

Land Acquisition and Resettlement Plan

October 2011

KAZ: CAREC Corridor 1 (Taraz Bypass) Project

Prepared by the Committee for Roads, Ministry of Transport and Communications of the Republic of Kazakhstan for the Asian Development Bank.



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№ 19-19-06/2253
24.10.2011

Asian Development Bank

Ref: MFF CAREC 1 International Transport Corridor, Investment Program under "Western Europe – Western China", Project – 5, "Taraz-Korday" section in Zhambyl oblast – Submission of Land Acquisition and Resettlement Plan on "Bypass of Taraz city", km 483-536.

The Committee for Roads Ministry of Transport and Communications of the Republic of Kazakhstan (hereinafter – the Committee) forwards revised Land Acquisition and Resettlement Plan (hereinafter - LARP) on "Bypass of Taraz city" project.

Hereinafter the Committee confirms that the Committee endorses the LARP and it will disclosed for access of affected persons through Zhambyl Oblast Department of the Committee and it will be posted on website of Ministry of Transport and Communications of RK.

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001216

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ABBREVIATIONS

ADB	Asian Development Bank
CAREC	Central Asia Regional Economic Cooperation
CLG	Community Liaison Group
CoR	Committee of Roads
CSC	Construction Supervision Consultant
DP	Displaced Person
EA	Environmental Assessment
GFP	Grievance Focal Point
GosNPTsZem	Land State Scientific and Production Center for Land Management
IDB	Islamic Development Bank
IFI	International Financial Institution
LAR	Land Acquisition and Resettlement
LARP	Land Acquisition and Resettlement Plan
MFF	Multi-tranche Financing Facility
MOTC	Ministry of Transport and Communication
PMC	Project Management Consultant
RD	Roads Department
RK	Republic of Kazakhstan
ROW	Right of Way
SPS	Safeguard Policy Statement
TPV	Third Party Validation
TSA	Targeted Social Assistance

NOTE

In this report, "\$" refers to US dollars.

This land acquisition and resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

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GLOSSARY

Compensation	Payment in cash or kind to which displaced persons are entitled in order to replace the lost asset, resource or income.
Cut-off-date	Date after which people will NOT be considered eligible for compensation i.e. they are not included in the list of DPs as defined by the census.
Displaced Person	People affected by project related changes in use of land, water, natural resources, or income losses. Displaced persons may be members of households or legal entities or workers from affected business establishments or farm workers.
Encroachers	People who move into the project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the project or persons who have trespassed onto government land, adjacent to his/her own land or asset, to which he/she is not entitled, by deriving his/her livelihood there. Such act is called "Encroachment."
Entitlement	Entitlement means the range of measures comprising compensation in cash or kind, relocation cost, income rehabilitation assistance, transfer assistance, income substitution, and business restoration which are due to DPs, depending on the type and degree nature of their losses, to restore their social and economic base.
Household	Household means all persons living and eating together as a single-family unit and eating from the same kitchen whether or not related to each other. The census used this definition and the data generated by the census forms the basis for identifying the household unit.
Income restoration	Income restoration means re-establishing income sources and livelihoods of DPs.
Involuntary Resettlement	Any resettlement, which does not involve willingness of the persons being adversely affected, but is forced through an instrument of law.
Land acquisition	Land acquisition means the process whereby a person is compelled by a public agency to transfer all or part of the land s/he owns or possesses, to the ownership and possession of that agency, for public purposes in return for fair compensation.
Rehabilitation	Assistance provided to DPs to supplement their income losses in order to improve, or at least achieve full restoration of, their pre-project living standards and quality of life.
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.

Vulnerable
household

Households that might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically households living below the poverty line (with per capita income of KZT 6,399.6 per month)

