

# Social Monitoring Report

---

Bi-Annual Report No. 1  
July 2013

## KAZ: CAREC Corridor 2 (Mangystau Oblast Sections) Investment Program, Project 1

Prepared by DOHWA Engineering Co., Ltd. for the Ministry of Transport and Communications, Republic of Kazakhstan and the Asian Development Bank.

REPUBLIC OF KAZAKHSTAN  
MINISTRY OF TRANSPORT and COMMUNICATIONS  
LOAN NUMBER 2728-KAZ  
CAREC CORRIDOR 2 (MANGYSTAU OBLAST SECTIONS)  
INVESTMENT PROGRAM – PROJECT 1



## Social Monitoring Report

On LARP implementation

July 2013

DOHWA Engineering Co. Ltd.  
942-1 Daechi-dong, Gangnam-gu  
Seoul, Korea

## DOCUMENT CONTROL

This Social Monitoring Report on the LARP implementation is produced in accordance with the requirements of the Contract for the Provision of Construction Supervision Services to the Ministry of Transport and Communications, Committee for Roads of the Republic of Kazakhstan for CAREC 2 Corridor (Mangistau-Oblast Section) Investment Program Project 1 under the Asian Development Bank Loan Number 2728-KAZ.

The report covers the four Construction Contracts between Aktau-Manasha road section in Mangistau Oblast, and the Construction Supervision of these Contracts by DOHWA Consulting Engineers Ltd..

The Contracts are:

- ❖ Contract 001– ADB/CW (Km 372+600 – Km 422+000) - AlsimAlarko
- ❖ Contract 002–ADB/CW (Km 422 +000 – Km 472+800)- AlsimAlarko
- ❖ Contract 003 –ADB/CW (Km 472 +800 – Km 514+400)- AlsimAlarko
- ❖ Contract 004-ADB/CW (Km 574+000- Km 632+200)- AlsimAlarko

Construction Supervision Contract - DOHWA Consulting Engineers Co. Ltd. (Korea)  
In association with  
ASTANA Engineering Centre (Kazakhstan)

This report reviews the actions that the Contractors have implemented in accordance with the Social Development Issues including Land Acquisition and Resettlement for the period June 2013.

Prepared By

Kh. Khairul Matin  
Social Development Specialist  
DOHWA Consulting Engineers Ltd  
Date:31<sup>st</sup> July 2013

---

Distribution

Recipient	No Copies English	No. Copies Russian
MOTC, Committee for Roads, Astana	2	2
MOTC, Committee for Roads, Mangistau		1
Asian Development Bank	1	
Project Management Consultant	1	
DOHWA Office (File)	1	1

## TABLE OF CONTENTS

ACRONYMS & ABBREVIATIONS.....	5
DEFINITION OF SELECTED TERMS .....	6
<b>1: INTRODUCTION TO THE PROJECT .....</b>	<b>9</b>
1.1 Introduction.....	9
1.2 Project Locations .....	9
1.3 Physical Progress of the Project Activities.....	10
1.3.1 Contract Package 1 (Lot-1).....	10
1.3.2 Contract Package 2 (Lot-2).....	10
1.3.3 Contract Package 3 (Lot-3).....	11
1.3.4 Contract Package 4 (Lot-4).....	12
1.4 Reporting Period.....	13
<b>2: COMPENSATION PAYMENTFOR Land Acquisition And Resettlement.....</b>	<b>15</b>
2.1 Process of land Acquisition .....	15
2.2 Summary Impacts of the project.....	15
2.3 Status of Land Acquisition.....	15
<b>3. MONITORING DATA COLLECTION.....</b>	<b>17</b>
3.1 Scope of Monitoring .....	17
3.2 Methodologies adopted during monitoring .....	17
3.3 Monitoring Results.....	18
3.3.1 Negotiated Settlement for permanent land acquisition.....	17
3.3.2 Negotiated Settlement for temporary land use .....	17
3.3.3Other compliance issues lying with the Contractor .....	20
3.3.3.1 Maintaining core labor standard.....	21
3.3.3.2 Child Labor in the project activities .....	21
3.3.3.3 Forced of compulsory labor .....	21
3.3.3.4 Discrimination in respect of employment .....	22
3.3.3.5 Freedom of association .....	22
3.3.3.6 Preferential employment of local people in civil works.....	22
3.3.3.7 HIV/AIDS awareness program .....	22
3.4 Monitoring of LARP implementation .....	24
<b>4. REDRESS OF GRIEVANCES .....</b>	<b>25</b>
4.1 Grievance Redress Mechanism .....	25

4.2 Observation on Grievance resolution .....	26
4.3 Procedure of submitting grievances .....	26
5. HEALTH AND SAFETY .....	28
5.1 HIV/AIDS Awareness Program.....	28
5.2 Personal Health and Safety .....	28
5.3 Accidents and remedy .....	28
6. Project performance monitoring System.....	29
6.1 Objectives of the PPMS are.....	29
6.2 Data collection Methodology.....	29
6.3 Data Collection Requirements .....	30
7. CONCLUSION AND RECOMMENDATION .....	32
7.1 Conclusion.....	32
7.2 Recommendation.....	32

## TABLES

Table 1,1: Key Components of the Lot-1.....	10
Table 1.2: Key Components of the Lot-2.....	11
Table 1.3: Progress of Work for major work items in Lot-2 as of June 2013 .....	11
Table 1.4: Key components of the Lot-3 .....	11
Table 1.5: Key components of the Lot-4 .....	12
Table 1.6: Progress of Work for major work items in Lot-4 as of June 2013 .....	12
Table 3.1: Temporary land use and payment of rent .....	19
Table 4.1: Stages of resolving grievances .....	25
Table 6.1: Sources of data and methods of data collection .....	29
Table 6.2: Data Collection Frequency.....	29

## FIGURES

Figure-1.1: Location Map of the project 1 section within Benyneu-Aktau Road .....	9
Figure-3.1: Temporary Acquired Land from various sectors .....	20
Figure-3.2: Land temporarily acquired for various purposes .....	20

## APPENDICES

Appendix A: Design Monitoring Framework.....	33
Appendix B: Monitoring Checklist .....	35

## CURRENCY EQUIVALENTS

(As of June 2013)

Currency unit	–	Kazakhstan Tenge (KZT)
		U S Dollar (US\$)
US\$1.00	=	KZT 150

## ACRONYMS & ABBREVIATIONS

ADB	Asian Development Bank
AIDS	Acquired Immune Deficiency Syndrome
APs	Affected Persons
CAREC	Central Asia Regional Economic Cooperation
CfR	Committee for Roads
EA	Environmental Assessment
EMA	External Monitoring Agency
FS	Feasibility Study
IFIs	International Financial Institutions
LAR	Land Acquisition and Resettlement
LARF	Land Acquisition and Resettlement Framework
LARP	Land Acquisition and Resettlement Plan
LARU	Land Acquisition and Resettlement Unit
LE	Legal Entity
LLP	Limited Liability Partnership
MDoR	Mangystau Oblast Department of Roads
MFF	Multi-Tranche Financing Facility
MIS	Management Information System
MOTC	Ministry of Transportation and Communication
PFR	Periodic Financing Request
PMC	Project Management Consultants
RCM	Road Construction Material
RD	Roads Department
RoK	Republic of Kazakhstan
ROW	Right of Way
TSA	Targeted Social Assistance

## WEIGHTS AND MEASURES

1ha (Hectare)	=	10000sq.m (square meter)
1 km (kilometer)	=	1000 m (Meter)
1 Metric Ton	=	1000 kg (kilogram)

### NOTE

In this report \$ refers to US Dollar

## DEFINITION OF SELECTED TERMS

**Compensation:** Payment made in cash or kind to the project affected persons/households at replacement cost for the assets acquired for the project, which includes the compensation provided under the Land Code of the Republic of Kazakhstan (RoK Code No. 442-II of 20 June 2003 and amended on 6 July 2007, Article 87.1 that refers stipulated in the Land Acquisition and Resettlement Plan (LARP).

**Cut-off Dates:** These are the dates on which censuses of the project affected persons and their assets to be affected are commenced in a particular area. Assets like houses/structures and others which are created after the cut-off dates, and the persons or groups claiming to be affected, become ineligible for compensation and assistance.

**Entitlement:** Refers to mitigation measures, which includes cash payments at replacement cost or through replacement land equal in value/productivity to the plot lost and at location acceptable to APs where feasible as stipulated in the LARP. Entitlements include compensation for structure (permanent & temporary), crops, trees, business, wage, etc. for which compensation is already paid.

**Household:** A household is a group of persons who commonly live together with common incomes and take their meals from a common kitchen.

**Income Restoration:** Refers to re-building the capacity of the project affected households to re-establish income sources at least to restore their living standards to the pre-acquisition levels.

