc.), and some NGOs (i.e. ACTED, OXFAM, Red Crescent Society of Tajikistan, and other CBOs existing in the sub-project areas) were also conducted to gather additional information needed for poverty and social assessment under the preparation stage.

40. Consultation with communities and local stakeholders was furthered during May to December 2015 for consultancy activities for design and site identification of the water supply systems infrastructure construction. The social safeguards and gender specialists (national and international) visited the sites, Ziraki and Dahana Jamoats and Kulob Vodokanal for various information and opinion, and shared the concerns and options of the beneficiary communities. Few of the events of consultation process have been presented in pictures at Annexure-2.

41. The consultation process will be continued during construction and social mobilization for participatory water supply management through individual contact, group meetings, community level meetings and central level sharing workshops. PIG will strengthen representation of women and quality of their contribution in project consultations, and project decision-making processes. Women will be specially consulted and their voices heard in all modes of consultation. Feedback from women will be specially reviewed for inclusive design, implementation and operation and maintenance. PIG will ensure that at least 30% of the participants in the consultation are women and they represent in all water user groups and federation at least of same ratio.

C. Grievance Redress Mechanism

42. In order to efficiently receive and facilitate the resolution of complaints and grievances of the affected persons and their community about project level social and environmental issues, a Grievance Redress Mechanism (GRM) will be established by KMK at the District and Jamoat levels. The grievance redress mechanism will be scaled to the risks and impacts of the project. It will address displaced/affected people's concerns and complaints promptly, using an understandable and transparent process that is gender responsive, culturally appropriate, and readily accessible to all segments of the affected people.

43. The information of grievance redress process will be widely disseminated to all affected persons and the beneficiary communities during project consultations. The Project GRM will be in effect from the commencement of project implementation activities until the completion of the civil works and incorporates social, resettlement and environmental complaints. Copies of the GRM process and the complaint forms will be available at the Jamoat offices, KMK representative offices and the district land and resettlement Committees to ensure transparency and equal access to all the citizens.

1. Steps for Grievance Redress Process

44. Complaints and grievances received during the implementation level will be addressed through the following steps and actions:
Step 1: Complaints will first be lodged at the Jamoat level, where the responsible and Jamoat officers, as representatives of the aggrieved persons, will attempt to resolve the issue. Each complaint will be registered, signed by the complainant and a representative of the Grievance Redress Committee, and the receipt of the complaint given to the aggrieved persons. The period fixed for resolution of complaints is 14 calendar days.

Step 2: If the complaint cannot be addressed at Jamoat level, aggrieved person can apply to the district level GRC for solution with assistance from Jamoat GRC. The district GRC at Vodokanal has an obligation to attempt to resolve the issue within 15 calendar days.

Step 3: If no solution is reached within 15 days, the aggrieved person can submit her/his case to the appropriate court of law, with all costs paid for by the project.

2. Formation of Grievances Redress Committee (GRC)

45.  Grievance Redress Committee (GRC) will be established at the relevant Jamoat level in each relevant district to resolve complaints and grievances informally through community participation. GRC will also be established at the relevant district level as an upper tier of the GRM. The Jamoat GRC will consist of representatives of the KMK, the local hukumat, APs/community representatives, women APs (if any), and appropriate local NGOs to allow voices of the affected communities to be heard and to ensure a participatory decision-making process. The majority of members will make the GRC decisions. To increase the transparency of grievance and redressed process any complaint received by the GRC will be publicly notified in the Jamoat information board for its status and solutions. If the complainants are not satisfied with the GRC decisions, they appeal their cases to the next level of the GRM system (District GRC) and to court.

46. Jamoat GRC and District GRC will be established by an office order of the KMK and the decree of the district/Hukumat Chairperson. The following tables are the composition of members which will constitute each GRC:

<table>
<thead>
<tr>
<th>Table 3 District/ Hukumat GRC</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Head of Committee, Deputy Chairman of the District Government Authority</td>
</tr>
<tr>
<td>2 Chief District Architect</td>
</tr>
<tr>
<td>3 Head of Municipality (inter-district) bureau of technical inventory</td>
</tr>
<tr>
<td>4 Head of the Women and Family Welfare Department of district</td>
</tr>
<tr>
<td>5 Representative from the Executing Agency (KMK)</td>
</tr>
<tr>
<td>6 Representative from the district Office of the Land Management and Geodesy Agency</td>
</tr>
</tbody>
</table>
47. As there will be no acquisition of land under private use and no displacement of people, the Project will establish a Jamoat level GRC, at the minimum.