EXECUTIVE SUMMARY

1. This Land Acquisition and Resettlement Plan (LARP) is prepared by the Committee of Roads (CoR) for the road reconstruction/construction activities between Km 483-536 of the Almaty-Taraz highway (Taraz Bypass).
2. The DPs for this project were originally identified during detailed design in March 2009 in preparation for possible funding from the Islamic Development Bank. Information on the affected lands was taken from the Zhambyl Land State Scientific and Production Center for Land Management (GosNPTsZem). Valuation of affected lands was done by a licensed valuator commissioned by the design firm. From April 17 to 7 May 2011, the impact on the DP's was reviewed/rechecked through a socioeconomic survey conducted by the Project Management Consultant (PMC) for the MFF CAREC 1.
3. The initiation of civil works on the road sections covered by this LARP will be contingent upon fulfillment of the following conditions:
 - a. approval of this LARP by ADB;
 - b. full disclosure of this LARP to the public; and
 - c. full implementation of the compensation program described in this LARP including the full delivery of compensation to the DPs.
4. A total of 108 parties (98 households, 10 legal entities) are likely to experience various losses/impacts from the implementation of the project. Five leaseholders will lose more than 10% of their land. No household will be physically displaced.
5. A total of 213.49 hectares of land to be acquired for permanent use. There may still be some temporary effects by the contractors during construction which will be monitored. All the land to be acquired for permanent use is classified as agricultural/arable land (213.49 ha).
6. Most of the affected areas (188.12 hectares) are leased on a long-term basis. 69.86 hectares are leased by 10 legal entities. Around 11.93 hectares are leased by households on a short-term basis, while 13.44 hectares are privately-owned by one household. Lastly, 69.15 hectares are government reserved lands. None of the affected plots are unregistered.
7. About 41.18 ha of the acquired lands are planted with wheat. 79.29 ha are planted with perennial grass/hay, lucerne (alfalfa grass) 2.55 ha, barley 8.42 ha, onion 35.65 ha, and 29.58 ha are planted with different vegetables. Based on regional official statistics of 2010, the average wheat yield is 15.25 centner/ha, feed crops yield 52.2 centner/ha. (1 centner = approximately 100kg).
8. A summary of the land acquisition and resettlement impacts is given in Table E-1 below.

Table E-1. Summary Land Acquisition and Resettlement Impacts

No.	Description	Number/Amount
1	Total number of permanently affected land parcels	133
2	Total area of land to be acquired permanently (in hectares)	213.49
4	Total area of commercial land	0
5	Total quantity of privately-owned trees	0
6	Total number of displaced households and legal entities	108
7	Total number of severely affected households	5
8	Total number of vulnerable households	0
9	Total number of affected structures, including substantial,	0

	temporary and portable	
10	Total number of households and legal entities losing business	0
11	Total number of displaced persons	549

9. A total of 98 households will be affected in the process of project implementation with a total number of 554 members. The average household size is 5.6. However, there are also 8 households with 9 or more members. 60 of households or 72.3% are headed by men, 23 of households or 27.7 % by women.

10. Most of the displaced households reside in villages within the Baizak and Zhambyl rayons. In terms of ethnic composition, 67 households (80.7%) are Kazakhs, 6 are Turks, 4 are Russians, two Dungan and remaining 4 are Byelorussian, Nogay, Korean, Bulgarian. None of these ethnic groups maintain cultural and social identities separate from the mainstream Kazakhstan society that would make them identifiable as indigenous people based on ADB policy.

11. Male and female heads of the displaced households have a mean age of 53.5 & 57.5, respectively. More than half of the household heads are between 41 – 60 years old (55.4%). However, a considerable number of household heads (34.9%) are already 60 years old and above. The age of women household heads varies from 30-80 with a significant number (13) being more than 60 years old (see Table 7). Majority of the household heads (60%) have secondary education. Some of them (32.5%) have higher education.

12. A number of consultations with rayon (district) akimats and displaced persons had been conducted by the Committee of Roads since 2007. Initial consultations were with the akims, deputy akims and land allocation offices at the different rayons. In April, 2009 the possibility of providing equal land plots were discussed. Consultations related to the preparation of the environmental assessment were conducted in Zhambyl and Baizak rayons in January 2009 in connection with the preparation for the former IDB 'Tranche/Project 2'.

13. In May and August 2009, consultations were again held in Baizak & Zhambyl to explain the rights of displaced persons, as well as the valuation of losses, grievance redress and procedures in land acquisition. On 29th March 2011, a follow-up public consultation meeting was held at the Conference hall of the Zhambyl Oblast Roads Department (RD) with the DPs. Representatives of CoR, ADB, PMC and other stakeholders also attended. In April-May 2011, socioeconomic surveys and individual consultations with the DPs were conducted by the PMC survey team & Social Specialist.

14. During these consultations, DPs were given information to whom they can address their complaints and questions at the rayon akimats and the Zhambyl Oblast RD.

15. Efforts were made to resolve/clarify issues at the level of the rayon akimat and at the Zhambyl Oblast RD. However, Issues requiring attention or action by the CoR-Project Management will be forwarded to CoR in Astana. If the case remains unsolved, a complaint can be lodged to the court.

16. Compensation and entitlements for this project aims to assure that the DPs maintain or improve their standard of living after the project. The table below provides a summary of the compensation entitlements for various categories of DPs and degrees of impacts related to the project.