**Indigenous Peoples:** Indigenous Peoples are those who are identified in particular geographic areas based on these four characteristics: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) an indigenous language, often different from the official language of the country or region.

**Involuntary Resettlement:** The situation arises where the State's power of eminent domain requires people to acquiesce their rights to personal properties and re-build their lives and livelihood in the same or new locations.

**Legal Entity:** Legally registered enterprise established by two or several individuals or companies vested with its separate property, rights and liability such as a limited liability partnership (LLP), and joint stock company (JSC). It also includes former Soviet collective farms that were privatized into collective enterprises, and production cooperatives.

**NGO:** Non-Government Organizations (NGO) are private voluntary organizations registered in Kazakhstan Government. There are about 2930 NGOs working in Kazakhstan performing activities to relieve suffering, promote the interests of the poor, protect the environment, provide basic social services, or undertake community development, etc.

**Participation/Consultation:** Defined as a continuous two-way communication process consisting of: 'feed-forward' the information on the project's goals, objectives, scope and social impact implications to the project beneficiaries, and their 'feed-back' on these issues (and more) to the policymakers and project designers. In addition to seeking feedback on project specific issues, the participatory planning approach also serves these objectives in all development projects: public relations, information dissemination and conflict resolution.

**Physical Cultural Resources:** Defined as movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Physical cultural resources may be located in urban or rural settings, and may be above or below ground, or under water. Physical cultural resources are important as sources of valuable scientific and historical information, as assets for economic and social development, and as integral parts of a people's cultural identity and practices. Their cultural interest may be at the local, provincial or national level, or within the international community.

**Project-Affected Person/Household/Legal Entities:** Persons/households/Legal Entities whose livelihood and living standards are adversely affected by acquisition of lands, houses, and other assets, loss of income sources and the like, due to undertaking of the project.

**Rehabilitation:** Refers to improving the living standards or at least re-establishing the previous living standards, which may include re-building the income earning capacity, physical relocation, rebuilding the social support and economic networks.

**Relocation:** Moving the project-affected households/Legal Entities to new locations and providing them with housing, water supply and sanitation facilities, lands, schools, and other social and health care infrastructure, depending on locations and scale of relocation.

**Replacement Cost:** The Asian Development Bank's Safeguard Policy Statement (SPS 2009) describes "replacement cost" as the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets is not taken into account. For losses that cannot easily be valued or compensated for in monetary terms (e.g. access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard.

**Severely Affected Households:** As per SPS 2009 households/entities losing more than 10% of his/her income/ productive assets called severely affected

**Squatter:** Household or person occupying public lands without legal arrangements with the Government of Kazakhstan or any of its concerned agencies is a squatter to the lands.

**Stakeholder:** Refers to recognizable persons, and formal and informal groups who have direct and indirect stakes in the project, such as affected persons/households, shop owners, traders in roadside markets, squatters, community-based and civil society organizations.



**State Land:** State lands are public lands those are not recorded in the name of any private citizen/entity of the country. Local Regional Akim in a respective region is the custodian of all state lands in a district.

**Vulnerable Household:** Households with an average per capita income below poverty line (defined as 40% of the subsistence minimum) are considered vulnerable and are entitle to get the Targeted Social Assistance (TSA) from the Government.

## **1: INTRODUCTION TO THE PROJECT**

### **1.1 Introduction**

The Central Asia Regional Economic Cooperation Program (CAREC) Corridor 2 is a very long route that passes through Azerbaijan, People's Republic China, Kazakhstan, Kyrgyz Republic, Turkmenistan, and Uzbekistan. The proposed investment program will reconstruct 790 kilometers of roads in Mangystau Oblast of Kazakhstan under CAREC Corridor 2, which connect Kazakhstan to Azerbaijan, Europe and Turkey through the Caspian Sea to the west; to the Russian Federation to the north; to Uzbekistan to the southeast; and to Turkmenistan to the south. The total project has been sub-divided into two tranches; Tranche-1 and Tranche-2. This Bi-annual Social Monitoring Report is prepared on implementation of the land acquisition and resettlement plan (LARP) for Tranche-1 (200 km) divided into 4 packages; Package 1 (km 372.6 – km 422) Package 2 (km 422 – km 472.8) Package 3 (km 472.8 – km 514.3) & Package 4 (km 574 – km 632.30) of CAREC 2 Corridor (Mangystau Oblast sections) investment program-project 1 (ADB Loan 2728-KAZ). The project is co-financed by the Asian Development Bank (70%) and the Government of Kazakhstan (30%). Ministry of Transport and Communications (MOTC) is the executing agency of this project, and the Committee for Roads under MOTC is the implementing agency. This is the 1st social monitoring report covering progress achieved as of June 2013 in LARP implementation under Tranche 1.

In the 200 km road section under Tranche 1 (Manashy-Shetpe: km 372.6 – km 514.3 and km 574 – km 632.3), 4 parties leasing the State lands were affected as a result of permanent land acquisition. No households were physically displaced and none of affected parties lost 10% or more of their productive assets. During construction, portions of plots leased by 2 legal entities and 2 plots that belong to state will be used temporarily. Hence, Tranche 1 is classified as Category B in terms of resettlement. A Land Acquisition and Resettlement Plan (LARP) was developed and implemented for Tranche 1 by MOTC.

During construction/upgrading of the Tranche 1 road, about 210.58 ha lands have been temporarily taken from the local people for construction camps of the contractor, engineers facilities service roads, batching plants, crushing plants, quarries, dead ends, etc.

This report reflects status of land acquisition, compensation payment, temporary use of land for the project activities, grievance mechanism and outcome as prescribed in the updated Land Acquisition and Resettlement Framework (LARF) of the project and LARP for tranche-1.

### **1.2 Project Locations**

The road sections under Tranche 1 have fallen in Mangystau Oblast which is the least populated region (Total 446,245 people) in Kazakhstan, with an average of 2 people per km<sup>2</sup>. More than half of the oblast's population lives in urban areas. The road sections under the Project 1 do not pass through any settlements; the closest ones are Shetpe (11,600 people) – in 7km of the road, Beyneu (33,100) – 30 km, and small villages Kosbulak – 3 km, Jarmysh – 0.7 km, and Sai-Utes – 2km. The vast steppe lands of

Ustyurt Plateau are sparsely inhabited.

The Mangystau oblast is located in Western Kazakhstan and bordered by Turkmenistan (to the south), Uzbekistan (to the east), Aktobe Oblast (to the north-east), Atyrau Oblast (to the north), and Caspian Sea (to the west) The oblast is largely lowland, covering an area of approximately 165,600 square kilometers. The Beyneu – Aktau road is part of the East-West National Road connectivity, linking major economic areas with Europe and the People’s Republic of China. The road passes through four Rayons (Districts), from East to West being Beyneu, Mangystau, Karagiya and Mounailinsk. Administratively, Mangystau oblast is divided into 5 Rayons (Districts) and also Aktau and Janaozon towns. The Road portions proposed under Project 1 cross through two Rayons Beyneu and Mangystau with population of correspondingly 48,900 and 30,800. The location of the Project 1 sections within Beyneu-Aktau Road is shown in Figure 1.

Figure 1.1: Location of the Project 1 sections within Beyneu-Aktau Road



### 1.3 Physical Progress of the Project Activities

Physical work (permanent) of the project has been commenced on April 2013 in Package 2 and Package 4 of the Tranche 1. Package 1 and Package 3 is yet to start. All four packages are awarded to one Contractor namely **AlsimAlarko of Turkey**. Preparatory and temporary works such as erection of Railway sidings, installation of two 160 tons/hour asphalt plants, main camps, survey works, taking samples and testing of materials of borrow pits, testing of material at existing roads and preparation of working

drawings, etc. have been done. The progress of civil work is now behind the schedule by about 2 months. The overall progress of the physical works of the project by contract packages as of June is as follows-

### 1.3.1 Contract package-1 (Lot-1)(km 372+600 to km 422+000)

This Contract comprises a new dual carriageway asphalt concrete road pavement. This road section is existing road and to be reconstructed and adjusted part of alignments. Private land acquisition is not required in this section. Displacement and other impacts on the households have not taken place. Prior to the construction of the existing dual carriageway road, the Contractor will construct the service road so that the traffic flow will be diverted from the existing road to the newly constructed service road. Construction of service road and other civil works require using of the land outside the road temporarily. The contractor has arranged these lands and paid rent in most cases. Detailed of the temporary land use and payment of rent is used has been described in section 3 of this document. Permanent physical works of the project is not yet started in this package.

