

Land Acquisition and Resettlement Plan Compliance Report, Addendum #1

March 2018

ARM: Sustainable Urban Development Investment Program – Tranche 2

LARP Area (Davtashen - Ashtarak Road Link) for Corrective Action
Plan-1

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Compliance Report on Implementation of CAP-1 on Temporary Relocation of the AH

Addendum N1 to the Compliance Report on Implementation of the LARP for Davtashen-Ashtarak Road Link

1. Introduction

1. The LARP for Davtashen-Ashtarak Road Link was approved by ADB on June 29, 2016 and by the RA Government on July 14, 2016. The implementation of the LARP was completed in May 2017. Compliance report prepared by External Monitoring Agency (EMA) was approved by the ADB on 13 July 2017 and the commencement of construction works for Davtashen-Ashtarak Road Link was granted on July 20, 2017.
2. During the construction works there was a complaint raised by the AP living in the residential house located adjacent to the project road. A family member of the AH is an old person who is seriously ill, keeping to the bed and has disability of I category. The family of the AP raised a complaint regarding the construction works disturbances (noise, vibration) which will discompose the ill and disabled AP.
3. The construction in the areas near the APs house were stopped as the vibration during the construction may affect the sensitive and vulnerable group of people with particular medical conditions living adjacent to the section. To minimize stress and discomfort to the AP during construction, it was agreed to temporarily relocate the AP during the construction period.
4. The CAP-1 on temporary relocation of the AH was prepared and submitted to ADB on 20 February 2018. The CAP was approved by ADB on 06 March 2018. This document presents the Compliance review of implementation of the CAP-1 on temporary relocation of the AH under the LARP for Davtashen-Ashtarak Road Link.

2. Assessment of Compliance of the Implementation of CAP-1

5. EMA monitored the implementation of the CAP-1 by PIU, reviewed the CAP-1 and all the related documents (compensation agreement, payment documents) and interviewed the family member of the disabled AP to assess the implementation of the CAP-1.

2.1 Compliance of implementation of the CAP-1

6. The implementation of the CAP-1 started after approval of the CAP by ADB. An agreement on compensation of the AP for temporary relocation was signed with the AP on 7th of March 2018. EMA confirms that all the measures envisaged by the CAP were included in the agreement on compensation. As agreed during the negotiations and envisaged in the CAP it is set forth in the compensation agreement that the AP is not obliged to pay back the compensation amount in case if the construction ends earlier or the APs house is fully alienated based on the final results of noise and vibration modeling. PIU transferred the compensation amount to the AP's bank account on 7th of March. According to signed compensation agreement it was agreed that the AP has 7 days for relocation after receiving the compensation amount.

However, on the 8th of March the representative of AH provided a statement that the disabled AP has been relocated from the house to another place of residence and he gave his agreement to start construction in the areas near the house.

7. ADB gave no objection on the commencement of construction near the AH's house on 12 March 2018.

2.2 Compliance of compensation

8. During the desk review of the CAP and related documentation EMA revealed deviation of 450,000 AMD between the compensation amount envisaged in the CAP and the actual compensation amount transferred to the AP's bank account. The total compensation amount envisaged by the CAP comprised to 5,175,600.00 AMD since 4,725,600 AMD was transferred to the APs bank account. EMA compared the types and amounts of planned and actual compensation. Table1 below presents types and amounts of planned and actual compensation amounts transferred to the AP's bank account.

Table1-Amounts of planned and actual compensations transferred to the AP's bank account.

Type of compensation	Month/ trip	Unit cost	Amount of planned compensation (AMD)	Amount of actual compensation (AMD)
Leasing charge	18	240,000.00	4,320,000	4,320,000
Installation of video cameras and a DVR		N/A	200,000	0
Heating cost	5	50,000.00	250,000	0
Allowance as severe affected household, due to residential relocation	6	55,0000.00	330,000	330,000
Transportation cost for movable assets	2	22,800.00	45,600	45,600
Transportation cost for relocation of AP with medical stuff	2	15,000.00	30,000	30,000
Total			5,175,600.00	4,725,600

9. This deviation is conditioned by the fact that at the stage of signing of the compensation agreement some members of the AH decided to stay in the house. Therefore it was agreed that the planned compensation amounts for installation of cameras (200,000 AMD) as well as compensation for heating costs (250,000 AMD) of the house should be deducted from the total amount of compensation.

The heating costs and the cost for installation of cameras were included in the compensation amount as the AH had decided to move from house. EMA considers deduction of those costs acceptable since not all the members of the AH are going to move from the house. The deduction of those costs was mutually agreed.

2.3 Satisfaction of the AH

10. EMA conducted an interview with the AH/AP on 15 March 2018 to assess the overall satisfaction of the AH/AP with the implementation of the CAP-1. During the interview the representative of the AH restated that he has relocated the disabled family member on the 8-th of March. EMA is not able to check the date of relocation of the disabled AP however at the time

of the interview the disabled AP's room was empty.

11. The representative of the AH also restated that he has agreed with the deduction of compensation for installation of cameras as well as heating cost of the house. He acknowledged that there is no need for installation of cameras and heating the house to prevent humidity as some members of the AH have decided to stay in the house during construction.

12. The representative of the AH expressed his satisfaction with implementation of the CAP-1 and the compensation amount.

13. The AP also expressed concerns regarding permanent relocation and acquisition of the whole property, though he was informed that the issue should be resolved based on the final results of noise and vibration modeling.

3. Conclusion and Recommendations

14. The EMA hereby confirms that implementation of CAP-1 on temporary relocation of the AH under the LARP for Davtashen-Ashtarak Road Link correspond to the ADB Safeguard Policy Statement 2009 (SPS 2009), the Program LARF and LARP for Davtashen-Ashtarak Road Link. EMA suggests to commence construction works in the area near the APs house.