Table E-2. Entitlement and Compensation Framework

Asset	Specifications	DP	Compensation Entitlements
Permanent Loss			
Arable Land	All Land Losses irrespective of severity of impact	Owners	<ul style="list-style-type: none"> Cash compensation at replacement cost (without deduction of depreciation, taxes and other transaction costs) or through replacement land equal in value/productivity to the plot lost and at location acceptable to DPs where feasible.
		Leaseholders of State land	<ul style="list-style-type: none"> Cash compensation for potential profit loss equal to market value of one year crop harvest (based on a 3-year average) Cash compensation for pre-termination of lease, or, renewed lease in an alternative plot
	Severe Impact— >more than 10% of income/productive land lost	Owners, leaseholders of State land	<ul style="list-style-type: none"> Additional cash compensation equal to one year crop harvest and agricultural subsidies
Commercial Lands		Owners	<ul style="list-style-type: none"> Cash compensation at replacement cost (without deduction of depreciation, taxes and other transaction costs) or through replacement land equal in value/productivity to the plot lost and at location acceptable to DPs where feasible.
		Squatters (if any)	<ul style="list-style-type: none"> Leased plot on State land; Self-relocation cash allowance option;.
Buildings and Structures		Owners of permanent structures	<ul style="list-style-type: none"> Compensation of full market value (without deduction of depreciation, taxes and other transaction costs) or, at the owner option, house for house swap
Crops	Standing crops affected	All DPs including squatters	<ul style="list-style-type: none"> cash compensation for actual crop loss at full market rate
Trees	Trees affected	All DPs including squatters	<ul style="list-style-type: none"> Cash compensation reflecting income replacement. Economic trees value based on age category and valued at gross market value of one year income times the number of years to grow a tree to similar productivity, plus purchase price of seedlings and starting materials
Business and employment	Temporary or permanent business/employment loss	All DPs including squatters and workers of alienable enterprises	<ul style="list-style-type: none"> Owner of shops/commercial establishments: if permanent loss, cash compensation equal to one year income (lost profits); if temporary, cash compensation for the period of income loss taking into account the compensation to workers for lost job (forced interruption) due to complete or temporary business cancellation – amounting up to 3-months average wages Owner of peasant farm: allowance for labor maintenance
Resettlement	Transport and transitional livelihood costs	All resettled DPs	<ul style="list-style-type: none"> Allowance sufficient to cover transport expenses and livelihood expenses for one month due to relocation.
Vulnerable house holds		households below the poverty line	<ul style="list-style-type: none"> Cash assistance. Enrollment in government TSA if not yet enrolled Priority in local employment for members of vulnerable household.

Asset	Specifications	DP	Compensation Entitlements
Temporary Loss			
Lands for construction sites and burrow pits	Owners (private or public)	<ul style="list-style-type: none"> • Cash compensation at local commercial rental rates for duration of use; • Land restored to original status at the end of rental. 	

* HH refers to household, LE refers to legal entity, while DP refers to displaced person.

17. The Zhambyl Oblast RD, with support from the Zhambyl GosNPTsZem and the akimats of Baizak and Zhambyl rayons will implement this LARP.

18. A budget of approximately KZT 129.87 million is needed for implementing this LARP. This includes the cost for compensation of losses, land re-registration, assistance to severely affected households and monitoring.

19. It is expected that civil works will be awarded by the first quarter of 2012 after necessary tendering procedures. Due to this, the LARP should be fully implemented not later than December 2011.

Chapter 1 Introduction

1.1 General

1. The construction of the Taraz bypass road from Km 483 to Km 536 of the Almaty-Taraz highway within the Zhambyl oblast is part of the Republic of Kazakhstan's (RK) Western Europe–Western PRC Corridor (the Corridor) investment program that aims to improve the road sections in the Kazakhstan territory of Central Asia Regional Economic Cooperation (CAREC) Transport Corridor 1.

2. Currently, construction/reconstruction work is ongoing in different road sections within the Zhambyl oblast section as part of a Multi-tranche financing facility (MFF) agreed between RK and the Asian Development Bank (ADB). The Islamic Development Bank is also financing the rehabilitation of the road section between Km 536-593.

3. Originally, the CAREC 1 (Taraz Bypass) Project was proposed for IDB financing. However, following IDB's withdrawal of its earlier financing commitment, ADB agreed to consider supporting this project.

4. This Land Acquisition and Resettlement Plan (LARP) for the CAREC 1 (Taraz Bypass) Project has been prepared by the Committee of Roads (CoR) of the Ministry of Transport and Communications (MOTC) in compliance with the ADB Safeguard Policy Statement (2009) and relevant Kazakhstan laws. Its objective is to assess the project impacts and plan needed compensation/rehabilitation measures. Its preparation involved: (i) detailed measurement surveys, (ii) asset valuation/documentary research on affected plots, (iii) consultation with rayon governments, and displaced parties; and (iv) a census /socio-economic survey of displaced persons (DPs). It should be noted that most LAR activities were completed for the previous IDB-funding. This LARP consists of corrective actions to fill-in gaps in the previous work.