**Table 4 Jamoat Grievance Redress Committee (GRC)**

<table>
<thead>
<tr>
<th></th>
<th>Land and/or environmental specialists of District GRC/Jamoat GRC</th>
<th>Chair</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Chairperson</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Deputy Jamoat chairperson, responsible for gender policy</td>
<td>Member</td>
</tr>
<tr>
<td>3</td>
<td>Jamoat Resource Center representatives</td>
<td>Member</td>
</tr>
<tr>
<td>4</td>
<td>Sanitary and epidemiologic service representative</td>
<td>Member</td>
</tr>
<tr>
<td>5</td>
<td>Representative of KMK District (PIO)</td>
<td>Member</td>
</tr>
<tr>
<td>6</td>
<td>Representative of affected persons/communities</td>
<td>Member</td>
</tr>
</tbody>
</table>

**X. CONCLUSION OF DUE DILIGENCE**

48. The subprojects in Kulob are considering mostly the existing premises of bore-wells and/or pump houses for rehabilitation of production bore-wells in Dahana and Ziraki in Kulob District. Infrastructures in existing sites were originally constructed during the soviet regime. The Kolkhoz (state owned collective farm for agriculture) at the Jamoat level were operating these water supply systems basically for the villagers working in respective Kolkhoz. After the collapse of the Soviet Union and the independence of Tajikistan, the transition to new forms of management of the economy led to the abolition of the Kolkhozes and the large collected farms were transformed into several small Dekhan farms (collective, family and individual).

49. The drinking water supply services in rural areas, therefore, suffered lack of finance and administration during 1996 to 2012. There were almost no repair or rehabilitation of the water supply infrastructures during this period. Only in few cases the production wells and transmission networks were repaired with finance from international development financing institutions (DFI). The local governments had very limited financial capacity on those years, and tried to help the rural population with water supply commensurate to their capacity. The situation changed in 2012 when the rural drinking water supply was transferred under the responsibility of SUE KMK. Upon taking over the responsibility and transfer of the rural water supply infrastructures, KMK started rehabilitation, improvement and expansion of the services and infrastructures. Resources have been tapped from the national budget and also from international DFIs like EBRD, JICA and WB. Vodokanals are SUE KMK units at the district level and various water users
associations and water communities were created on the basis of several community based organizations and rural Jamoats.

50. As the collective and state farms were reorganized in the late '90s and early 2000s, and there was no organizations that could receive the water infrastructure facilities and their documents and records were almost completely lost. In addition, a huge number of people, those were directly and indirectly involved in managing these infrastructures, were transferred. Transfer of the rural water supply infrastructures to the balance of SUE KMK were executed on the basis of existing available records, and not on the basis of full set of original records and documents. Some of the records may be found but it needs a huge labor for searching them in the state archives. However, possibility of finding them is very low.

51. It is therefore, concluded that since there was no private use right to land during the soviet period, all the water supply installations were established during that period or later on state owned land without any encumbrance, and subproject activities have been planned to be carried out in state owned land, social safeguards compliance issues relevant to individual private interest are not relevant. The subproject involves no land acquisition or involuntary resettlement issues and no land acquisition and resettlement plan is required.

52. If there be any impact identified during construction that will be addressed before any displacement of people following the LARF adopted for the main project.
Annexure-1 Subprojects in Map in Ziraki and Dahana Jamoats

Fig. 1 Map of Dahana Subproject (Red circles 1& 2 are existing and proposed borehole sites respectively)
Fig. 2 Map of Ziraki Subproject (Red circles are existing boreholes designated as 10 & 11 for Ziraki, 7 for Zerkal, 8 for Chorbodor and one new borehole on the south border of Zerkala is for both Khosaisoc and zerkala villages).
Annexure-2 Disclosure and Consultation Process

Disclosure of project concept and infrastructure options were made to invite opinions and suggestions from the beneficiary communities during April–June 2015 in the project impact areas and villages. However, community consultations on social issues were carried out in the middle of June 2015. Summary of the outcomes from some of the consultation events have been presented hereunder:

The consultant team visited Kulob on April 21, 2015 and had meetings with the Kulob Vodokanal and focused group discussions with the beneficiaries in Khojaisok and Dahana. The Social Safeguards and Gender Consultants of the Consultant team had undertaken site trips to project areas in Kulob on June 16, 2015. Mr. Sultonov Rahamt Ullah, PIG Member (Engineer) assisted the consultants and officials from the local Vodokanals in Kulob and respective Jamoats contributed with information and assistance. The team also had focused group discussion with communities while visiting the sites.

Beneficiaries Opinion to Pay for Water Supply:

To determine drinking water availability and amount of payment for services the villagers of Yokhsuchiyon and Dahana of Dahana jamoat were interviewed. It should be noted that the entire water supply system of the Jamoat is on the responsibility of Kulyab Vodokanal and payment of drinking water service is collected by the authorized people of vodokanal. Also under the Jamoat there is a local Water Users Associations of drinking water (head D.Zakirov), who monitor the condition of the water supply network.

