

Compliance Monitoring Report on Land Acquisition and Resettlement Plan

Loan 2824-KAZ (km 483 – km 536)
May 2012

KAZ: CAREC Corridor 1 (Taraz Bypass) Project

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Compliance Monitoring Report on the Land Acquisition and Resettlement Plan (LARP) for the CAREC Corridor 1 (Taraz Bypass) Project



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GLOSSARY

Compensation: Cash or other means of payment for which the affected group of persons shall be entitled to replace lost assets, resources or income.

Cut-off date: the date, after which a group of people lost their right for compensation. These groups are not included in the DP list, as defined by the term Displaced Persons. This date is the date of approval of the feasibility study by the Government for the reconstruction of the transit corridor in the direction of Western Europe - Western China, namely March 31, 2009.

Displaced person: An individual, group or legal entity who experience full or partial, permanent or temporary physical displacement (relocation, loss of residential plot, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihood) resulting from involuntary acquisition of land or involuntary restriction on land use.

Entitlement: Entitlement - a series of measures, including cash payments or other benefits; coverage of costs for relocation; allowance for recovery of lost income; assistance with relocation; income replacement and business recovering (depending on the kind and extend of the losses incurred by AP); rehabilitation of socio-economic framework.

Household (HH): Household – all persons, living and eating from one table as a family, regardless of kinship to each other.

Income recovery: Income recovery – provision of income source of a DP in order to further their livelihoods.

Involuntary resettlement: Any type of relocation, which is performed without voluntary wishes of persons, whose interests were affected, and relocation is executed by force, through legal instruments.

Land acquisition: Land acquisition is a process, whereby a person is forced by state authorities to dispose of the whole land plot or its part, thereof which the person owns or uses; or the process of transfer of ownership to state authorities for public purposes in exchange for a fair compensation.

Rehabilitation: The assistance provided to affected persons to make up for lost income and to improve or to completely restore living standards and quality of life that has been before the start of the Project.

Violators of rights: A group of people, who encroached on the project land after the cut-off date, or individuals, who illegally seized state owned land near his/her land plot or asset, and therefore, are not entitled for compensation or other means of rehabilitation provided by the Project.

ABBREVIATIONS

ADB	- Asian Development Bank
CAREC	- Central Asia Regional Economic Cooperation
CoR	- Committee on Roads
DP	- Displaced person
ERM	- External Resettlement Monitoring
GOK	- Government of Kazakhstan
KZT	- Kazakh tenge
LARF	- Land acquisition and resettlement framework
LARP	- Land acquisition and resettlement plan
LE	- Legal entity
MOTC	- Ministry of Transportation and Communications
PMC	- Project Management Consultant
SVG	- Socially Vulnerable Groups
TSS	- Targeted Social Assistance
ZRD	- Zhambyl Oblast Roads Department

EXECUTIVE SUMMARY

The Committee for Roads under the Ministry of Transportation and Communication prepared a Land Acquisition and Resettlement Plan (LARP) for the CAREC 1 (Taraz Bypass) Project which was approved in November 2010.

A total of 110 affected parties comprising 99 households and 11 legal entities were identified as affected in this 65-km road section. These parties have lost portion of their productive lands, structures and businesses. Six leaseholders and one private owner were identified as being severely affected (losing more than 10% of their total lands). Seven socially vulnerable people were identified and respective assistance was paid. No residential land has been affected.

This resettlement compliance report is related to the LARP implementation on Taraz bypass section. The main objective of the present report is to determine if the established goals were achieved, and if not, what actions should be taken.

The consultant conducted the monitoring in April-May 2012. The monitoring included interviews with a sample of 28 out of the 110 displaced persons, and key informants from CoR Zhambyl Oblast, Akimats and NGOs. A review of compensation records was likewise done to verify completeness and consistency.

Through records review and interview with DPs, the monitoring found out that permanent land acquisition activities stated in the LARP have mostly been completed and compensation to DPs affected by permanent land acquisition has been paid. All the interviewed DPs confirmed their awareness of their entitlements, and compensation amounts. They also confirmed receiving the amount according to the types of losses in the entitlements matrix. Interviewed DPs confirmed that they received their compensation timely and all their losses were properly accounted for. 19 of surveyed DPs reported that their income and expenses remained the same as before land acquisition, while 9 DPs claimed that their income improved. No new DPs have been identified in this road section.