5. The DPs for this project were originally identified during the preparation of the detailed design, which was completed in March 2009 (under the former IDB Tranche/Project 2). Valuation of affected lands was done by a licensed valuator commissioned by the design firm. However, in compliance with ADB policy a census and socioeconomic survey of displaced persons was conducted between April 15 to 07 May, 2011.

6. The LARP has been finalized after the supplementary evaluation of leased agricultural lands, and verification by the akimat of the vulnerability status of the affected households and existence of unviable remaining portions of land.

7. This LARP will be updated once all the needed information for the computation of compensation amounts has been completed and action plan for providing livelihood restoration support for severely affected households have been finalized. The RD will ensure that all outstanding or incomplete documentation for the determination of compensation values is completely available in the final/implementation-ready LARP.

1.3 LAR-Related Conditionalities

8. Based on ADB policy and practice, the appraisal of the project, signing of contract awards and civil works implementation are subject to the following conditions:

- **Appraisal:** i) approval of this draft LARP by ADB and the Government; ii) full disclosure of this LARP to the DPs.

- **Contract awards signing and LARP implementation:** i) approval of the final/implementation-ready LARP by ADB and the Government; ii) conduct of third party validation.
- **Provision of no-objection to initiation of civil works:** i.) full implementation of the compensation program described in the LARP including the full delivery of compensation to the DPs and ii) satisfactory review by ADB and the Government of the LARP completion report and third-party validation report.

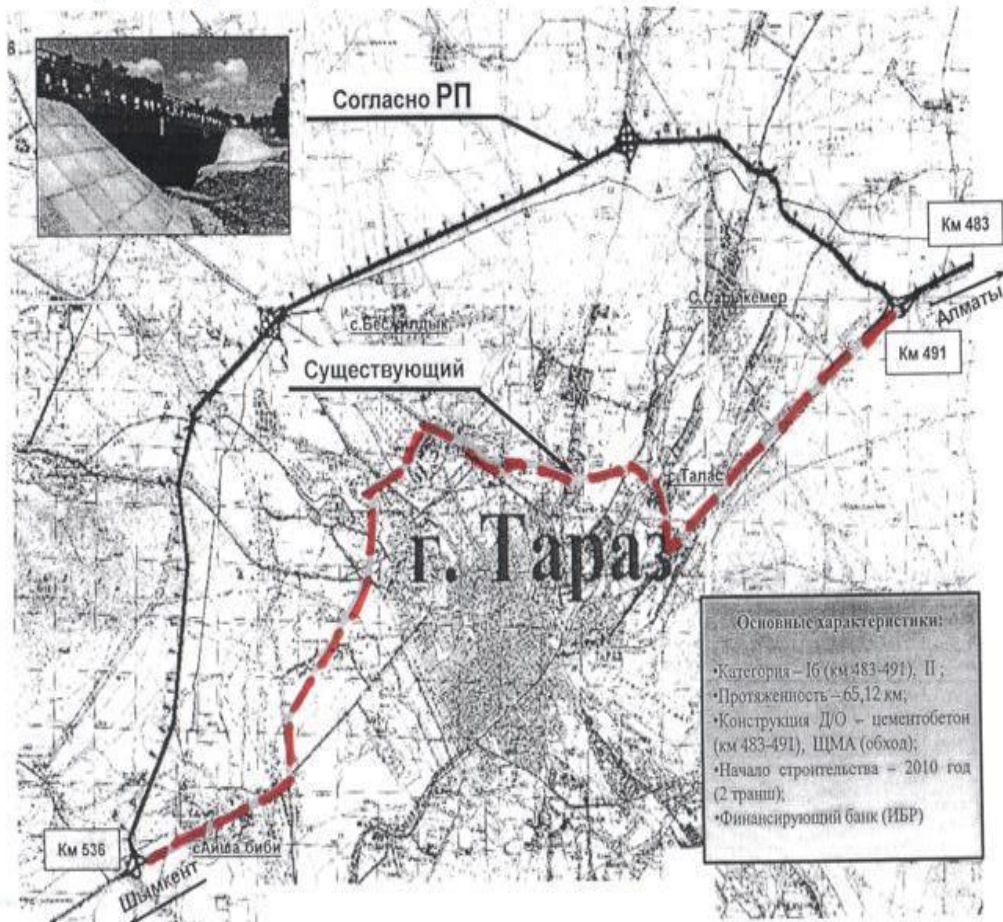
1.4 The CAREC 1 (Taraz Bypass) Project

9. 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.

10. 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.