**Table 1.1: Key Components of Lot- 1**

<b>Length of Road</b>	<b>49.4 km</b>
<b>Culvert</b>	<b>25 units</b>
<b>Bridge (Manasha river)</b>	<b>1</b>
<b>Earthworks (Compaction of ground in embankment)</b>	<b>586,643 m3</b>
<b>Strengthening Sub-base layer (cement treated, 20cm)</b>	<b>125,002 m3</b>
<b>C4 Sandy Macadam (17cm)</b>	<b>93,172 m3</b>
<b>High porous asphalt concrete as base course (12cm)</b>	<b>59,951 m3</b>
<b>The lower coating layer of course graded porous asphalt (10cm)</b>	<b>46,313 m3</b>
<b>Stone mastic asphalt SMA for wearing course (5cm)</b>	<b>23,156 m3</b>

### 1.3.2 Contract Package 02 (Lot-2) (km 422+000 to km 472+800)

This Contract comprises a new dual carriageway asphalt concrete road pavement. This road section is existing road and to be reconstructed and adjusted part of alignments. Private land acquisition is not required in this section. No displacement or other impacts found on the residential households or any other entities. Prior to the construction of the proposed road, the Contractor will construct the service road in some places to divert the traffic from the existing road to the newly constructed service road. Construction of service road requires using of the land beside the road temporarily. The land is owned by state or any farm/LLP but not private. Permanent physical works of the project is started in this package in April 06, 2013.

Table 1.2: Key Components of Lot 2

<b>Length of Road</b>	<b>50.8 km</b>
<b>Culverts</b>	25units
<b>Earthworks(Compaction of ground in embankment)</b>	826,699 m3
<b>Strengthening Sub-base layer ( Cement treated,20cm)</b>	134,263 m3
<b>C4 Sandy Macadam (17cm)</b>	94,944 m3
<b>High porous asphalt concrete as base course (12cm)</b>	60,790 m3
<b>The lower coating layer of course grained porous asphalt (10cm)</b>	46,977 m3
<b>Stone mastic asphalt SMA for wearing course (5cm)</b>	23,490 m3

Table 1,3: Progress of Work for Major Work Items in Lot 2 as of June 2013

Work Description	Unit	Quantity		Progress Rate
		Design	Completed	
<b>Service Road</b>	km	50.8	19.50	38.39 %
<b>Culvert Construction</b>	No.	25	5	20 %
<b>Earthwork (Embankment)</b>	km	50.8	18.05	35.53 %
<b>Sub-base with 3.5% cement + DORZIN</b>	km	50.8	12.60	24.80 %
<b>Crushed Stone Base course</b>	km	50.8	6.25	12.30 %
<b>Highly porous asphalt concrete as base course</b>	km	50.8	1.66	3.27
<b>Coarse grain porous asphalt for binder course</b>	km	50.8		
<b>Stone Mastic Asphalt SMA for wearing course</b>	km	50.8		

### 1.3.3 Contract Package No- 03 (Lot-3) (km 472+800 to km 514+400)

This Contract comprises a new dual carriageway asphalt concrete road pavement. This road section is existing road and to be constructed and adjusted part of alignments. Private land acquisition is not required in this section. Displacement and other impacts on the households will not take place. Construction of service road and other facilities will require additional land outside the alignment. In this regard the contractor has planned to occupy some land outside the proposed Right of Way (ROW) of the project. Permanent physical works of the project is not yet started in this package.

Table 1.4: Key Components of package 03

<b>Length of Road</b>	<b>41.6 km</b>
<b>Culverts</b>	20units
<b>Earthworks(Compaction of ground in embankment)</b>	708,911 m3
<b>Strengthening Sub-base layer (cement treated ,20cm)</b>	120,000 m3
<b>C4 Sandy Macadam (17cm)</b>	79,112 m3
<b>High porous asphalt concrete as base course (12cm)</b>	51,059 m3
<b>The lower coating layer of course grained porous asphalt (10cm)</b>	39,461 m3
<b>Stone mastic asphalt SMA for wearing course (5cm)</b>	19,731 m3

### 1.3.4 Contract package 04 (Lot-4) (km 574+000 to km 632+300)

This Contract comprises a new dual carriageway asphalt concrete road pavement. This road section is existing road and to be constructed and adjusted part of alignments. Private land acquisition is not required in this section. Displacement and other impacts on the households will not take place. Prior to the construction of the existing dual carriageway road, the Contractor will construct the service road so that the traffic flow will be diverted from the existing road to the newly constructed service road. Construction of service road, asphalt plant, camp site, batching plant, etc. required Government land. Besides, for crushing plant and Quarry the Contractor has taken land on rental basis from the private sector for 5 to 7 years. Rent for private lands have been fully paid and for Government land it is partly paid. Permanent physical works of the project is started in this package in September 07, 2012. According to the target, they are behind the schedule of civil works as of June 2013.

**Table 1.5: Key Components of package 04**

<b>Length of Road</b>	<b>58.3 km</b>
<b>Culverts</b>	<b>45units</b>
<b>Earthworks(Compaction of ground in embankment)</b>	<b>947,813 m3</b>
<b>Sub-base Granular Material (20cm)</b>	<b>137,467 m3</b>
<b>Crushed stone base course (15cm)</b>	<b>101,334 m3</b>
<b>High porous asphalt concrete as base course (12cm)</b>	<b>74,150 m3</b>
<b>The lower coating layer of course grained porous asphalt (9cm)</b>	<b>51,753 m3</b>
<b>Stone mastic asphalt SMA for wearing course (6cm)</b>	<b>34,502 m3</b>

**Table 1.6: Progress of Work for Major Work Items in Lot 4 as of June 2013**

Work Description	Unit	Quantity		Progress Rate
		Design	Completed	
<b>Service Road</b>	km	30.00	13.00	43.33 %
<b>Existing of road milling</b>	km	22.55	13.00	57.65%
<b>Culvert Construction</b>	No.	23	3	13.04 %
<b>Earth work (Embankment)</b>	km	30.00	12.66	42.20 %
<b>Sub-base Course</b>	km	30.00	10.65	35.50 %
<b>Crushed stone base course</b>	km	30.00	6.61	22.03 %
<b>Highly porous asphalt concrete as base course</b>	km	33.59	8.53	25.39 %
<b>Coarse grain porous asphalt for binder course</b>	km	30.00	12.55	41.83
<b>Stone mastic asphalt SMA for wearing course</b>	km	58,3	-	

### 1.4 Reporting Period

The LARP for tranche 1 was prepared and implemented by the MOTC through the Road Department. It is known that only 04 parties taken lease of the state land have been affected under Tranche 1. No private land has been affected or any physical displacement has been taken place due to the project interventions. The land has been handed over to the contractor for civil construction in all packages. Civil construction in Package two and four have been CAREC 2 Corridor (Mangystau Oblast Section) Investment Program Project 1, L2728-KAZ

commenced while in package one and three it is yet to start. According to the ADB requirements semiannual report on progress of LARP implementation and compliance of social issues would be submitted to the ADB and the client. The Construction Supervision Consultants (DOHWA Engineering Co. Ltd) has been performing since November 2012. Some periodic reports such as monthly progress reports, quarterly progress reports, etc. have been submitted to the client and the ADB by DOHWA those covered all of the components including safeguard issues. This is the 1<sup>st</sup> report especially prepared on social safeguard issues focusing on the progress of implementation of the Land Acquisition and Resettlement Plan covering period up to June 2013.

## **2: COMPENSATION PAYMENT FOR LAND ACQUISITION AND RESETTLEMENT**

### **2.1 Process of land Acquisition**

After the disintegration of Soviet Union, all land in Kazakhstan came under the state ownership. Kazakhstan laws and regulations regarding land and land ownership are derived from the Constitution, which states that land (surface and underground) is owned by the State, but can also be privately-owned (Article 6.3). Article 26.3 also states that no one may be deprived of property unless stipulated by a court decision. Forcible expropriation of property for public use in extraordinary cases stipulated by law may be exercised on condition of its equivalent compensation

### **2.2 Summary Impacts of the project**

According to the LARP for Tranche 1, the categories of losses are identified as follows:

- i. Private land
- ii. Leased lands (Natural pasture land)
- iii. State reserved lands

No households were physically displaced or none of the affected parties lost 10% or more of their productive assets. Business unit or tenant contact farming was also not found in the project right of way under LARP. According to the policy of the LARP the land owners will be paid cash compensation at local rental rates for duration of temporary use plus income/crop/structure loss due to temporary land use. Besides, the land is to be restored to original status at the end of rental period.