Monitoring confirmed that most land acquisition has been completed and compensation paid to most of DPs. However, the following issues are awaiting resolution in court:

1. compensation for 0.63 ha private land plot of household «Nurbayev», who didn't agree on the compensation amount of 680 000.00 KZT.
2. compensation for 2.32 ha private land plot of household «Anarkulova», who didn't agree on the compensation amount of 1 454 488.00 KZT

As of May 2012, no temporary land has been acquired, since no contractor has been selected yet. However, the project contract has provisions that lands to be acquired temporarily by the contractor during construction will be paid according to applicable policies, LARP, signed contracts and shall be reinstated to pre-project condition after use.

1.0 INTRODUCTION

The present report is the Resettlement Compliance Monitoring report for the 65-km Taraz city bypass project from km 483 – km 536 of the existing alignment, financed by ADB, and implemented in Zhambyl Oblast of Republic of Kazakhstan. The main objective of the report is to analyze the implementation and completion of the Land Acquisition and Resettlement Plan (LARP) for this road section.

The objectives of the compliance monitoring report are to:

- a. verify that resettlement implemented for the project complies with the approved framework and resettlement plan; and,
- b. verify that DPs have been able to at least restore their livelihood and living standards.

The present report reflects current situation with land acquisition and related issues, as well as opinions of DPs, whose interests and rights have been affected in this process.

2.0 METHODOLOGY

Monitoring was conducted in April-May 2012 by an independent consultant employed by ADB, Mr. Serdaliyev K, with assistance from the Zhambyl Oblast Road Department (ZRD) and project management consultant.

The consultant interviewed 28 DPs on Taraz bypass section (km 483 – km 536) (see Annex 1). The monitoring was conducted using Land Acquisition and Resettlement Plan, information on evaluation results and compensation paid by Zhambyl Oblast Department of CoR MTC RK, and data on consultations with DPs.

The following actions have been performed:

- Analyzed LARP, procedures of entitlement, compensation payments processes, and development of recommendations for compliance with ADB Safeguard Policy Statement (2009);
- Participated (as observer) in consultation meetings on land acquisition;
- Reviewed compensation payment timeframes; recommended adjustments where necessary;
- Conducted monitoring of temporary land acquisition conditions;
- Conducted surveys with displaced persons (DP) to identify level of satisfaction with type and amount of compensations.
- Evaluated satisfaction of DPs on evaluation of assets and entitlement, time taken to process compensations, availability of funds, amounts and timeframes of additional payments within LARP.

3.0 GENERAL DESCRIPTION OF THE PROJECT

The project covers road reconstruction/construction activities in the 65 km road section between Km 483-536 of the Almaty-Taraz highway (Taraz Bypass). This bypass road section will start from Km 491 post of the Almaty-Taraz highway and will meet at Km 536 post of the Taraz-Symkhent highway covering Baizak and Zhambyl Rayons. However, Km 483-491 will follow the existing road alignment of the Almaty-Taraz highway. Construction works on the section Km 483-536 involve the construction of a Category II two-way road with 40m. right-of-way with different levels of highway crossings (2 of them of “cloverleaf” type and 2 of “pipe” type). These works require permanent land acquisition and resettlement before construction. Contractors may also require land temporarily during construction which will be mitigated and monitored.

A LARP was prepared to address land acquisition issues related to the Project in November 2011. Taraz bypass project was approved by ADB Board in December 2011. In July 2012 bidding competition will identify the contractor, and his mobilization is expected in August-September of 2012.

Taraz bypass section km 483 – km 536 was initially planned to be financed by the Islamic Development Bank. However, during the second transfer of funds, the financing by IDB wasn't agreed upon between Government of RK and the IDB, and in September 2010 the GoK has invited ADB to finance the section km 483 – km 536, and accordingly, a LARP was prepared to address land acquisition issues related to the Project.

Taraz bypass section starts on km 483 of Almaty – Taraz road and aligns with it until km 491 near police post. From km 491 the alignment turns right and by-passes the Taraz city up to km 536 of Taraz - Shymkent road. Project passes through Baizak and Zhambyl Rayons. Road design stipulates construction of 2-lane Category II road with 40 m wide right-of-way, with 2 "Clover leaf" and 2 "Trumpet" type interchanges.