MAP OF THE PROJECT AREA
(Km 483-536)

Маршрут трассы участка км 483-536



Chapter 2

Impact Assessment

2.1 Data Collection Methodology

11. Displaced persons (DPs) and affected assets were originally identified at different stages of the IDB Tranche/Project 2 preparation. Initial assessment was made during the preparation of the feasibility study in January 2008. More intensive assessments were made by the design firm ("Karaganda Kazdorproject") during the preparation of the detailed design. Information on the affected plots was derived by plotting the proposed road alignment into the land cadastre provided by the Zhambyl State Scientific and Production Center for Land Management (GosNPTsZem). The land cadastre was used in identifying the names of the registered landowners/leaseholders with permanent land use rights, registered land use, size of the affected plots and the proportion of affected land against the total area of the plot. The socioeconomic surveys were carried out by PMC-ADB from April 17 to May 07, 2011 (See Questionnaire format in Appendix A).

12. Compensation and entitlement for lost land and properties should provide for the preservation or improvement of living standard of displaced persons after project completion. March 31, 2009 was the established cut-off date for entitlements to compensation under the project. This is the conclusion date of State Expertise for the reconstruction projects of the "Western Europe – Western China" International Transit Corridor. Persons who occupied these lands after this date will not be eligible for compensation. Totally, 108 affected land users were identified comprising 7 private owners & 101 leaseholders. There are 98 affected households and 10 legal entities.

13. At the Rayon (district) level, a committee chaired by the deputy akim was formed in the rayon akimats (local administration). From August to November 2008, the committees surveyed the affected plots and met with the owners/lessees of these plots to inform them what area of their lands would be affected. A licensed valuator was engaged by the design firm to estimate the values of the affected land plots based on the registered land use and land category. The evaluation of the impact of the project is presented in the following sections.

2.2 Land Losses

14. Detailed measurements made at the detailed design stage revealed a total of 213.49 hectares of land to be acquired for permanent use. However there may still be some temporary effects during construction which will need to be checked for and monitored. All the land to be acquired for permanent use is agricultural/arable land. None of the affected land is used for commercial or residential purposes. Hence, no household will need to relocate. A total of 108 parties comprising 98 households and 10 legal entities stand to lose portions of their land permanently. See Table 1 and Appendix B.

Table 1. Loss of land by land category (Taraz Bypass)

Land category	Land to be acquired permanently (in hectares)	Number of displaced households/legal entities
A. Households		
Arable land	143.63	98
Commercial land	-	-
Residential land	-	-
Sub total A	143.63	98

Land category	Land to be acquired permanently (in hectares)	Number of displaced households/legal entities
B. Legal Entities		
Arable land	69.86	10
Commercial land	-	-
Sub total B	69.86	10
Total (A and B)	213.49	108

(An additional 69.15 hectares of land are State lands that will be transferred from other State Agencies to the Zhambyl Oblast Roads Department and which will not affect any third party).

15. Most of the affected areas (188.12 hectares) are leased on a long-term basis. 69.86 hectares of affected land are leased by 10 legal entities. Around 11.93 hectares of affected land are leased by households on a short-term basis, while 13.44 hectares of affected lands are privately-owned by 7 households. None of the affected plots are unregistered (See Table 2).

Table 2. Affected land by type of ownership/tenure status of displaced households/legal entities (Taraz Bypass)

Ownership/Tenurial Status	Land to be acquired (in hectares)	Number of displaced households (HH) and legal entities (LE)
Privately Owned	13.44	7 (HH)
Long-term lease	118.26	79(HH)
	69.86	10 (LE)
Short-term lease	11.93	12 (HH)
Unregistered	-	-
Total	213.49	108
	143.63	98 HH
	69.86	10 LE

16. No commercial land plot will be affected by the project. Hence, no commercial/business income losses are anticipated from the project.

2.3 Crop Losses

17. Commonly planted crops by the surveyed households are wheat, corn, barley, perennial grasses, hay/fodder, onion etc. See Table 3.

Table 3. Crops reportedly planted on the affected land (n = 98 households and 10 legal entities)

Perennial Grasses and Cereal Crops Planted on the Affected Land	Number of HH/LE planting	HH and LE	Land area under crop (in ha)
Lucerna/alfalfa	1	HH	2.55
	-	LE	-
Corn	9	HH	8.13
	1	LE	0.58
Barley	6	HH	8.42
	-	LE	-

Perennial Grasses and Cereal Crops Planted on the Affected Land	Number of HH/LE planting	HH and LE	Land area under crop (in ha)
Wheat	25	HH	28.44
	4	LE	12.74
Hay	5	HH	10.46
	3	LE	9.10
Perennial grass	38	HH	21.88
	4	LE	37.85
Tomato	2	HH	1.52
	-	LE	-
Sufflower	4	HH	5.47
	-	LE	-
Vegetables	24	HH	12.53
	4	LE	8.06
Beet	1	HH	0.67
	-	LE	-
Onion	26	HH	34.13
	2	LE	1.52
Clover	2	HH	0.57
	-	LE	-
Melon	1	HH	0.12
	-	LE	-
Potato	5	HH	7.47
	-	LE	-
Sunflower	1	HH	0.6
	-	LE	-
Not indicated	1	HH	0.68
Total	152	HH	143.63
	19	LE	69.86
Total without double counting	98	HH	143.63
	10	LE	69.86