According to the population payment for water consumption from a public water pipe (5-6 families from one tap) is 1 somoni 50 dirams per person per month. Availability of water in the courtyard of one household the payment is 3 somoni 60 dirams per person per month. When asked to pay for the water without raising the level of poverty, particularly for well-off families, they responded to pay 1 somoni for public stand pipe and 2 somoni for the use of individual water supply.

During the similar interview of Khojaisok village of Ziraki jamoat representatives, mostly local school teachers have similar answers. All interviewed water users agreed with the installation of water measuring device for water consumption.

Summary of the findings from focused group discussions:

A. Safe Drinking Water and Consumer Practices

a. Making available safe drinking water in the area proposed under the project is the major concern of the communities.

b. People are aware of health impacts from drinking unclean water and they believe that having safe drinking water alone can reduce health hazards and save their time and money.

c. Both men and women are involved in collection of water for drinking. But children are specially engaged for fetching water. About 2/3 hours are spent in fetching drinking
water. Water from nearby irrigation and spring canals (normally not clean) are used for draft purposes.

d. The village head in Ziraki under Jamoat Ziraki installed a bore-well (85-m deep) with community contribution of TJS 120,000 but they could not get safe water from it. Currently, they are using the water from this bore for draft purpose only. But people at acute scarcity, sometimes drink from this source.

e. Vodokanal in Ziraki Jamoat have recently repaired a pump station on credit (procured equipments from the market on credit). There was no water for more than three months. But considering the sanctity of the Holy Ramadan, they have repaired this pump.

   i. Community contribution could have been instrumental for repair of pump house but there is lack of consumer participation mechanism and Vodokanal is facing resource constraints for maintenance.

f. On the choice of water quality and sources, the adults are agreeable with open water for draft use and clean water for drinking. However, the children prefer clean water for taking bath as well.

g. In Dahana Jamoat, the Vodokanal official was in the opinion that the consumers do not pay water tariffs and in some cases, they cannot arrange water for them due to this reason. However, people in Kul village identified lack of climate proofed infrastructures to make available clean water.

Gender Equality Issues

h. Both men and women are aware of the problem and can define their needs and aspirations on safe drinking water.

i. Although proportion could not be demarcated, responsibility for fetching water for drinking seems to be shared between men and women. But children are playing a major role here.

j. The men in few areas are considering the cost aspects of clean water, but the women are enthusiast and very much agreeing on possible water tariffs.

k. The women are interested to receive training under the project on health and hygiene and on operation and maintenance of the water systems as per project provision.
B. Existing Services and Availability of Water

a. Communities in the target areas are getting limited supply of water through water points at community level from the local bore-wells or nearby springs.

b. In many areas, the supply cannot meet the requirement and people transport water from distant springs or bore wells in buckets. These distant sources are also limited and there is events of unavailability even after traveling such long distances due to limited supply.

c. The existing pumps rotates supply to cover the consumer villages. Each village gets supply only for 1 to 2 hours in the morning and similar hours in the evening. Every households therefore needs to stock water in buckets. In many occasions they go without water or collect unclean water from the open canals, treat (through settling and boiling) and drink.

C. Participatory Drinking Water Management

a. It was observed during the site trip that there is no vehicle of communication or coordination between Jamoat, water supply company (Vodokanal) and Consumer communities.

b. Jamoats are the owner of the land and assets for water supply system and networks under it while the Vodokanal at the district level is the technical service provider for construction, operation and maintenance support to the systems.

c. The project proposes that the consumers, as the sole beneficiary of the water supply systems, will bear the full responsibility for operation and maintenance.

   i. The beneficiaries as per project concept, will be mobilized into Water Consumer Group (WCG) for each village and recognized by Vodokanal and the local Jamoats.

   ii. The WCGs will have their own bank account and operate as not-for-profit organization.

   iii. WCGs will collect water tariff from the consumer households and keep deposited in their bank account.

   iv. This money will be used for operation and maintenance of the water systems. They will seek technical assistance from Vodokanal for payment. They can also go for taking technical service from private enterprises.

   v. This will build belongingness among the beneficiaries and the WCGs will sustain to keep the water systems operational.
d. Gender issues: The Jamoats and Vodokanal officials are respectful to gender mainstreaming as per current policy of the government. At least 30% of all employment will be offered to the women.