4.0 SCOPE OF LAND ACQUISITION AND RESETTLEMENT

As described in the LARP, a total of 215.6 hectares of 136 agricultural land plots leased from the State and privately owned agricultural land plots were acquired for permanent use. This affected 110 parties comprising 99 households and 11 legal entities. None of the households lost any residential land. A summary of the land acquisition and resettlement impacts is shown in Table 1 as follows.

Table 1
Summary Land Acquisition and Resettlement Impacts

No.	Description	Number/Amount
1	Total number of permanently affected land parcels: private/leased	136
2	Total area of land to be acquired permanently (in hectares)	215.6
3	Total area of permanently affected commercial land (in hectares)	0
4	Total number of private land plots	7
5	Total number of affected households and legal entities	110
6	Total number of severely affected households and legal entities	7
7	Total number of vulnerable households	7
8	Total number of affected structures	0
9	Total number of households and legal entities losing business	0
10	Total number of affected persons	554

5.0 FINDINGS AND OBSERVATIONS

The following findings and observations were made based on interviews and review of records by the external monitoring.

5.1 Basic Information on the Displaced Households

Most of the household heads are men. Most of surveyed household heads' ages range from 31 to 60 years old. Five are more than 60 years old. Most of the household heads (57.1%) have secondary education. The rest (42.9%) also have higher education. See Tables 2 and 3.

Table 2
Age composition of surveyed household heads, by sex

Age of HH head	Male	Female	Total	Percent
30 and less	0	0	0	0
31 – 40	5	3	8	28,6
41 – 50	7	0	7	25,0
51 – 60	8	0	8	28,6
61 and more	5	0	5	17,8
Not specified	-	-	-	-
Total	25	3	28	100,0

Table 3
Education level of surveyed household heads

Education	Male	Female	Total	
	No	No	No	%
Higher	11	1	12	42,9
Secondary	14	2	16	57,1
Not specified	-	-	-	-
Total	25	3	28	100,0

Living conditions of surveyed DPs vary. Most of DPs' houses are from adobe, brick or wood. Most houses were built since 1981, which commonly have 5 to 7 rooms. Most of DPs get drinking water from wells. 67% of surveyed DPs have gas, 82% have telephones and all have power.

Table 4
Living conditions of DPs

Criteria	No.	%
a. Type of house		
Brick	6	21,4
Adobe	14	50,0
Wooden	7	25,0
Concrete	1	3,6
b. Construction year		
Before 1950	1	3,6
1951-1980	10	35,7
1981 – Present	17	60,7
c. Number of rooms		
1-4	9	32,1
5-7	19	67,9
d. Drinking water source		
Central supply	7	25,0
Well	21	75,0
e. Fuel for cooking		
Gas	19	67,9
Coal	4	14,3
Gas and coal	5	17,8
f. Power		
	28	100
g. Telephone		
	23	82,1

Survey results show that some of the DPs are in better conditions, and most are around at the same level as before.

5.2 Land Acquisition Procedures

The land acquisition process was conducted by Zhambyl Oblast Department of CR MTC RK (Taraz city) and was done in the following order:

At design stage, the Oblast Akimat reviewed and approved the preliminary plan of road alignment. Land resources department provided report on necessity of land acquisition in accordance with requirements of Government of RK.

During design stage and project cost evaluation process, location and type of land plot (and structures) for acquisition was identified for project needs. On behalf of and by order of ZRD, owners (users) of plots received notifications regarding acquisition of their lands. Amount of compensation, calculated according to acting legislation in RK, were incorporated into project costs.

Zhambyl State Agency "NPCZem" prepared the list of land plots to be acquired for the project and engaged the evaluation company (Daler) to conduct official valuation activities. Daler counted for lost profit and compensation for termination of lease following the base rates indicated in Resolution 890 (revised on November 7, 2008). .

After receiving evaluation results from Daler, Zhambyl Oblast Department of CR (Executive Body) conducted consultations with owners/users of land plots regarding acquisition of their plots.

In most cases, the process ended in direct agreement of the land plot owner/user with compensation conditions, followed by preparation of the Contract Agreement, payment, and passing of the required plot to state ownership.

There were instances when the land plot owner/user didn't agree with the evaluation results. In such cases, the issue was reviewed, and the assets were reevaluated. Disagreements that could not be resolved between ZRD and the plot owner were referred to the court for decision.

On this road section all DPs except HH Anarkulova Aliya and HH Nurbayev Djumaseit have agreed on the compensation sums. These DPs didn't agree on asset evaluation results and compensation sum and filed a lawsuit in court, which are under court process.