According to the land acquisition and resettlement framework (LARF), in Tranche 1 (Manashy-Shetpe: km 372.6 – km 514.3 and km 574 – km 632.3), only 4 parties leasing the State lands were affected as a result of permanent land acquisition. During construction, portions of plots leased by 2 legal entities and 2 plots that belong to state will be used temporarily. But during construction of the road 05 private land owners have been contacted (as stated by the Contractor) for taking temporary lands. The total quantity of the private lands occupied on temporary basis for the project interventions are 18.35 hectare. Besides, 183.91 ha government owned land and 8.32 ha Farm/LLP land have been temporarily used for the project.

### **2.3 Status of Land Acquisition**

A total of 63.46 ha<sup>1</sup> lands have been permanently acquired for the Tranche 1 (total 04 Lots) by the Road Department from which 27.91 ha leased land (from 4 lessees) and 35.55 ha State reserved land. The land has been taken through the negotiated settlement among the leased land owners and the Road Department in case of permanent land acquisition and between land owners and Contractor in case of temporary land use. The ADB SPS 2009 encourages acquisition through a negotiated settlement subject to third party validation to ensure compensation at replacement cost and meaningful consultations with land owners. As per the LARF, Contractor has to pay cash compensation for temporary used land at local state rental rates for duration of temporary use plus income/crops/structure loss due to temporary land use.

---

<sup>1</sup> As per LARP Tranche 1 (August 2010)



According to the Road Department, compensation for the permanently acquired land has been paid by land rather cash. The land owners have received alternative land for the affected land in the adjacent area. They have signed the papers in this respect in presence of the local Akimat. All papers relating to the negotiated settlement and providing alternative lands have been sent to the ADB. The people have no complaints over the land for land option and total arrangement. Temporarily used lands for the project have been taken for the project period (2 years in case of Government land and 5-7 years in case of private land). Rent for the total period (5 and 7 years) for the private land has been paid to the land owners. A total of 18.35 ha lands have been taken from two different persons from which 18 ha has been taken from Karmysov Serik Karmysovich, of Zharmysh village, Asai street-34 and 0.35 ha from KozbakovaZhanilkan of Shetpe village, Zhanaorpa-46. A portion of the rent for government land has been paid and remaining is yet to pay (Detailed discussed in section 3 of this report). The rental rates have been determined by the Magystau Region Akimatfor which the land is being used. Total budget for the temporary land acquisition was KZT 31,055,461 including private and government land form which KZT 28,929,011 (93.15%) have been paid. The land owners have no complaints as yet about the rate so far paid as rent.

## 2.4 Other Impacts

It is discussed that the project (Tranche 1) caused no displacement of the residential, commercial or any other entities and no one lost more than 10% of his/her productive assets. The locality (settlement) is also far away from the project road. Only three small villages are located within the 3 km of the project road such as; Kosbulak village within 3 km, Jarmysh within 0.7 km, and Sai-Utes within 2km. A Cemetery located at km 621+400 under Lot-4 is closed(within 10 meter) to the existing road. According to the road design it will not be affected and remain a bit far from the project road (22 meter).Besides, the project will construct a boundary wall along the cemetery which is 2.9 meter high and 130 meter long. As the cemetery is socially and religiously sensitive issue, so the project authority should handle it carefully.



*The Cemetery is nearer to the existing road at km 621+400 under Lot-4*

### 3. MONITORING DATA COLLECTION

The affected land owners (both permanent and temporarily taken land) are paid compensation as per Kazakhstan law which is complied with the ADB SPS 2009. Total rental amount for the temporary used land has been paid by the contractor to private land owners for the total period of use. The monitoring data has been collected by consultation with the Road Department and the Contractor regarding permanent and temporary land use respectively. One of the land owners who have rented out land to the contractor for the temporary use was also consulted personally by the Social Development Specialist (International) and Social Development Engineer (Local). It is known during consultation with the land owners that they are satisfied with the rate so far determined for the land for temporary use. They are concerned about getting back of their land in original condition as per contract. The cemetery has not been directly affected by the project but would be impacted as it would remain nearer to such hi-speed project road. The cemetery user village (Zharmysh) is located at about 4 km away from the cemetery at the same direction parallel to the road. So they will not require crossing the road for burial of dead body.

#### 3.1 Scope of Monitoring

The scope of the monitoring comprises the following:

- i. Review and verify periodic reports prepared by the Contractor and Consultant
- ii. Review the socioeconomic baseline information and impacts from the LARP and LARF
- iii. Identify and select impact indicators;
- iv. Consult APs, executing agency officials, contractors, land owners, community people for preparing review report; and assess efficiency, effectiveness, impact, and sustainability of the resettlement to draw lessons for preparation and implementation of future resettlement planning documents

The monitoring was conducted based on (i) the procedures and guidelines of ADB as set out in the SPS 2009; (ii) relevant laws, policies, and regulations of Republic of Kazakhstan; (iii) Land Acquisition and Resettlement Plans and Framework of the Project; and (iv) the general principle that AP's livelihood should be better or at least maintain their living condition as before the project.

#### 3.2 Methodologies adopted during monitoring

During preparation of this Social Monitoring Report the Director (Suyebayev Kazhimurat Borashevich) and other officials of Road Department of Aktau, Kazakhstan was consulted to have the updated information on payment of compensation and other benefits under LARP Tranche 1. The Team Leader and Deputy Team Leader of the Project Management Consultant (PMC) "ZHOL SAPA" were also consulted about the project documents and other issues related to social and resettlement. The contractor's (ALSHIM ALARKO) concerned officials were consulted several times in weekly meetings and personally to get update about the social compliance issues lying with the contractor. At the field level the land owners who gave land for temporary use have been consulted and sought their opinion about the project and compensation so far determined for their land. Besides, the following methods were adopted during preparation of this document

- Reviewed secondary sources available in connection with the project such as monthly and other periodic reports prepared by consultant and contractors.

- Policy of the LARP, land acquisition laws and practices in Republic of Kazakhstan, methods of compensation determination, previous report, documents of the project and other available secondary sources were taken into account during preparation of the report.
- Effectiveness of the grievances redress mechanism introduced in the LARP on the social & environmental issues were considered. An effective mechanism for receiving the complaints from the aggrieved local people has been introduced in the section 4 of this report.
- Compliance issues lying with the contractor on health and safety with major focus on HIV/AIDS have been checked and verified at the camp and field level.

The information taken from different institutions and persons has been considered in preparation of this document. The CSC Social Specialist (Local) will be continuously monitoring the social issues of the project including Grievance Mechanism, HIV, employment of the local people, etc using a simple check list (Appendix-B) on monthly basis and report accordingly to the Team Leader, CSC. The cumulative result of the monitoring survey would also be reflected in the quarterly report of the CSC in separate section.

### **3.3 Monitoring Results**

#### **3.3.1 Negotiated Settlement for permanent land acquisition**

The compensation for the permanently acquired land was not paid in cash. The land owners were offered 'alternative land for the affected land' option by the Road Department as there were available state lands beside the private/leased land. According to the Road Department the land owners signed the agreement/papers regarding taking the alternative lands in presence of the local Akimat. All papers relating to the negotiated settlement of permanent land transfer have been sent to the ADB for their concurrence before commencement of the project. No papers relating to the land transfer were shared by the road department.

#### **3.3.2 Negotiated settlement for temporary and use**

According to the LARP Tranche-1, the compensation for the temporary land acquisition will be based on the current local rental rates for the duration of use, plus income/crops/structure loss due to temporary land use. The Contractor is responsible to manage the land and sign agreement with the land owners. According to the documents supplied by the Contractor regarding temporary land use, they have signed contract with the private land owners. In case of government land the agreement signing was not required. The current rental rate of the temporary used land was determined by the 'Mangystau Region Akimat'. The rent of land so far determined varies from sector to sector (ownership, location and utility). In case of private land the rent is quite high with a range from KZT 214,485 to KZT 298,400/year per hectare while in case of Government land it is only from KZT 7,140 to KZT 10,200 per year per hectare. The private land is mostly used for the crushing plant and extracting gravels (Quarry) and few (0.35 ha) for dead end. The private lands have been taken for 5-7 years while government and farm land for about two years (Up to December 2014). The rent for the Government land was paid to the Tax Department of the Mangystau Region with an amount of KZT 1,141,811.00 on March 20, 2013 for 63.3253 ha of land. and remaining 120.58 ha Government lands are yet to be paid

rent. The rent of land owned by the Farms/LLP is not also paid as because necessary agreement is not signed with them as of June 2013. The table 3.1 shows the detail of temporary land use including payment of rent.