THE CONSULTATIONS EVENTS IN PICTURE

Consultation with Khojaisok villagers

Consultation with water users of Dahana

Meeting with Chairman Vodokanal Kulob

Consultation with community peoples at office of the Ziraki Jamoat

Consultant team speaking with local consumers in Yochsuchiyon village in Dahana Jamoat

Consultation with community peoples at Kul village
Detailed Note from the National Social Development Specialist:

Kulyab District, June 16, 2015

The working group consisting from consultants of BETS company, representative of KMK (Rahmatullo) and NGO specialist. On June 16 visited villages of Jamoat Zirak and Dahana of Kulyab region for social assessment in connection with the upcoming implementation of the project and the construction / rehabilitation of infrastructure of drinking water supply of the area. In this field visit the group was accompanied by a working group of Vodokanal of Kulyab district Chief engineer and head of sections Ziraki and Dahana. (Mardonov S. and Pirakov R). As well as representatives of Yokhsuchiyon village and Dahana jamoat.

The trip started from visiting of location Lazardinin Yokhsuchiyon village of Dahana jamoat, where the tank with a capacity of 150 m³ is located. According to the accompanying persons, the given reservoir is very old and silted as well as due to the reduction of the water level of the river nearby Dahana (Sangoba), the flow of water into the reservoir through drainage greatly reduced and collected only 20 m². Also, the valves and other equipment of the reservoir are in poor condition. From this reservoir the water feds to population of villages of Dahana, Gulrez, Chinor, Yokhsuchiyon and Qamar (except Kul and S. Amirshoev). Due to the fact that in reservoir gathered very little amount of water, it’s not enough for all population. Moreover, water is supplied only one time in the morning for 3 hours before 10 AM. In the village in one household live 2-3 families with large number of members consisting of an average of 6-8 people. The total number of household members are 10-16 persons.

Next was interviewed family members in Yokhsuchiyon village below from the Lazardin reservoir who had water supply tap. According to a resident of the village Orastamoh, in the morning they collect water from the tap in various capacities of 10-15 liters only for consumption (drinking, cooking food, and others). Cleaning, washing, watering animals, any court needs is realizes at the expense of water from rivers and streams. So do all the inhabitants of the village. Water on tap flows year-round. The water in the irrigation ditch is more or less clear only at the beginning and downstream it becomes muddy and dirty, and very poor quality. Not everyone in the village have access to drinking water from this reservoir for water supply. Most residents take water from different sources located in 3-5 kilometer. Transport water by vehicles, carts and donkeys. Mostly men and boys-teenagers bring the water. For water, they pay 2.25 somoni per month for each family members. There is a list of all families with an indication of the number of members, who receive the water.

All residents who were interviewed confirmed that they have big problems with access to drinking water, and often fall sick with infectious diseases related to water quality.

Residents expressed their willingness to pay for water if it is available on a regular basis and good quality. Also, all agree to participate in all activities of the project, working in construction and rehabilitation works, as in this area there is a severe lack of jobs and opportunities to earn. Women are also equal to men expressed a desire to work.

In downstream. In riverbed of Dahana River 2 wells ETSV-10 with capacity of 65m³ is located, actually collecting 50 m³ of water and borehole ETVS-8 with capacity of 25 m³, but at the moment is completely
clogged with silt and sand and is not working. These wells are connected to the lines of Lazardin. Water from them are supplied to the part of population of 7 villages of Jamoat Dahana.

Further, the working group visited villages Kul and Safar Amirshoev. In Kul village it is planned to construct reservoir with capacity of 250-300 m$^3$ on high elevation. The Group has examined the place of future construction area of about 1 ha. Currently, the land belongs to a private person, but he is ready to give his land for the construction of the reservoir instead of other land located in the neighbourhood.

Further, members of the working group and representatives of Dahana Jamoat, KMK, Vodokanal of Kulyabmet with residents of the village S. Amirshoev and chairman of mahalla (KurbonovBobosho). The residents told that in this village the population has no access to piped water due to his absence. In winter and spring, they use snow and rainwater for drinking, and in the summer and autumn they haul water from Dahana. Everybody haul water women, men, boys and girls. Water brought by donkeys, carts, girls haul buckets. The distance to the water source is 3-5 kilometers. For delivery of water they spend per day from 2 to 5 hours. Also, there are often cases when they return without water, since in water sources there are a lot of people and they do not get. After 1 or 1.5 months, when the water in the river Yakhshudecreases, they gives water from Muminobod reservoir. According to villagers, the water unsuitable for drinking because it is salty.

According to the villagers in this area it is possible to get water from the depth of 130 m and on higher place of the village from depth of 165 m. In this village no one pays for water, since water is supplied to anyone. But the population is willing to pay for water if it is available. Also, both men and women are willing to work in any paid work for the construction of bore wells and reservoirs, pipelines. They are ready to participate in the water organization, which can be an association, community or water committees at Jamoat or village level.

Villagers were told that due to that they use poor-quality water for drinking and cooking food, schoolchildren during breaks and after school drink the irrigation water to their villages very often, and most of the residents suffer from diseases such as typhoid fever, hepatitis, malaria, diphtheria. In this village there are two schools for 640 seat and 4,000 pupils, and in which also the children from 3 neighbouring villages are study. The male part of the population is engaged in small businesses, land, labour migration. Women are busy in agricultural works on farm lands, gardens and ancillary areas.