As of date, no other cases related to land acquisition activities have proceeded to court.

5.3 Compensation for Lost Assets and Relocation Assistance

The monitoring confirmed that 108 parties (97 households and 11 legal entities) were compensated for the permanent lost of part of their productive lands. A one-time allowance for labor maintenance was also provided to all the households who employ workers. Seven socially vulnerable households were also provided with additional financial assistance.

5.3.1 Compensation for private land plots

Total of 7 owners of private land plots were affected on Taraz bypass section. 5 of these DPs have received compensation totaling at 11 566 512. Evaluation results and compensation accounted for costs incurred by owner due to land development, land use, implementing protective measures, as well as expenses due to termination of obligations to third parties.

HH Anarkulova Aliya and HH Nurbayev Djumaseit didn't agree with compensation amounts and filed a lawsuit. The cases are in the court.

Table 5
List of affected private land plots

No	Owner	Total area (ha)	Acquired area (ha)	% of acquired land	Status of Compensation
1	HH Anarkulova Aliya	154	2.32	1.5	Didn't agree with compensation. The case in the court.
2	HH Nurbayev Djumaseit	228	0.63	0.28	Didn't agree with compensation. The case is in the court.
3	HH Kim Sergey	30.8	1.04	3.38	Paid
4	HH Abdrahmanov Murat	9.45	4.99	52.8	Paid
5	HH Matova Guljar	10.66	0.23	2.16	Paid
6	HH Fazulov Mauat	1569	3.09	0.2	Paid
7	HH Kojamjarova Gulnaz	165	1.14	0.7	Paid
	Total		13.44		

5.3.2 Compensation for leased land plots from the State

For leased land plots from the State, the monitoring confirmed that long-term renters have received cash compensation based on rates established in Resolution No. 890 RK (amended November 7, 2008). Such rate is used during evaluation of land plots for mortgage purposes, economic partnership, division of production cooperatives and for selling lease rights. Table 6 shows rates used for compensation of permanent loss of leased land plots, despite the length of lease term.

Table 6
Rates for calculation of compensation for permanently restored rented state agricultural lands

Thousand KZT for a hectare

Oblast	Type of rented agricultural land	Types and subtypes of soil					
		Grayish brown	Gravel	Light gray and regular soil	Light brown foothills and mountain soil	Brown foothill and mountain chernozem	Subalpine and alpine
Zhambyl	Non-irrigated			15.6	24.4	26,9	
	Irrigated	40.2		74,5	114,1		
	Hay	5.6	2.0	10.6	10.6	11,9	9.4
	Pasture	2.0	1.9	5.6	6.9	8.6	6.9

Source: Decree of Government of RK No. 890 issued September 2nd 2003 (amended November 2008) "On approval of rates for land plots renting to private property, state rent or public users, and duties to be paid for selling rights to rent of land plots".

5.3.3. Compensation for costs of land development and obligations to third parties

Calculation of compensation amount to agricultural land users, land development and mortgage costs were considered; as well as obligations to third parties. For this road section, the monitoring confirmed that 2 DPs received compensation for obligations to third parties in amount of 63 986 KZT.

5.3.4. Additional compensation to severely affected households

Seven DPs were severely affected by the project, losing more than 10% of their total productive lands. One of them is a private owner and six are leaseholders. These DPs have received compensation equal to one year of harvest. Moreover, additional assistance is being provided in form of subsidies for seeds, fertilizers and pesticides.

Table 7
Severely affected DPs

No	Type of ownership	Affected land (ha)	Percent from total land
1	Long-term rent for 5 years	0.79	19.75
2	Short-term rent for 5 years	1.09	43.25
3	Long-term rent for 43 years	2.10	22.43
4	Private land	4.99	52.80
5	Long-term rent for 49 years	0.80	12.08
6	Long-term rent for 49 years	0.53	35.30
7	Long-term rent for 49 years	2.16	27.69
Total	7 households	12.46	30.20

5.3.5. Compensation for structures

On this road section no structures (buildings, kiosks, etc) were affected and no compensation was needed.

5.3.6. Compensation for lost business

This project section didn't affect any entrepreneurship, and thus, no compensation for loss of business was needed.

5.3.7. Relocation and transition support

On this road section no one had to relocate, and thus, no assistance in relocation and transition was needed. Moreover, all affected land plots were used only for agriculture and didn't have any structures.