Table 3.1: Temporary land use and payment of rent

Total land used by Contactor	Lot #	Ownership of Land	Compensation (Rent)		Land quantity (In ha)	Rental period	Agreement
			Budget for rent (in KZT)	Paid (in KZT)			
<b>Crashing plant/Quarry</b>	Lot 4	Karmysov Serik Karmysovich, <b>Address:</b> Zharmysh village, Asai street, 34	22,380,000	22,380,000	15.0	5 years	Yes
<b>Crashing plant/Quarry</b>	Lot 4		4,504,200	4,504,200	3.0	7 years	Yes
<b>Dead End</b>	Lot 4	Government	468,215	468,215	22.9517	31 Dec, 2014	No
<b>Camp Side</b>	Lot 4	Government <sup>2</sup>			1.6	31 Dec, 2014	No
<b>Asphalt Plant</b>	Lot 4	Government	128,520	128,520	9.0	31 Dec, 2014	No
<b>Service Road</b>	Lot 4	Government	159,120	0	9.6992	31 Dec, 2014	No
<b>Service Road</b>	Lot 1	Government	1 201,843	0	71.5383	31dec, 2014	No
<b>Service Road</b>	Lot 4	Government	78,792	0	4.69	31 Dec, 2014	No
<b>Dead end</b>	Lot 4	KozbakovaZhanilkan <b>Address:</b> Shetpe village, Zhanaorpa, 46	903,000	903,000	0.35	5 years	Yes
<b>Service Road</b>	Lot 2+3	“Shaga” farm	686,695	0	5.0	31 Dec, 2014	No
<b>Service Road</b>	Lot 2+3	“Saryoi” farm			2.5274		No
<b>Service Road</b>	Lot 2+3	“Industria” LLP			0.7878		No
<b>Service Road</b>	Lot 2+3	Government			33.0572		No
<b>Camp Side</b>	Lot 2	Government	545,076	545,076	6.6	31 Dec, 2014	No
<b>Dead End</b>	Lot 2	Government			20.8		No
<b>Asphalt Plant</b>	Lot 2	Government			3.9736		No
Total			31,055,461	28,929,011 (93.15%)	210.58		

<sup>2</sup> The rent for this campsite land is not determined as reported by the contractor CAREC 2 Corridor (Mangystau Oblast Section) Investment Program Project 1, L2728-KAZ Bi-annual Social Monitoring Report No.1 July 2013

Source: ALSIM ALARKO, The Contractor.

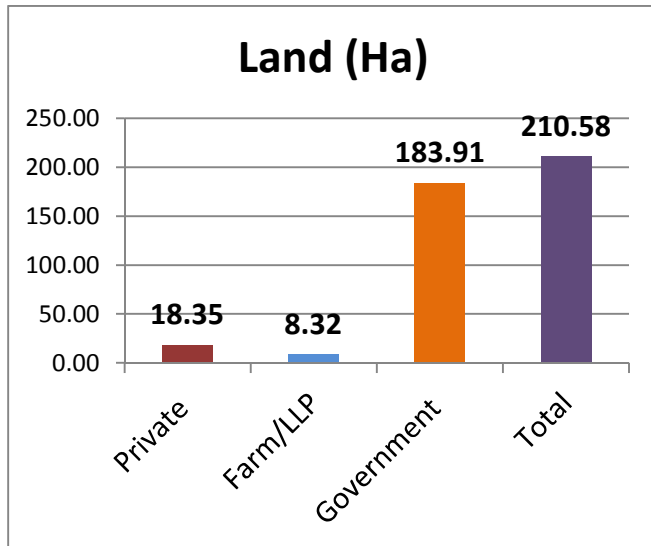


Figure 3.1: Temporarily acquired land from various sectors

A total of 210.58 ha land have been temporarily acquired from which 183.91 ha from the Government sector (State Reserved Land), 18.35 from private sector and 8.32 ha from farms/LLP. Among the two private land owners, one is male and another is female. Out of the total private land 15.35 hectares have been taken for 5 years and remaining 3 hectares for 7 years.(Figure 3.1)

Among the total taken temporarily for the project the largest amount (127 ha) for service road, followed by dead end of the road (44ha), Crashing plant and Quarry (18 ha) Asphalt Plant (13 ha) and Camp site (8.20ha). The land taken from the private sector is mostly used for extracting gravels and crashing plants. Only 0.35 ha for the dead end. The Land taken from the Farms/LLP is for the service road and State reserved land is used for various purposes such as Asphalt plant, service road, camp site, dead end etc. (Figure 3.2)

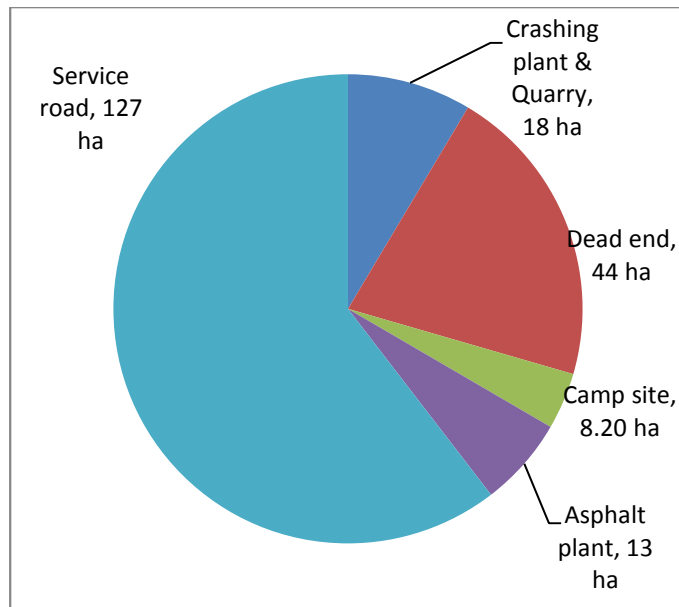


Figure 3.2: Land temporarily acquired for various purposes

During monitoring report preparation, the Social Development Specialist along with local Social Specialist met the private land owner (Kozbakova Zhanilkan) at Dead end of the section 13 under Lot 4. In the contract document her address is written as Shetpe Village (permanent address) but she is living in her present address with her husband near dead end (Zharmysh). She gave 0.35 ha land for the dead end facility and received an amount of KZT 903,000 from the Contractor for the total 5 years time. The Contractor is still not using full of her 0.35 ha land. She is satisfied with the amount of rent but she is now facing problem about dust. Her house is nearer to the rail track stake yard. She can't take her granddaughter outside of the house often

due to dust. She did not complain about the dust and she does not know about grievance mechanism existed in the project and to whom she can place complaints. According to her husband (Mr. Sharigat), they have signed agreement with the contractor not to complain about the dust emission although in the contract we found nothing about this. The Contractor should take initiative to reduce dust emission during their work at all work sites.

She utilized her money for house repairing and other necessary works. She didn't invest money in any productive or income generating alternatives. Her husband has been deployed by the Contractor as Manager of the Station 13. It's really a good initiative of the Contractor which complied with the ADB SPS 2009. They now feel better off in terms of their economic condition than the pre-project period.



Another land owner 'Karmysov Serik Karmysovich' lives in Aktau city and doesn't often visit his house in village Zharmysh. We visited his house at Zharmysh but couldn't communicate with him as he was not available there. He gave 15 ha of land for 5 years and 3 ha land for 7 years on rental basis to the project for extracting gravels from the Quarry. He received an amount of KZT26,884,200.00 for the total rental period for this 18 ha lands. His opinion about the project, maintaining of contract clause, utilization of compensation money and above all his present economic status compared to pre-project level will be sought during preparation of next monitoring report in early 2014.

### 3.3.3 Other compliance issues lying with the Contractor

The contractors' (ALSIM ALARKO) senior officials (Project Manager and Deputy Project Manager) and concerned officials have been consulted about the social compliance issues lying with the Contractor including differentiation of payment between male and female workers, child labor in the project activities, forced or compulsory labor, discrimination in respect of employment, preferential employment of the local people especially vulnerable group in project works, HIV/AIDS awareness program, health and safety issues and personal protective equipment of the workers at work sites, health and hygiene condition in work place and camp site, etc. All of these issues were discussed in a weekly meeting held on 19 July, 2013 at CAREC 2 Corridor (Mangystau Oblast Section) Investment Program Project 1, L2728-KAZ

contractor's camp office (Lot-4). The contractor's Deputy Project Manager ensured that all of the social compliance issues lying with them are handled carefully. They have deployed 358 local people including specialists, engineers, office assistants, driver, heavy vehicle operator, foreman, laborers, cleaners, cook, etc. But they don't have any data about the economic vulnerability of the local workers.



*Meeting with the Contractor at Lot 4 Camp site*

According to the contractor, the salary/wage of the male and female workers is equal in case of same types of work. During preparation of this document, it was checked in the papers and consulted the workers of both sex and found that there is no differentiation of payment between male and female workers.

#### *3.3.3.1 Maintaining core labor Standard*

The contractor has deployed the laborers under the contract duly signed by the workers and Contractor. They are paying minimum monthly salary to the workers @ KZT 50,000 which is much higher than the Kazakhstan national minimum monthly wage KZT 18,500/month. All of the workers have been covered under personal social insurance by the contractor.