Persons participated in the conversations were:

Kurbonov Bobosho–chairman of S. Amirshoevmahalla
Odilov Abdusattor– Head of library
Kurbonov Talab– Deputy Director of school
Azamova Soina– Cleaner of the school

Further, the working group visited Jamoat Ziraki. In Ziraki village located long time constructed reservoir with borehole, which provides with water only the center of Jamoat. Within the project framework the construction of another reservoir with greater capacity for more villages is considered.
Then, the group visited the office Zirakijamoat, met with chairman of Zirakimahalla (AbdulloRajabov), Deputy Chairman of Jamoat (Karim Khakimov), women - activists of the Jamoat. They said that in Jamoat population suffers from a shortage of drinking water. Jamoat is located in the slope area and because of it 80% of the population of the village (150 households) actually has no access to drinking water. Such villages of the Jamoat such as Ziraki, Hojaisok, Komsomol, Saryozi Miyona and Dasht experiencing difficulties with drinking water. This part of the population get water from the spring water is salty and oily.

Jamoat population is willing to pay for water. Now part of the population that receives water pays for water at the rate of 1 person per 0.5 somoni per month. Currently, the water is supplied to jamoat 2 times per day, morning 2.5 hours and in the evening 1 hour. Population except for food purposes, for washing, for pets and other uses water from the irrigation canals not suitable for drinking. For the delivery of water they spend 2-3 hours. Water is delivered by the cart, rare by car. Most often by hand in buckets, carts and donkeys. Water is stored in various locations from 1.5 to 3 km from the residential place of villagers, sometimes in the neighboring villages. And even in the Jamoat.

Residents of Jamoat have very positive attitude to the project activities, all are ready to participate in them, including in trainings, construction - restoration work, monitoring of work progress and in the work of association, etc. They are ready to provide any form of assistance and support.

Persons attended the conversation were:

Rahimova Rukyamoh – Head of Family health center of Ziraki
Davlatoa Toji – nurse of family health center
Safarova Samigul –School doctor in Ziraki
### Annexure 3 - Involuntary Resettlement Impact Screening Checklist

**A. Subproject Name: Dahana Subproject, Kulob, Package No. 1**

<table>
<thead>
<tr>
<th>Possible Involuntary Resettlement Effects</th>
<th>Yes</th>
<th>No</th>
<th>Not known</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Involuntary Acquisition of Land</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Is the site for land acquisition known?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Will there be any land acquisition?</td>
<td></td>
<td>✔</td>
<td></td>
<td>Not required</td>
</tr>
<tr>
<td>3. Is the ownership status and current usage of land to be acquired known?</td>
<td></td>
<td></td>
<td></td>
<td>Not applicable</td>
</tr>
<tr>
<td>4. Will subproject be implemented within an existing Right of Way (ROW)?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Will there be loss of shelter and residential land due to land acquisition?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Will there be loss of agricultural and other productive assets due to land acquisition?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Will there be losses of crops, trees, and fixed assets due to land acquisition?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Will there be loss of businesses or enterprises due to land acquisition?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Will there be loss of income sources and means of livelihoods due to land acquisition?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Involuntary restrictions on land use or on access to legally designated parks and protected areas</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Will people lose access to natural resources, communal facilities and services?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>11. If land use is changed, will it have an adverse impact on social and economic activities?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12. Will access to land and resources owned communally or by the state be restricted?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Quantification of private land require to be acquired:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Possible Involuntary Resettlement Effects

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
<th>Not known</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any preliminary estimate of the likely affected land that will be required by the Project?</td>
<td></td>
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<td></td>
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<tr>
<td>[ ] Yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If yes, approximately how much? <strong>0</strong> hectares</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Information on displaced persons</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Any estimate of the likely number of persons that will be displaced (economically and physically) by the Project?</td>
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<tr>
<td>[ ] Yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If yes, approximately how many? <strong>0</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Any estimate of the likely number of persons that will be physically displaced (relocated) by the Project?</td>
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<tr>
<td>[ ] Yes</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>If yes, approximately how many? <strong>0</strong></td>
<td></td>
<td></td>
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<tr>
<td>Any estimate of the likely number of persons that will experience loss of more than 10% of productive assets?</td>
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<tr>
<td>[ ] Yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If yes, approximately how many? <strong>0</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are any of them poor, female-heads of households, or vulnerable to property risks?</td>
<td></td>
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<tr>
<td>[ ] Yes</td>
<td></td>
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<tr>
<td>If yes, approximately how many? <strong>0</strong></td>
<td></td>
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<tr>
<td>Are any displaced persons from indigenous or ethnic minority groups?</td>
<td></td>
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<tr>
<td>[ ] Yes</td>
<td></td>
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</tr>
<tr>
<td>If yes, how many? <strong>0</strong></td>
<td></td>
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</tr>
</tbody>
</table>