5.3.8 Cash assistance to vulnerable households

In Kazakhstan, households with average income per capita below poverty line (defined as 40% of subsistence minimum) are considered as socially vulnerable groups, who have right for state program Targeted Social Assistance (TSA).

As of January 1, 2011 official subsistence minimum in Kazakhstan is 15 999 KZT per capita. Therefore, the poverty line is 6 399.6 KZT per capita.

TSA for each household was calculated as follows: Household Income – (poverty line x number of household members). Moreover, there are state social payments, financed from central budget, which are remittances to citizens, who are in need due to disability, loss of wage-earner or old-age by the Law of RK «On targeted social assistance». Local authorities (Akimats) should identify poor and socially vulnerable households in their region among DPs.

The Law also provides for other facilities for such people. For instance, they are exempted from taxation (land taxes, vehicle taxes etc).

During preparation of LARP and based on census records, seven socially vulnerable DPs have been identified on Taraz bypass project, which included those who are disabled, have lost their wage-earner, of old age or low income.

Table 8
List of vulnerable household heads

\	Name of HH Head	Age	Sex	Social status	Targeted social assistance, KZT	Status of TSA
1	Ismailova Satkul	83	Female	Widow	$37000 - 6333 \times 7 = 7331$	Completed
2	Abbdjaparov Turar	73	Male	Married	$56000 - 6333 \times 11 = 13663$	Completed
3	Orynbasarov Bahytjan	40	Male	Married	$25000 - 6333 \times 5 = 6655$	Completed
4	Kovaltsov Aleksey	46	Male	Married	$0 - 6333 \times 4 = 25332$	Completed
5	Tairov Musa	61	Male	Married	$57600 - 6333 \times 10 = 5730$	Completed
6	Amerhanov Ahmat	60	Male	Married	$41000 - 6333 \times 8 = 9664$	Completed
7	Kazbekov Elaman	43	Male	Married	$0 - 6333 \times 6 = 37998$	Completed
	Total				106,373	

The monitoring confirmed that all of these vulnerable DPs have received targeted social assistance in accordance with acting legislation of Republic of Kazakhstan.

5.3.9 Displaced persons not included in the LARP

For this road section, the monitoring did not identify any displaced person who was not included in the LARP.

5.3.10 Temporary land acquisition

As of April 2012, no temporary land has been acquired, since no civil works contractor has been selected yet. However, the project contract has provisions that lands to be used temporarily during construction will be paid according to any applicable policies, LARP, and signed contracts and shall be reinstated to pre-project condition after use.

5.3.11 Land acquisition impacts summary

Compensation for permanently affected land plots on Taraz bypass section (km 483 – km 536) is finished except for two pending cases in court. As of date, total payments processed comprises – 120 816 761 KZT. Rental payments for temporarily used land will be paid at the end of the rental period along with the restoration of the land by the contractor. Table 9 shows the summary of the land acquisition impacts and compensation status.

Table 9
Comparison of planned and actual compensation payments

Planned in LARP			Status according to EMR (May 2012)		
Losses	Affected	Sum	Affected	Total	Note
Permanent acquisition					
Private land	7 HH	13,701,000.00	5 HH	11,566,512.00	2 HH didn't agree. Case is in the court
Rented land	92 HH 11 LE	8,402,223	92 HH 11 LE	12,670,000.00	Re-evaluation lead to increase in compensation amounts.
Compensation for crops and perennial grasses	99 HH and 11 LE	84,128,875.00	99 HH and 11 LE	84,128,875.00	
Compensation for severe impact of the project (more than 10% of total land)	7 HH	9,573,853.00	7 HH	9,573,853.00	
Agricultural subsidies for severely affected DP	7 HH	1,422,500.00	7 HH	1,422,500.00	
One-time allowance for agricultural workers	55 HH and 5 LE, who hired agricultural workers	565,588.00	55 HH and 5 LE, who hired agricultural workers	565,588.00	
Compensation for premature payment of credit	2 HH	63,986.00	2 HH	63,986.00	
Compensation for development of agricultural land plot	56 HH and 5 LE	719,074.00	56 HH and 5 LE	719,074.00	
Compensation to socially vulnerable DPs	7 HH	106,373.00	7 HH	106,373.00	
Total		110,281,249.0		120,816,761.0	Items "Private land" and "Rented land" differ

5.4 Public Consultation and Grievance Redress Mechanism

Since 2007, ZRD has conducted several public consultations together with Rayon Akimats and DPs along all sections. Initial consultations were organized and conducted by Akims, Deputy Akims and Land Relations Departments of different Rayons.