#### *3.3.3.2 Child labor in the project activities*

As we checked and verified the field condition including the age of the workers so far engaged in the project works are not below the age of 18. Therefore, no child labor has been engaged in the civil work of the project.

#### *3.3.3.3 Forced or compulsory labor*

The laborers/workers have been deployed according to their eligibility and willingness. The female workers who are mostly engaged in cooking and cleaning are also deployed based on their eligibility and willingness. So, forced labor or compulsory laborers are not found in the camp or work sites.

#### *3.3.3.4 Discrimination in respect of employment*

Gender inequities are widespread in Mangistau Oblast, including unequal job opportunities and payments, lack of market opportunities, limited health service bearing on mothers, and lack of awareness to women's legal rights. But in case of this project we found no discrimination in terms of gender, locality or religion. The officials and workers are from different region (Oblast) of Kazakhstan. A total of 56 female (12.23% of total 458 employees) have been deployed by the Contractor from which 100% are local. Means 15.64% of the local employees (358) are female. There is no female from other countries even from Turkey.

#### *3.3.3.5 Freedom of association*

A good number of personnel (458 as of June 2013) from local (358) and international (mainly from Turkey) have been deployed for the project. The locally deployed people are mostly in the position of office assistants, laborers, guards, divers, cooks, cleaners, etc. who may have own choice of forming association. But still there is no association of the workers. According to the Contractor, the workers have every freedom of association on some common issues to place their claims collectively through their leader.

#### *3.3.3.6 Preferential employment of local people in civil work*

The ADB Safeguard Policy Statement 2009 requires deployment of the economically displaced persons for preferential employment opportunities in the project to help them improve, or at least restore, their income-earning capacity. The contractor has deployed husband of the land owner (gave land temporarily at dead end under Lot 4) Mr. Sharigat as Manager of Station 13 of Lot 4. Besides, a good number of local people have been deployed in the project by the contractor in various types of work.

#### *3.3.3.7 HIV/AIDS Awareness Program*

The contractor (ALSIM ALARKO) has started their permanent civil work in September 2012 by establishing construction camps, residential areas, and other necessary establishments where both males and females from various cultural identities are working together. Combine working environment of male and female from different culture and society may promote sexual abuse and may turn in to sexually transmitted infections (STIs) and finally HIV/AIDS. Preventive measures and as well as awareness training and learning are required. But the contractor has no program on HIV/AIDS awareness. According to them there is no budgetary allocation in their contract for arranging HIV/AIDS awareness program. They are planning to prepare a program with necessary budget for this and submit to the Road Department for approval.



### **3.4 Monitoring of LARP implementation**

The LARP contain monitoring of implementation by internal and external monitor. For smooth implementation of the LARP the Committee of Roads (CoR) uses two mechanisms; (i) Internal monitoring in collaboration with Construction Supervision Consultants (CSC) and (ii) external party validation of negotiated settlements. Mangystau Oblast Department of Roads (MDoR) and CSC are to routinely perform internal monitoring of LAR activities with results to be reported to COR and ADB on quarterly basis.

### **3.5 Effectiveness of Resettlement Planning**

The Land Acquisition and Resettlement Plan (LARP) for the Tranche 1 has been prepared following the ADB Safeguard Policy Statement (SPS) 2009 and land acquisition laws and regulations of the Republic of Kazakhstan. It reflects all issues adequately such as permanent and temporary land acquisition, compensation payment mechanism (land for land through negotiated settlement by third party) and appropriate grievance redress mechanism. As the road section under Tranche 1 does not require any physical displacement of the households or none of the affected households will lose 10% or more of their productive assets, so relocation/resettlement and special attention to vulnerable households are not taken care of in LARP. In terms of resettlement the Tranche 1 is categorized as Category B and preparation of the LARP found effective.

## 4. REDRESS OF GRIEVANCES

### 4.1 Grievance Redress Mechanism

A grievance redress committee (GRC) has been introduced in the Land Acquisition and Resettlement Plan (LARP) of Tranche-1. According to the LARP, the complaints of the aggrieved person or group can be received by the staff of the Rayon Akimat or of the CSC. Grievance focal points at this level will be designated to help people in placing grievances, receive complaints, and forward it to the GRC. The GRC has been constituted with the following officials-

- i) Director of Mangystau Oblast Road Department  
(Kazhimurat Borashevich Suebayev),  
11 Micro District, Aktau, Phone 8(7292)-27-46-58, Email: [mouad@mail.ru](mailto:mouad@mail.ru)
- ii) Deputy Director of Mangystau Oblast Road Department  
(Gizat Botabayevich Dyssembayev)  
11 Micro District, Aktau, Phone 8(7292)-14-35-94
- iii) Deputy Akim of Mangystau Rayon
- iv) Deputy Akim of Beyneu Rayon

The displaced people or other concerned individuals/communities may visit, call or send a letter or fax to any of the GRC member to register their comments or complaints related to land acquisition and/or any other issues raised due to the project implementation.

According to the LARP the grievances of the aggrieved persons would be resolved at any of the five stages (table 4.1) of which village level is the first stage where the grievances would be resolved by the head of local self Government. If it is not resolved at village level in one week from the date of lodging the grievances, then it will be forwarded with comments to the Regional Akimat for resolution. If the grievance is not resolved in 2 weeks, it will be forwarded with comments to the Mangystau DOR. If there is no resolution within 2 weeks, it will be forwarded to the appointed official at the Committee of Roads RK. If the issue is not resolved within 2 weeks, the case will be presented to a Kazakh court (Rayon Court) and resolved according to Kazakh's legislation. The Rayon Court will hear the case and render decision.

Table 4.1: Stages of resolving grievances

Levels/Stages	Responsibility	Steps In Complaint Handling
Village-level	Head of Local Self Government	Registers the complaint and attempts to solve it. If complaint is not resolved in one week, it is passed to the regional Akimat for resolution.
Regional-level	Vice Akim, Grievance Focal Point	Receives the complaint, registers it and attempts to resolve it. If there is no resolution in 2 weeks, it is passed to Mangystau DOR.

Mangystau Oblast DOR	Deputy Director, DOR	Receives the complaint and attempts to resolve it. If there is no resolution within 2 weeks, it will be passed to the appointed official at the Committee of Roads RK.
Committee of Roads (COR)	Grievance Focal Point	Receives the complaint and coordinate with the concerned units or agencies to find timely solution. If there is no resolution within 2 weeks, the case will be presented to a Kazakh court and resolved according to Kazakh's legislation.
Court	Rayon court	Hears the case and renders decision. The court's decision shall be final and binding

#### 4.2 Observation on Grievance resolution

The LARP for Tranche-1 is already implemented and compensation to the land owners has been paid in kind (land for land) in case of permanent land acquisition. Rent for the temporary acquisition is also paid to the private land owners and part of the State land at the current rent rate determined by the Mangystau Region Akimat. So, there is no major issues pending regarding land acquisition and compensation payment. The contractor has started permanent civil works since September 07, 2012 at Lot-4 and April 06, 2013 at Lot- 2. Permanent civil works at Lot-1 and Lot-3 is yet to start. So, local people including land owners and other stakeholders may raise their voices on any social or environmental issues in any time of the project implementation. As of June 2013 there is no grievance on any issues has been received by the Grievance Redress Committee.

#### 4.3 Procedure of submitting grievances

The grievance redress mechanism is formulated in the LARP but it is not widely circulated among the affected people and other stakeholders. The local people do not know about the mechanism and for what reason they can apply to the Grievance Redress Committee (GRC). The people even do not know about the name of the Committee. To let the people know about the GRC, grievance redress mechanism (GRM) and focal person to receive their complaints, designate a full time official of the CSC (assigned in Shetpe and Beyneu office) may be effective for all 4 lots. He will receive the complaints from the people by mail or fax on behalf of the GRC and forward it to the Head of Local Self Government at village level (the first stage of resolving grievances) to take necessary steps. The focal person will scrutinize the complaints and send only project related grievances to the GRC.

For making the process easy to the people a notice (in local language) containing information about the matters to be considered in GRC with name, address and contact number of the CSC focal person may be displayed in public places such as Local Akimat's office, Market places, Contractors' camp offices or any common place in each of the villages along the project road in all 4 lots where people regularly visit for their daily needs. In this way people will be aware of their right to place grievance, scope of the grievance committee, and to whom and how the complaints would be placed.