18. Of the total acquired land, about 41.18 ha are planted with wheat. 79.29 ha are planted with perennial grass/ hay, lucerne (alfalfa grass) 2.55 ha, barley 8.42 ha, onion 35.65 ha, and 29.58 ha are planted with different vegetables. Based on regional official statistics for 2010, the average yield of wheat is 15.25 centner/ha, while feed crops yield 52.2 centner/ha. (1 centner = approximately 100kg). None of the land users lost any standing crops. All landusers were able to harvest their crops after the notification and valuation conducted in 2009.

2.4 Tree Losses

19. No privately-planted trees will be lost. Other trees within the right-of-way were planted by government agencies as forest shelter belt. Permission for cutting trees planted by

government agencies is issued by the Forestry Agency with the condition that trees will be planted or payment will be made into the government budget for tree planting.

2.5 Structure Losses

20. No structure will be affected by the project.

2.6 Business and Employment Losses

21. None of the households will lose business due to the project. Likewise, no worker is expected to be laid off. The agricultural workers employed by some farming households and agricultural firms/collectives (legal entities) for crop production or livestock raising will continue to be employed by the owners of the affected farms despite the reduction in the area of their farmland. To ensure that workers in the affected farms are retained despite the reduced area of the affected farms, a one-time labor-maintenance allowance will be provided to the affected farmers proportionate to the amount of productive land and number of workers. In addition, information on available jobs from the project will be disseminated to provide an alternative or additional source of employment for these workers.

2.7 Number of Displaced Households/Legal Entities and Persons

22. A total of 98 households (549 members in total, average 5.6 per household) will likely experience various losses/impacts from the implementation of the project. 10 legal entities will lose their land plots partially. See Table 4.

Table 4. Details of affected households, legal entities and DPs by category

Impact Category	Number of Affected Households (hh)/ Legal Entities (l/e)		Number of DPs	Remarks
	(x impact type)	Absolute (Without double counting)		
A. Land				
A1. Agricultural land				
- owned by households	7	7	549	
- leased by households	91	91		
- owned by legal entities	0	0		
- leased by legal entities	10	10		
A2. Commercial land				
-owned/leased by households	-	-	-	
-leased by legal entity	-	-	-	
Sub-total (A)	108	108		
B. Crops				
- leaseholders/ permanent landusers				Same as A1
- leaseholders (households)	91			
-leaseholders (legal entities)	10			
Sub-total B (crops)	101			
C. Business/Income Losses				
C1. Temporary business losses	-	-	-	
C2. Permanent business losses				
-owners (households)	0	0	0	
-owners (legal entity)	0	0	0	

Impact Category	Number of Affected Households (hh)/ Legal Entities (l/e)		Number of DPs	Remarks
	(x impact type)	Absolute (Without double counting)		
C3. Hired workers	0	0	0	
Sub-Total (C)	0	0	0	
D. Structures				
D1. Portable/temporary structures	-	-		
D1. Commercial structures	0	-		Same as A2
D4. Others	-	-		
Sub-total (D)	0	0	0	
E. Total (A+B+C+D)	209	108	549	

2.8 Severely Affected Households

23. Based on available data from RD and the socioeconomic survey, five households (with a total of 28 members) will lose more than 10% of their productive land. These households will lose between 12% to 43 % of their total productive land. All these five leaseholders are entitled compensation for an additional one year crop harvest. See Table 5.

Table 5. Households losing more than 10% of land

No	Land use right	Acquired area (ha)	Percentage from total land holding
1	Short term lease for 5 yrs.	0.79	19.8
2	Short term lease for 5 yrs.	1.09	43.2
3	Long term lease for 43 yrs.	2.10	22.4
4	Long term lease for 49 yrs.	0.80	12.1
5	Long term lease for 49 yrs.	2.16	27.7
Total	5 Households	6.94	22.9

CHAPTER 3

SOCIO ECONOMIC PROFILE

3.1 General Characteristics of the Project Area

24. The project is situated within Zhambyl Oblast, which is one of the four oblasts (provinces) in the Southern Region of Kazakhstan. Zhambyl is subdivided into 10 rayons (districts), 12 urban settlements and 367 villages. The proposed project will pass through the rayons of Baizak and Zhambyl.