______________________________________________________________

Environmental and Social Officer (ESO)                                      Date: ____/_____/______
Project Implementation Group
Khojagii Manziliyu Kommunali (KMK)
Dushanbe.
B. Subproject Name: Ziraki Subproject, Kulob, Package No. 1

<table>
<thead>
<tr>
<th>Possible Involuntary Resettlement Effects</th>
<th>Yes</th>
<th>No</th>
<th>Not known</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Involuntary Acquisition of Land</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Is the site for land acquisition known?</td>
<td></td>
<td></td>
<td></td>
<td>Not required</td>
</tr>
<tr>
<td>2. Will there be any land acquisition?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Is the ownership status and current usage of land to be acquired known?</td>
<td></td>
<td></td>
<td></td>
<td>Not applicable</td>
</tr>
<tr>
<td>4. Will subproject be implemented within an existing Right of Way (ROW)?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Will there be loss of shelter and residential land due to land acquisition?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Will there be loss of agricultural and other productive assets due to land acquisition?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Will there be losses of crops, trees, and fixed assets due to land acquisition?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Will there be loss of businesses or enterprises due to land acquisition?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Will there be loss of income sources and means of livelihoods due to land acquisition?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Involuntary restrictions on land use or on access to legally designated parks and protected areas</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Will people lose access to natural resources, communal facilities and services?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. If land use is changed, will it have an adverse impact on social and economic activities?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12. Will access to land and resources owned communally or by the state be restricted?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quantification of private land require to be acquired:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Any preliminary estimate of the likely affected land that will be required by the Project?

[ √ ] No  [ ] Yes

If yes, approximately how much? __0__ hectares
### Possible Involuntary Resettlement Effects

<table>
<thead>
<tr>
<th>Possible Effects</th>
<th>Yes</th>
<th>No</th>
<th>Not known</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information on displaced persons</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any estimate of the likely number of persons that will be displaced (economically and physically) by the Project?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[ √ ] No   [ ] Yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If yes, approximately how many? <strong>0</strong></td>
<td></td>
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<tr>
<td>Any estimate of the likely number of persons that will be physically displaced (relocated) by the Project?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[ √ ] No   [ ] Yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If yes, approximately how many? <strong>0</strong></td>
<td></td>
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</tr>
<tr>
<td>Any estimate of the likely number of persons that will experience loss of more than 10% of productive assets?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[ √ ] No   [ ] Yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If yes, approximately how many? <strong>0</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are any of them poor, female-heads of households, or vulnerable to property risks?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[ √ ] No   [ ] Yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If yes, approximately how many? <strong>0</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are any displaced persons from indigenous or ethnic minority groups?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[ √ ] No   [ ] Yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If yes, how many? <strong>0</strong></td>
<td></td>
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</tr>
</tbody>
</table>

_____________________________________________________

Environmental and Social Officer (ESO)  
Project Implementation Group  
Khojagii Manziliyu Kommunali (KMK)  
Dushanbe.
### Annexure-4: Comments and Response Matrix

<table>
<thead>
<tr>
<th>ADB Comments</th>
<th>KMK Response</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Page 2 para 4 - This para mentions about no impacts due to physical or economic displacement, however it is not clear whether there is any impact on non titleholders.</strong></td>
<td>4. Social screening in Package 1 subprojects provides the information that all civil works construction will be within existing land owned by Kulob Vodokanal and no one will be displaced or their livelihoods affected due to undertaking of the subprojects. A land acquisition and resettlement (LAR) due diligence has therefore been carried out and this due diligence report (DDR) has been prepared to document the compliance.</td>
</tr>
<tr>
<td></td>
<td>4. Social screening in Package 1 subprojects provides the information that all civil works construction will be within existing land owned by Kulob Vodokanal and no one (titled or non-titled) will be displaced or their livelihoods affected due to undertaking of the subprojects. A land acquisition and resettlement (LAR) due diligence has therefore been carried out and this due diligence report (DDR) has been prepared to document the compliance.</td>
</tr>
<tr>
<td></td>
<td>In fact, no one, either titled or non-titled, is currently using the lands proposed for package 1 activities. It is now mentioned in parenthesis.</td>
</tr>
<tr>
<td><strong>Page 2 para 5 - This para is confusing as it is not clear whether the detailed design has already been carried out or will be carried out in future. Please revisit this para and revise.</strong></td>
<td>5. The project is classified as Category B for involuntary resettlement. No or minor resettlement impact is expected. However, detailed engineering design of the subprojects will be carried out during project implementation and potential permanent or temporary impact on private or collective land users could not be assessed at the preparation stage. A land acquisition and resettlement framework (LARF) has been adopted to guide preparation and implementation of land acquisition and resettlement activities during project implementation. Where subprojects have existing facilities and civil works will be limited within existing available public land, a due diligence will be conducted to determine past or present social</td>
</tr>
<tr>
<td></td>
<td>5. The project is classified as Category B for involuntary resettlement. No or minor resettlement impact is expected. Since detailed engineering design of the subprojects was not completed during project inception phase, potential permanent or temporary impact on private or collective land users could not be assessed, a land acquisition and resettlement framework (LARF) has been adopted to guide preparation and implementation of land acquisition and resettlement activities. Where subprojects have existing facilities and civil works are limited within existing available public land, a due diligence is conducted based on detailed engineering design to determine past or present social safeguards concerns,</td>
</tr>
<tr>
<td></td>
<td>This para states the situation and objectives for due diligence. Para 6 has accordingly been restated to reflect the basis for the due diligence report.</td>
</tr>
</tbody>
</table>
Land Acquisition and Resettlement Due Diligence Report