On January 14, 2009 consultations were conducted in conference hall of ZRD in Taraz city (for land users of Baizak and Zhambyl) to present the project and its environmental impact. On August 21, 2009 another consultations were conducted in conference hall of Baizak Rayon Akimat, where Akim of Baizak Rayon and Specialist from Sarykemer village have explained rights of DPs, evaluation of lost assets, grievance redress and land acquisition processes. Advertisements and notifications were posted in local newspapers. Akimat has also engaged rural county heads to inform DPs about consultations.

On March 31, 2010 next consultations took place in conference hall of Zhambyl Rayon Akimat in Assa village with participation of ZRD, Akimats and 22 DPs.

Topics of consultations were related to project impacts and mitigation measures, location of cattle passes, employment opportunities for local people. Participants discussed necessity of informative campaigns about the project. Some participants have asked contacts of certain representatives of authorities, which would receive any complaints or comments, and ZRD has provided all contact details and numbers to call to get necessary information.

During socio-economic survey by PMC-ADB from April 17 to May 7 of 2011, DPs were informed and asked for feedback on their entitlement and any issues regarding land acquisition. Main questions raised by DPs were related to additional costs for transfer of funds, management of the remaining part of land plots, and financial assistance to socially vulnerable people.

Table 10 presents summary of conducted consultations.

Table 10
Summary of consultations

Date	Location	Participants
August-November 2008	Zhambyl Rayon akimat/ at localities	Representatives of Akimats, designers, Zhambyl Committee for land planning and DPs
January 14, 2009	Conference hall, ZRD, Taraz city	Representatives of Zhambyl Road Department, designer and 16 DPs/ affected parties
May 22, 2009	Conference hall, Merke Rayon Akimat, Merke village	Representatives of Zhambyl Road Department, Akimat and 68 DPs/ affected parties
August 21, 2009	Conference hall, Baizak Rayon Akimat, Sarykemer village	Representatives of Zhambyl Road Department, Akimat and 39 DPs/ affected parties
March 29, 2010	Conference hall, ZRD, Taraz city	MTC representatives, ADB, PMC, DPs and others
March 31, 2010	Conference hall, Zhambyl Rayon Akimat, Assa village	Representatives of Zhambyl Road Department, Akimat and 22 DPs/ affected parties
April 17-May 7, 2011	Individual visits by PMC-ADB	110 DPs

Public consultations were conducted during different seasons (winter, spring, fall) to allow different households to have several chances to attend (those engaged in agriculture, harvest, seeding etc).

Grievance Redress Mechanism is working satisfactorily.

Initial acceptance of any complaint is on level of Rayon Akimats and Zhambyl Road Department. However, any complaints or issues that would need immediate action from MoTC, would be sent to Project Management Consultant, which serves as technical and monitoring assistant to MoTC. The most important element of complaints processing is their registration by organization or authority, which has received it.

If a complaint wasn't resolved to satisfaction of the complainant, then they shall send the complaint to Project Management. Person responsible for grievance redress will accept and register such complaint, seek ways to resolve it and hold the complainant informed about the status.

As of May 2012, there were only 2 pending or unresolved complaints on the subject section. These involve two private owners who did not agree to the compensation amount being

offered and referred the matter to the court for resolution. All DPs have been consulted on the grievance redress mechanism and procedures of resolving the issues, however, some DPs have stated that they are not fully aware of grievance redress procedures.

5.5 DP Feedback and Level of Satisfaction

A total of 28 DPs were interviewed during the monitoring to obtain DP feedback on the valuation and compensations made as part of the LARP. Results showed that nearly half of DPs know compensation procedures, all of them knew the amount of compensation, agreed and received entitled compensation amount, all of their affected assets were accounted for, compensation amount was enough to replace the cost of losses, and compensation was paid without any duties or fees and in timely manner. 19 DPs said that their income stayed the same level and 9 have their income improved. 9 DPs said that they are familiar with grievance redress procedures, and 19 are somewhat familiar. Table 11 shows the results of the interviews.