25. Zhambyl Oblast covers 144,300 sq. km. The oblast center is Taraz, once a main stop on the Silk Road. The population of Taraz is 336,100 (34 percent of the total oblast population). Most of the villages and urban settlements were constructed as part of the state and collective farm structure during the Union Soviet period. Population in the oblast in 2009 was a little over 1 million people. Population density is 6.9 persons per sq. km. Almost half of population lives in towns. The urban population is 451,200 (45.1%), while the rural population is 549,900 (54.5%). The population in the oblast is mostly Kazakhs (65%). Russians account for about 18.1%. There are also Uzbeks, Tatars, Ukrainians and other ethnic groups in the area.

26. The poverty situation in Zhambyl has improved over the past years but continues to lag behind most oblasts in the country. The Zhambyl Oblast Statistics Department indicates the region's average monthly pay is US \$331. The income below the subsistence minimum is estimated at 4.8 percent. Zhambyl oblast now ranks 3rd among the oblasts in Kazakhstan in terms of the percentage of people with incomes below the subsistence minimum.¹ As of January 2011, unemployment rate in Zhambyl Oblast is estimated at around 5.6%². Half of those with income sources are self-employed, with majority relying on agriculture.

27. In 2010, Zhambyl Oblast's economic development is estimated to be below that of the average Kazakhstani oblast.³ The oblast's primary industries are crop agriculture, livestock and poultry raising. Government provides agricultural subsidies, but only to a limited extent. It has 1,485 small and medium-sized enterprises operating. Another 2,659 enterprises are inactive for various reasons. 1,919 were liquidated and 102 are being liquidated, according to the Statistics Department. A major reason cited why many farms in the oblast are inactive is the lack of working capital and an unwillingness by banks to lend. In recent years the only source of credit for farmers has been the State Fund for Agricultural Support which has very limited loan potential.

3.2 Profile of the Displaced Population

3.2.1 Number and Membership of Displaced Households

28. A total of 98 households⁴ will be affected by the project with a total number of members 549. The average household size is 5.6. However, there are also 8 households (9.64%) with 9 or more members. 60 households or 72.3% are headed by men, 23 households or 27.7 % by women.

¹ Source: www.eng.stat.kz/population_standard of living

² State Statistical Agency, January 2011

³ Source: CentralAsiaOnline.com, July 2010

⁴ Of the 98 displaced households 15 households were not located or refused to be interviewed for the socio-economic survey.

Table 6. Household size of surveyed households

Household Size	Number	Percent
1 – 4	30	30.61
5 – 8	45	45.91
9 and above	8	8.17
Did not indicate/no data	15	15.31
Total	98	100.0

3.2.2 Residence and Ethnic Composition

29. Most of the displaced households reside in villages within the Baizak and Zhambyl rayons. In terms of ethnic composition, 67 households (80.7%) are Kazakhs, 6 are Turks, 4 are Russians, two Dungan and remaining 4 are Byelorussian, Nogay, Korean, and Bulgarian.

30. The Kazakhs constitute majority of the native local population. The other ethnic groups are migrants who settled in the area over the past years. None of these ethnic groups maintain cultural and social identities separate from the mainstream Kazakhstan's society fitting the ADB definition of Indigenous Peoples. They have full and equal access to institutions and economic opportunities as the rest of the population.

3.2.3 Age, Marital Status and Education Level of Household Head

31. Male and female heads of the displaced households have a mean age of 53.5 & 57.5, respectively. More than half of the household heads are between 41 – 60 years old (55.4%). However, a considerable number of household heads (34.9%) are already 60 years old and above. The age of female household heads ranges from 30-80 with a significant number (13) above 60 years (see Table 7). With regard to education, majority of the household heads (60%) have secondary education. Some (32.5%) have higher education (See Table 8).

Table 7. Age of household heads disaggregated by gender

Age Range	Male	Female	Total	Percent
30 and below	0	1	1	1.2
31 – 40	6	1	7	8.44
41 – 50	19	4	23	27.71
51 – 60	19	4	23	27.71
61 and above	16	13	29	34.94
Total	60	23	83	100.0
Mean Age	53.5	57.5		

Table 8. Education profile of household heads

Education	Men	Women	Total	
	Number	Number	Number	%
Higher	22	5	27	32.5
Secondary	33	17	50	60.25
Not indicated	5	1	6	7.2
Total	60	23	83	100.0

3.2.4 Size of Land Holding

32. Lands owned and leased by displaced households vary in size. More than half of the households and legal entities lease more than 40 ha of land. The legal entities have much larger land holding, ranging from 40 to more than 5,000 ha. Details on land holding information of the displaced HHs and legal entities is shown in Table 9 below.

33. Affected lands have varying levels of productivity. While some lands continue to be fully cultivated, other lands have been partially cultivated for a number of years. The global financial crisis also affected the demand for wheat and other agricultural products which resulted in substantial losses among many farmers. Hence, some are still reluctant to fully cultivate their land. There are current programs of the Government to encourage farmers to improve their productivity through the provision of subsidies in the purchase of seeds, fertilizers and pesticides and micro-credit for purchasing agricultural machineries.