Page 2 para 7 and 8 - Both these need to be revisited. It should be clearly stated that the DDR has been prepared based on the detailed design carried out for Package 1 and as the project was categorized as B for IR it was pertinent to carry out the due diligence on IR and IP based on the detailed design. Kindly rephrase these accordingly. Para 7 again does not mention anything about the impacts on non-titleholders.

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.</td>
<td>This DDR presents the subproject activities in Kulob District in Ziraki and Dahana Jamoats that can avoid involuntary resettlement. The need for any mitigation measures, compensation and preparation and implementation of land acquisition and resettlement plan has been reviewed.</td>
</tr>
<tr>
<td>6.</td>
<td>This DDR has been prepared based on the detailed engineering design and presents the subproject activities in Kulob District in Ziraki and Dahana Jamoats that have fully avoided involuntary resettlement and impacts on indigenous peoples. The need for any mitigation measures, compensation and preparation and implementation of land acquisition and resettlement plan has been reviewed.</td>
</tr>
<tr>
<td>7.</td>
<td>The DDR has been prepared for Package 1 Subprojects in Kulob District designed for construction in Ziraki and Dahana jamoats in compliance with ADB SPS 2009 which requires due diligence to be carried out when no land acquisition and population displacement are induced due to implementation of a subproject and no LAR plan is required.</td>
</tr>
<tr>
<td>7.</td>
<td>The DDR has been prepared based on detailed design carried out for Package 1 Subprojects in Kulob District designed for construction in Ziraki and Dahana jamoats in compliance with ADB SPS 2009 which requires due diligence to be carried out when no land acquisition and population displacement are induced due to implementation of a subproject and no LAR plan is required. Since the project is cauterized as B and no physical and economic displacements have occurred as per the detailed design, it was pertinent to carry out the due diligence on involuntary resettlement and indigenous peoples.</td>
</tr>
</tbody>
</table>

The basis has been included in para 7 and issue of impact on non-title holders have been mentioned in para 8.
representatives and the Hukumats in order to prepare this DDR and compiled the first draft of the report. The draft report was edited by the international Social Safeguards and Gender Specialist, who has earlier visited the sites in June/July 2015 and consulted the beneficiaries and other stakeholders at village, Jamoat and Hukumat levels.

| Page 3 para 9- The methodology does not mention any details on tools for primary data collection e.g interviews, observations during site visits, focus group discussions etc. These details are important as the due diligence report has to be primarily based on first hand data from field. Please also clearly state that the detailed design was carefully studied | 9. The methodology has included the following tasks: | 9. The methodology includes review of layout plans and detailed design, site visits, interviews with key stakeholders and focused group discussion with the beneficiary communities. The methodology has included the following tasks: 
   
   .... .... .... .... (ix) The draft DDR was shared with
   |

In response to ADB’s advice for the social safeguards compliance report in late September 2015, the safeguards team on the Project comprising the Environmental and Social Officer (ESO) in PIG and the national Social Safeguards and Gender specialist visited the site, met the beneficiaries, Jamoat representatives and the Hukumats in order to prepare this DDR and compiled the first draft of the report. Site reviews and consultation with communities and Vodokanal representatives indicated that no privately used land have been taken for infrastructure construction and the existing available lands, proposed for civil works activities as per the detailed design, are free from any encumbrances by any non-title holders. The draft report was edited by the international Social Safeguards and Gender Specialist, who has earlier visited the sites in June/July 2015 and consulted the beneficiaries and other stakeholders at village, Jamoat and Hukumat levels.