Table 11
DPs Awareness and Feedback on the LARP Implementation

Question/Response	Number of DPs	Percent
1. How familiar are you with the resettlement and compensation procedures for the project?	28	100 %
-very familiar	13	46,4 %
-somewhat familiar	15	53,6 %
2. How familiar are you with the grievance redress/conflict resolution procedures for the project?	28	100 %
-very familiar	9	31,1 %
-somewhat familiar	19	68,9 %
3. Do you know the full amount of your compensation?	28	100 %
-yes	28	100 %
-no	-	-
4. Did you receive compensation according to the amounts and types of losses listed in the entitlement matrix?	28	100 %
-yes	28	100 %
-no		
5. Did you agree with the compensation amounts on your own free will and without pressure, intimidation, or deceit?	28	100 %
-yes	28	100 %
-no		
6. What changes did you observe in your income and expenses compared to your condition before land acquisition?	22	100 %
-no change/the same as before	19	68,9 %
-improved	9	31,1 %
-worse now than before	-	-
7. Was compensation paid without duties and transfer fees?	28	100 %
-yes (without duties and fees)	28	100 %
-no (duties/fees were deducted)	-	-

Question/Response	Number of DPs	Percent
8. Was compensation enough to replace the lost assets?	28	100 %
-yes	28	100 %
-no	-	-
9. Did you receive compensation in a timely manner?	28	100 %
-yes	28	100 %
-no	-	-
10. Were your affected assets accounted for in the valuation and compensation payments?	28	100 %
-yes	28	100 %
-no	-	-

6.0 Recommendations for further actions

Most of DPs affected by permanent land acquisition have been compensated as per provisions in the LARF and LARP. The only remaining LAR activities are compensation to two DPs, who haven't agreed with compensation amounts. Temporary acquisition during construction will be ascertained when the contractor mobilizes and will be completed after the completion of the contractors' works. Moreover, other LAR-related issues and complaints may still arise during construction. Related to this, the following are recommended:

- a. The CSC should regularly monitor and report temporary use of land during construction and ensure that contractors pay the appropriate rental amounts and restore the land to their original condition at the end of the rental period.
- b. No works should be done on the two land plots of HH "Anarkulova" and HH "Nurbayev" until the case has been resolved in court, compensation received by the DPs and approval to proceed is issued by CSC or ZRD.
- c. In case new LAR-impacts are noted, all necessary procedures should be conducted according to the LARF (as updated) and ADB Safeguard Policy Statement (2009). Rayon Akimats and Zhambyl Oblast Departments of CR should maintain liaising and consulting with local communities on their rights, as well as on grievance redress procedures, which was identified as a gap during survey of DPs.

Annex 1: LIST OF SURVEYED DPS
List of interviewed people during External Resettlement Monitoring
of April and May 2012

No	Name of HH or LE
1	HH Kadyraliev Bekejan
2	HH Shametova Teljan
3	HH Karataev Erbol
4	HH Adreev Tursinbay
5	HH Tulepbergenov Alimbek
6	HH Minjasarov Bais
7	HH Ismailova Satkul
8	HH Ayubaev Kuatbek
9	HH Rahmanov Baijan
10	HH Mirzaliev Jaksibek
11	HH Shauharova Turimkul
12	HH Amerhanov Ahmat
13	HH Alihanov Mambet
14	HH Ibragimov Mushtak
15	HH Duisenbekov Mirzahmet
16	HH Abbjaparov Turar
17	HH Ospanov Ziyatkan
18	HH Abdrahmanov Toganai
19	HH Rahmetildayev Kumisbai
20	HH Orinbasarov Bahitjan
21	HH Baitarakov Azamat
22	HH Uzbekov Djambulbai
23	HH Spatov Amangeldi
24	HH Tulendiev Bayanbai
25	HH Sizdikov Jindildi
26	HH Danaev Aldabergen
27	HH Kaliev Almaz
28	HH Baimenov Bolsin