The theme of the notice may be as under

## **PUBLIC NOTICE**

This is to inform the inhabitants of the villages in Mangystau Rayon and Beyneu Rayon along the Central Asia Regional Economic Cooperation (CAREC)-2, Tranche 1 (Manashy River-Sai Utes-Shetpe) road section (200 km) that the Government of Kazakhstan (RoK) has undertaken the project with financial support from the Asian Development Bank (ADB). Civil Construction of the project is going on. Necessary land for the project has been acquired and requisitioned as per ADB policy and RoK laws.

If any individual or community has any comments or complaints over the project activities particularly on social or environmental issues, their complaints will be heard and resolved by the Grievance Redress Committee with due attention.

The aggrieved person/community are advised to send their comments/complaints (if any) to the following address

(Turgynbekuly Askhat)

Designation: Civil Engineer (Project Coordinator),  
Dohwa Engineering Co. LTD

Address: Shetpe (Centralnaya street, Aizere building) and  
Beyneu office (Station 5)

Contact Number: +77774222268

Fax Number: +77293122307

Email Number: askhat.dohwa@gmail.com

## 5. HEALTH AND SAFETY

### 5.1 HIV/AIDS Awareness Program

The contractors have been working in project sites since 2012 where both males and females are working together. Combine working environment of male and female from different culture and society may promote sexual abuse and affecting with sexually transmitted Infections (STIs) and finally HIV/AIDS. In some times it may take an epidemic shape and this is why preventive measures are to be taken in advance.

Since 2006, the International Federation of Consulting Engineers (FIDIC) Conditions of Contract for Construction specify that contractors for major infrastructure projects must offer HIV-awareness programming, including STI and HIV information, education, and communication, for all workers and for community members on regular basis. The FIDIC conditions also require that condoms, STI and HIV screening, diagnosis, counseling, and referrals be provided for all site staff and laborers.

This obligation is encouraged by the ADB – the ADB guidelines spell out that “ADB has a responsibility to encourage contractors to provide appropriate HIV education to all the construction workers and the villagers in the corridors of influence of ADB-funded infrastructure development projects.

The ALSIM ALARKO (Contractor) didn't introduce any program on HIV/AIDS awareness in this project as yet. According to the contractor, they have no budgetary allocation for the HIV/AIDS awareness program in the contract. They are now planning to develop a program and send to the MOTC for approval. After approval of the same they will start HIV/AIDS awareness program among the workers.

### 5.2 Personal Health and Safety

The workers are provided sufficient and quality personal protective equipment during working period. According to the contractor, all of the workers use safety equipment at work site and they made it mandatory. It was seen in the work site during preparation of this report. The Contractor has made social insurance in December 10, 2012 for personal injuries to life and health for the employees and workers. The workers get regular treatment and first aid facilities from the Doctor in the camp site.

### 5.3 Accidents and remedy

No accidents occurred in the project area by the construction equipments or vehicles as of June 2013. The contractor was requested in the weekly meeting to maintain a display board on the accident occurs in the project area including nature of accident and it's effects; injuries and deaths. The display board would be placed in camp sites. Necessary signs about safety measures and safer road crossing would be put in various locations along the project road and construction camps. They were also requested to maintain a register to keep the accident record in a systematic manner such as

Sl. No.	Date of accident	Description of the accident	Mitigation measures taken	Follow up

The contractor was committed to follow this and maintain information on accident if occurs.

## **6. PROJECT PERFORMANCE MONITORING SYSTEM**

The project performance is to be monitored based on the baseline data to achieve the goal as set in the Design monitoring framework (DMF) of the project. The updated DMF is attached with this document in Appendix-A. The Project Performance Monitoring System (PPMS) is one of the critical tools in providing a structured approach to performance measurement of the project activities. According to ADB, PPMS is a coherent and results-based approach to project planning, performance monitoring and evaluation of the implementation of planned activities, produced out puts and outcomes and achieved impacts of investment projects. A Project Performance Monitoring System (PPMS) is to be developed for Tranche-1.

ADB's PPMS is a result-based project management approach organically combining project planning, performance monitoring and result evaluations. It consists of five parts covering the entire project cycle

- Project Design and Monitoring Framework (DMF);
- Project Performance Report (PPR);
- Borrowers' performance monitoring and assessments;
- Project completion report; and,
- Post-project evaluation report

### **6.1 Objectives of the PPMS are**

- To assist the Mangystau Oblast Department of Roads (MDoR) of the Ministry of Transport and Communications (MOTCI) to establish a system for project performance monitoring especially identifying and measuring indicators required for data collection during and after project implementation
- To develop the capacity of MDoR and MOTC staff and local consultants in Project Performance Monitoring, and data collection and management at Project level
- To develop a system that monitors the quality and timely progress of the Project
- To develop a system of monitoring for collection of data during and post project implementation that will indicate the level of achievement of project goals, benefit, targeted costs, and implementation issues, that may also be used by the MDoR, MOTC and ADB after the Project.

### **6.2 Data collection Methodology**

Data would be collected from different sources using various methods. Collected data would be used for different indicators such as social indicator, economic indicator, service indicator, etc. Sources of data and methods of data collection are presented in table 6.1 below-

Table 6.1: Sources of data and methods of data collection

Data source	Methodology	Use of data for particular indicator
Local People	Questionnaire	i. Social indicators, ii. Service Indicators
Local People	Consultation meetings	i. Social Indicators ii. Service Indicators
Statistical Year Book of Kazakhstan	Consult data	i. Economic Indicators ii. Service Indicators
Feasibility Study Report	Consult data	i. Economic Indicators ii. Service Indicators
Development Strategy Kazakhstan 2020	Consult Data	i. Economic Indicators

The data would be collected in different times after completion of the project to check and verify with the base line data of the project. Data collection frequency is described in table 6.2.

Table 6.2: Data collection frequency

Sl. No.	Data Collection	Data collection Frequency		
		Within 4 months after completion of all sections	One year after completion	Three year after completion
1	Economic Data			
2	Socio-economic data			
3	Passenger Trips Data			
4	Traffic counting data			
5	Origin-Destination data			

### 6.3 Data Collection Requirements

The Project Performance Monitoring System is a key monitoring tool to plan and manage the collection and presentation of performance data against the Project Framework's "Performance Indicators" and "Monitoring Mechanisms", expanded to "measures" and data sources and collection methods respectively in plan.. It provides guidance for the MDR, MOTCI, Consultants, Contractors and the ADB on the modes of data collection management and reporting by which the performance of the project's progress and subsequent project benefit may be undertaken. Based on the key performance indicators following base line data would be required:

- i. Traffic counts – to identify the traffic volume (vpd) - heavy and light; peak and off- peak hours; holidays and working days; at different seasons. These data shall be collected as much as available.
- ii. Road- user costs – to identify the costs of goods transportation per kilometre
- iii. Distance-Time - the time taken to travel between specific points along the road Project, and when compared with data collected at the completion of the will allow quantification of the reduction in travel times
- iv. Origin-destination (O&D) - to record the trends in transportation of goods and materials in terms of origin, destinations, costs and stops made along the road
- v. Socio-economic - With the assistance of local Aikimats, a community level socioeconomic survey for a selection of communities was undertaken in order to monitor the positive and negative socioeconomic changes likely resulting from the road construction. Issues such as population and demography, livelihoods, health, incomes and wealth were surveyed and questions regarding project foreseen impacts were asked.
- vi. Labor - to be collected from the contractors regarding salary levels, use of local labor units wherever possible and, (avoidance) use of child labor.
- vii. Health and Safety Monitoring – to be collected on contractors' sites and reports submitted through MOTC. It shall include sanitation facilities and conditions of dormitory areas, kitchens and mess areas, safety in laboratories, dormitory and quarry areas as well as safety practices on the construction sites, and, workshop safety.
- viii. Accident data –record of traffic accident data; to identify the reasons of the accidents; black spots.



## **7. CONCLUSION AND RECOMMENDATION**

### **7.1 Conclusion**

The LARP for Tranche 1 has been implemented by the Mangystau Oblast Department of Roads (MDoR) and paid compensation to the four land lessees who's land were taken permanently for the project. The payment was made in kind (alternative lands) rather in cash compensation. The temporary land taken from the private sector by the Contractor has also been paid compensation at current rental rate determined by the Magystau Region Akim. For use of temporary of government land for service road, batching plant, etc the contractor also paid rent to the Tax Department of the Mangystau Region. No one from the land owners has complaints over the compensation amount or procedure of taking over land. ADB SPS has been complied in this regard. One verbal complaint from the temporary land owner of Station 13 (Dead end) under Lot four was about dust emission nearer to her residence. Contractor should look into the matter.

Social compliance issues lying with the contractor are mostly taken care off without HIV/AIDS awareness program. The workers are getting equal salary irrespective of gender for similar category of work. They can get treatment in case of illness/injuries as there is doctor in the camp. They have personal social insurance which covers injuries and death. The workers have freedom of association to collectively bargain with the Contractor on any common issues.