Yes, primary data was collected through personal interviews, observations during site visits and focused group discussion during site visit. The draft DDR was reviewed by the engineering team finalized with feedback from the team.
and the DDR has also been discussed and finalized and based on feedback from the engineering team.

<table>
<thead>
<tr>
<th>None</th>
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Fundamentally the report does not clearly state whether the existing land is free from all the encumbrances especially any encroachments, squatters or kiosks or any kind of agricultural activity (including trees being impacted).

<table>
<thead>
<tr>
<th>None</th>
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The methodology have been revised accordingly. A new small bullet (ix) has been added to reflect the full tasks carried out.

<table>
<thead>
<tr>
<th>B. Involuntary Resettlement</th>
</tr>
</thead>
<tbody>
<tr>
<td>32. As stated in section VI, all lands proposed for civil works construction are existing land owned by the Kulob Vodokanal. The lands are free from all the encumbrances especially any encroachments, squatter or kiosks or any kind of agricultural activity (including fruit trees). No involuntary resettlement issues have been found requiring any measure as per Safeguard Requirements 2: Involuntary Resettlement under the ADB Safeguard Policy Statement 2009.</td>
</tr>
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</table>

| The site layout plans with the detailed design was reviewed on site and it was found that the sites are free from all the encumbrances especially any encroachments, squatters or kiosks or any kind of agricultural activities. A new section on Involuntary Resettlement (section B) has been added. |

Temporary impacts and mitigation measures during construction have not been covered in the report at all. What about camp sites, access roads. Please carefully prepare this section. During construction there are number of indirect impacts which need to be foreseen and mitigation measures should be part of the DDR and also the IEE.

<table>
<thead>
<tr>
<th>None</th>
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</table>

D. Temporary Impacts during Construction

35. Although there will be no acquisition of privately used land or displacement of any people, whether titled or non-title holders, communities in the site neighborhood may suffer temporary impacts during construction. Civil works constructors will establish site camps and access roads as well as stockyards requiring land those may have private users for agriculture and businesses. The measures for such temporary impacts will be the responsibility of the civil works contractor. To eliminate such impacts the civil works contractors will undertake the following measures:

| This is very important issue that needs special attention. A section has been added on temporary impacts (Section D) |

<table>
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<tbody>
<tr>
<td>There are photographs related to consultations are attached but</td>
</tr>
<tr>
<td>-------------------------------------------------------------</td>
</tr>
</tbody>
</table>

a) Informing all local communities about the nature and duration of work well in advance so that they can make necessary preparations;
b) Always keep clean of construction materials and provide full access to houses, business places, ensure vehicle and pedestrian access is not disturbed all the time;
c) Increasing the workforce and using appropriate equipment to complete the work in a minimum timeframe with possible impact on livelihoods and economic resources;
d) Continued accessibility to all types of facilities including communication lines, water systems, electricity and etc. that are available in the construction zone, should be ensured;
e) If rental land is used, negotiate with the land owners and users as appropriate on fair terms and rents and act as per the terms; and
f) Measures for minimizing dust and noise pollution as per the environmental management plan.

34. KMK will monitor the identification of construction related temporary impacts and ensure that GRM is fully functional and accessible to the communities for any events of inconveniences to the communities out of civil works construction.
<p>| | |</p>
<table>
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</thead>
<tbody>
<tr>
<td>there are no details on the meaningful consultations carried out in the project vicinity and the project influence area. Please provide details.</td>
<td>27. Communities and local authorities, including district and jamoat levels are informed about the Subproject in Kulob in the initial months of the design activities. The beneficiary communities and local authorities in Kulob were consulted prior to preparation of this due diligence report. Rounds of consultation meetings with appropriate representatives of local Vodokanal and Jamoats were consulted for information related to the history of land taking for the existing water reservoir and bore well sites. Required information about the project was provided in a form, manner and language accessible to the beneficiary communities. Subproject design, safety, consultation and participation and gender action plan were disclosed to the communities and local authorities. Communities have also provided their comments and opinions to consider in the project process. Details of the consultation process is presented in Annexure-2. The consultation process will continue (see section IX.B) during the construction and operation process. Roles and responsibilities have been allocated to implement and monitor project ensuring compliance with the Tajikistan Laws and safeguard policies of ADB. 28. Accountability mechanism will be set up to provide a platform where communities could express their grievances, seek solutions and report on alleged violations of the adapted policies added to the DDR to provide summary of the consultation process. Details of the consultation process and outcomes have been given at Annexure-2.</td>
</tr>
</tbody>
</table>

ADB Grant No. 0352-TAJ: Building Climate Resilience in the Pyanj River Basin
Rural Water Supply in Kulub District
established for the implementation of the Subproject. Within each subproject site, a Grievance Redress Committee will be established where communities have proper access to and bring their issues on the table with a special grievance form available at GRC representative offices in each Jamoat (see section IX.C).