Annex 2:
SURVEY RESULTS ON LEVEL OF SATISFACTION OF DPS ON ASSET EVALUATIONS AND COMPENSATION AMOUNTS

No	Name of person or legal entity	How familiar are you with resettlement and compensation procedures?	How familiar are you with grievance redress and conflict resolution procedures in the project?	Do you know the full amount of your compensation amount?	Did you receive compensation according to amounts and types of losses listed in the entitlement matrix?	Did you agree on the compensation offered for land acquisition on your own free will and without pressure, intimidation or deceit?	What changes were observed in income and expenses compared to pre-project conditions?	Was compensation paid without duties and transfer fees?	Was compensation enough to replace the lost assets? Was replacement land of the same quality enough?	Was the affected land accurately indicated in evaluation report?	Did you receive compensation timely?	How good were DP's and their assets accounted for?
1	HH Kadyraliev Bekejan	Somewhat familiar	Somewhat familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%
2	HH Shametova Teljan	Somewhat familiar	Very familiar	Yes	Yes	Yes	Improved	Yes	Yes	Yes	Yes	100%
3	HH Karataev Erbol	Somewhat familiar	Very familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%
4	HH Adreev Tursinbay	Very familiar	Very familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%
5	HH Tulepbergenov Alimbek	Very familiar	Somewhat familiar	Yes	Yes	Yes	Improved	Yes	Yes	Yes	Yes	100%
6	HH Minjasarov Bais	Very familiar	Very familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%
7	HH Ismailova Satkul	Very familiar	Somewhat familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%
8	HH Ayubaev Kuatbek	Somewhat familiar	Somewhat familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%
9	HH Rahmanov Baijan	Somewhat familiar	Somewhat familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%
10	HH Mirzaliev Jaksibek	Very familiar	Somewhat familiar	Yes	Yes	Yes	Improved	Yes	Yes	Yes	Yes	100%
11	HH Shauharova Turimkul	Very familiar	Somewhat familiar	Yes	Yes	Yes	Improved	Yes	Yes	Yes	Yes	100%
12	HH Amerhanov Ahmat	Somewhat familiar	Somewhat familiar	Yes	Yes	Yes	Improved	Yes	Yes	Yes	Yes	100%
13	HH Alihanov Mambet	Very familiar	Somewhat familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%
14	HH Ibragimov Mushtak	Somewhat familiar	Somewhat familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%

No	Name of person or legal entity	How familiar are you with resettlement and compensation procedures?	How familiar are you with grievance redress and conflict resolution procedures in the project?	Do you know the full amount of your compensation amount?	Did you receive compensation according to amounts and types of losses listed in the entitlement matrix?	Did you agree on the compensation offered for land acquisition on your own free will and without pressure, intimidation or deceit?	What changes were observed in income and expenses compared to pre-project conditions?	Was compensation paid without duties and transfer fees?	Was compensation enough to replace the lost assets? Was replacement land of the same quality enough?	Was the affected land accurately indicated in evaluation report?	Did you receive compensation timely?	How good were DPs and their assets accounted for?
15	HH Duisenbekov Mirzahmet	Somewhat familiar	Somewhat familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%
16	HH Abjaparov Turar	Very familiar	Very familiar	Yes	Yes	Yes	Improved	Yes	Yes	Yes	Yes	100%
17	HH Ospanov Ziyatkan	Very familiar	Somewhat familiar	Yes	Yes	Yes	Improved	Yes	Yes	Yes	Yes	100%
18	HH bdrahmanov Toganai	Very familiar	Very familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%
19	HH Rahmetildayev Kumisbai	Very familiar	Somewhat familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%
20	HH Orinbasarov Bahitjan	Somewhat familiar	Somewhat familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%
21	HH Baitarakov Azamat	Somewhat familiar	Somewhat familiar	Yes	Yes	Yes	Improved	Yes	Yes	Yes	Yes	100%
22	HH Uzbekov Djambulbai	Somewhat familiar	Somewhat familiar	Yes	Yes	Yes	Improved	Yes	Yes	Yes	Yes	100%
23	HH Spatov Amangeldi	Very familiar	Somewhat familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%
24	HH Tulendiev Bayanbai	Very familiar	Very familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%
25	HH Sizdikov Jindildi	Somewhat familiar	Very familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%
26	HH Danaev Aldabergen	Somewhat familiar	Somewhat familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%
27	HH Kaliev Almaz	Somewhat familiar	Very familiar	Yes	Yes	Yes	Improved	Yes	Yes	Yes	Yes	100%
28	HH Baimenov Bolsin	Somewhat familiar	Somewhat familiar	Yes	Yes	Yes	At the same level	Yes	Yes	Yes	Yes	100%

Annex 3: PICTURES



1. *Taraz bypass, Zhambyl Rayon, Assa village, April 2012*



2. *Taraz bypass, Baizak Rayon, April 2012*



3. *Taraz bypass, Zhambyl oblast, Zhambyl Rayon, May 2012*



4. *Taraz bypass, Zhambyl Oblast, Zhambyl Rayon, alignment location, May 2012*