A grievance redress mechanism has been established in the project and steps have been taken to aware the affected people and other stakeholders about the grievance mechanism. A notice in this regard will be displayed in the public places along the project road concerning nature of grievance and information of the focal person to whom the grievances are to be submitted.

Next monitoring report will be commenced in early 2014 by the Social Development Specialist of DOHWA. In the meantime civil construction in all four packages will be continuing. A monitoring survey among the affected people and other stakeholders will be conducted through consultation meetings and simple questionnaire survey at that time to obtain their opinion about the project. Particularly project induced impacts on their daily life, enhancement of land price, scope of livelihood opportunities, etc. will be sought and reflected in the monitoring report. In the mean time the Local Social Specialist of the CSC will be monitoring the social compliance issues lying with the contractor, health and safety issues of the workers, HIV awareness program, grievance mechanism, etc using a simple checklist.

### **7.2 Recommendation**

The construction activities are going on in two lots and remaining 02 will be started soon. So the issues relating to health safety, HIV AIDS, grievance redress mechanism and other social issues are to be monitored regularly by the Social Specialist (Local) of the CSC. The grievance receiving and redressing procedure as described in the LARP and in this document would be carefully maintained. This will increase people's awareness about their right and they will have a clear understanding about the project. The GRC meetings should be held regularly and resolve the cases within the given time, if grievance appears. The contractor should ensure starting of HIV/AIDS

awareness program immediately. They should also maintain core labor standard in all respect, occupational health and safety and provide quality personal protective equipments to the workers at work sites. To monitor the social compliance issues the input of the Social Specialist (Local) of the CSC would be increased.

The private land has been taken temporarily for the Quarry and dead end under particular conditions mentioned in their contract. Both the parties should obey the conditions of the contract and the land would be given back to the land owners with its' original condition. The Construction Supervision Consultants will ensure it

## Appendix-A: Design Monitoring Framework

**L2728-KAZ: CAREC Corridor 2 (Mangystau Oblast) Investment Program, Tranche 1<sup>3</sup>***(Revised as of 31 May 2013)*

<b>Design Summary</b>	<b>Performance Targets / Indicators</b>	<b>Data Sources / Reporting Mechanisms</b>	<b>Assumptions and Risks</b>
<b>Impact</b> Efficient transport network in Mangystau Oblast connecting Aktau to Manasha, Beineu to Akzhigit (Uzbekistan border), and Zhetybai to Fetisovo	Reduced road-user costs to \$0.43/vehicle-km in 2016 from \$0.64/vehicle-km in 2009  Reduced travel time to 6 hours in 2016 from 12 hours in 2009	<ul style="list-style-type: none"> <li>• Agency of Statistics of the Republic of Kazakhstan (ASRK) transport statistics</li> <li>• MOTC traffic statistics</li> <li>• ASRK transport statistics</li> <li>• MOTC traffic statistics</li> </ul>	<b>Risks</b> ix. Inadequate funding for road maintenance in Aktau-Manasha, Beineu-Akzhigit (Uzbekistan border), and Zhetybai-Fetisovo road sections
<b>Outcome</b> Efficient transport network connecting Aktau to Manasha	Increased traffic volume to 1,000 vpd in 2015 from 500 vpd in 2010  Reduced travel time between Aktau and Manasha to 2 hours in 2015 from 3 hours in 2010	<ul style="list-style-type: none"> <li>• ASRK transport statistics</li> <li>• MOTC traffic statistics</li> <li>• ASRK transport statistics</li> <li>• MOTC traffic statistics</li> </ul>	<b>Risks</b> • Inadequate funding for road maintenance in Aktau-Manasha road section
<b>Output</b> Two road sections reconstructed and open to traffic	200-km road sections (km 372.6-km 514.3 and km 574-km 632.3) reconstructed on time, within budget and with pavement IRI < 4m/km by 2014  HIV and human trafficking awareness program implemented by 2012	<ul style="list-style-type: none"> <li>• MOTC transport statistics and report</li> <li>• MOTC transport report</li> </ul>	<b>Assumptions</b> <ul style="list-style-type: none"> <li>• Timely provision of counterpart resources and support for the project</li> <li>• MOTC's continued commitment to comply with ADB's safeguards policies</li> </ul> <b>Risks</b> <ul style="list-style-type: none"> <li>• MOTC and program management unit's lack of capacity to implement externally-funded project</li> </ul>

<sup>3</sup>Source: ADB MFF 0047-KAZ FAM

MOTC's capacity for project and asset management strengthened	<p>Program management unit effectively functioning by 2015</p> <p>Subsequent tranche projects timely submitted to ADB</p> <p>Computerized road asset management system implemented by 2015</p>	<ul style="list-style-type: none"> <li>• MOTC transport report</li> <li>• MOTC transport report</li> </ul>	<p><b>Assumptions</b></p> <ul style="list-style-type: none"> <li>• Government's continued commitment to further reform the road sector</li> <li>• MOTC and the Committee of Roads' continued commitment to capacity strengthening</li> </ul>																											
<p><b>Activities with Milestones</b></p> <p>Two road sections reconstructed and open to traffic</p> <table border="1" data-bbox="204 816 1127 1178"> <thead> <tr> <th>Activity</th> <th>Scheduled Start</th> <th>Scheduled Finish</th> </tr> </thead> <tbody> <tr> <td>Recruit construction supervision consultant</td> <td>Feb 25, 2012</td> <td>Nov 16, 2012</td> </tr> <tr> <td>Recruit program management consultants</td> <td>Apr 03, 2012</td> <td>Apr 30, 2013</td> </tr> <tr> <td>Award civil works contracts</td> <td>Dec 23, 2011</td> <td>Aug 15, 2012</td> </tr> <tr> <td>Complete civil works</td> <td>Jul 01, 2012</td> <td>Jun 30, 2015</td> </tr> </tbody> </table> <p>MOTC's capacity for project and asset management strengthened</p> <table border="1" data-bbox="204 1236 1127 1570"> <thead> <tr> <th>Activity</th> <th>Scheduled Start</th> <th>Scheduled Finish</th> </tr> </thead> <tbody> <tr> <td>Complete capacity development plan</td> <td>Aug 01, 2013</td> <td>Mar 31, 2014</td> </tr> <tr> <td>Complete training programs</td> <td>Jun 01, 2014</td> <td>Jun 30, 2015</td> </tr> <tr> <td>Implement computerized road asset management system</td> <td>Jan 01, 2015</td> <td>Dec 31, 2015</td> </tr> </tbody> </table>			Activity	Scheduled Start	Scheduled Finish	Recruit construction supervision consultant	Feb 25, 2012	Nov 16, 2012	Recruit program management consultants	Apr 03, 2012	Apr 30, 2013	Award civil works contracts	Dec 23, 2011	Aug 15, 2012	Complete civil works	Jul 01, 2012	Jun 30, 2015	Activity	Scheduled Start	Scheduled Finish	Complete capacity development plan	Aug 01, 2013	Mar 31, 2014	Complete training programs	Jun 01, 2014	Jun 30, 2015	Implement computerized road asset management system	Jan 01, 2015	Dec 31, 2015	<p><b>Inputs</b></p> <p>OCR - US\$ 283,000,000</p> <p>Govt - US\$ 50,000,000</p>
Activity	Scheduled Start	Scheduled Finish																												
Recruit construction supervision consultant	Feb 25, 2012	Nov 16, 2012																												
Recruit program management consultants	Apr 03, 2012	Apr 30, 2013																												
Award civil works contracts	Dec 23, 2011	Aug 15, 2012																												
Complete civil works	Jul 01, 2012	Jun 30, 2015																												
Activity	Scheduled Start	Scheduled Finish																												
Complete capacity development plan	Aug 01, 2013	Mar 31, 2014																												
Complete training programs	Jun 01, 2014	Jun 30, 2015																												
Implement computerized road asset management system	Jan 01, 2015	Dec 31, 2015																												

## Appendix B: Monitoring Checklist (Monthly base)

Sl. No.	Monitoring Indicators	Lot 1	Lot 2	Lot 3	Lot 4	Total
01	Permanent Land Acquisition (ha)					
02	Temporary Land Acquisition (ha)					
03	No. of local people employed in project					
04	Number of female employed					
05	Number of grievances received					
06	Number of grievances resolved					
07	Number of grievances accepted					
08	Number of grievances rejected					
09	Number of accidents occurred in project					
10	Number of deaths due to accident					
11	Number of Injuries					
12	Labor Contracting Societies (LCS) / Association formed by the workers /employees					
13	Labor unrest found in the project area					
14	Child labor working in the project					
15	If discrimination found among the laborers					
16	Whether female workers feel secure in the working environment					
17	Any other social issues raised during reporting period					