Table 9. Total landholding of displaced HHs and LEs

Total land holding (in ha)	HH	LE	Total	Percent
10 and below	29	0	29	26.8
11 – 40	24	2	26	24.1
41 – 70	3	0	3	2.8
71 – 100	1	0	1	0.9
More than 100	21	5	26	24.1
Not indicated	20	3	23	21.3
Total	98	10	110	100.0

3.2.5 Household Income and Expenditures

34. Agriculture is the primary income source of the affected farming households. The majority of households plant hay, primarily for fodder & perennials. Other commonly planted crops are wheat, corn, barley, onion, potato and lucerne.

35. As shown in Table 10 below, the incomes and expenditures of households vary greatly. Some households earn and spend KZT 16,000 or less monthly, while others earn and spend more than KZT 90,000. The average monthly income of household is KZT 88,108, and average expenditures is KZT 145,800. Hence, the overall trend is that family expenditure exceeds income, especially in the highest income bracket (above KZT 90,000). It is possible that they either have understated their monthly income, or borrowing to cover the deficit.

Table 10. Distribution of monthly income and expenditure

Value (KZT)	Monthly Income	Monthly Expenditures
16,001-30,000	6	2
30,001-45,000	11	5
45,001-60,000	10	8
60,001-75,000	8	5
75,001-90,000	10	11
Above 90,000	29	47
Not indicated	9	5
TOTAL	83	83
Average	KZT 88,108	KZT 145,800

3.2.6 Living Conditions

36. The interviewed households live in houses made of bricks (32.5), saman (clay with straw, 47%), wood (1.2%), and concrete (19.3%). All but one were built after 1950, mostly (62.7%) after 1981 and about 33.7% between 1951-1980. More than half of the households (54.8%) have 5 or more rooms, and all have access to electricity. 77% of the households have telephone lines. Majority (62.7%) uses gas for cooking and only 10.8% use coal. Majority of the households (64%) get their drinking water from wells. Only 18% have access to piped water supply (See Table 10).

Table 10. Living conditions of displaced households

Criterion	No.	%
a. Type of house		
Brick	27	32.5
Saman	39	47.0
Concrete	16	19.3
Wood	1	1.2
b. When built		
Pre-1950	1	1.2
1951-1980	28	33.7
1981-present	52	62.7
Not indicated	2	2.4
c. Number of rooms		
1-4	38	45.8
5-7	39	47.6
8 or more	6	7.2
d. Source of drinking water		
Piped	15	18.1
Well	53	63.9
Not indicated	15	18.1
e. Fuel for Cooking		
Gas	52	62.7
Coal	9	10.8
Both gas and coal	14	16.9
Not indicated	10	12.1
f. Electricity		
	83	100
g. Telephone		
	64	77.1

3.3 Vulnerable Households

37. In Kazakhstan, households with an average per capita income below the poverty line (defined as 40% of the subsistence minimum) are considered vulnerable and are entitled to the Targeted Social Assistance (TSA) program of the government. As of 1 January 2011, the official subsistence minimum in Kazakhstan is KZT 15,999 per capita. The poverty line therefore is 6,399,6 KZT per capita. TSA for each household is computed as follows: Household income –

(poverty line x number of family members). In addition, there are State social benefits, financed from the central budget, that provide monetary transfers to citizens in need due to disability, loss of the family breadwinner, or old age. Akimats of Zhambyl and Bayzak districts confirmed that there is no any vulnerable affected household under this section.

3.4 Description of the Displaced Legal Entities

38. Ten legal entities will be affected under the project. Seven of them were surveyed. Five legal entities are from Bayzak district namely are LLP “Ak zhol”, LLP “Ulgili”, KT “Mariya & K”, LLP “Tatu” and PK “Myrzatay”). The two 2 legal entities from Zhambyl district are PK “Yunchi” and PK “Amangeldy”. These legal entities are agricultural firms/collectives producing crops or raising livestock (sheep, cows etc.). Crops cultivated by these firms include onion, wheat, barley, safflower and hay. Average annual income varies greatly depending on the size of land holding and nature of activities (from KZT 30,000 to KZT 2,000,000). Average monthly income is KZT 389,971, while average monthly expense is KZT 278,000. Not all legal entities have permanent laborers. PK “Yunchi” has 280 permanent laborers, PK “Amangeldy” has 11 permanent laborers and LLP “Ak zhol” has 10 permanent laborers. LLP “Ulgili”, LLP “Tatu” and PK “Myrzatay” only hire seasonal laborers. PK “Mariya and K” doesn’t have any laborer. The total land of these legal entities is 19,884 ha.

Chapter 4

Objectives, Policy Framework, and Entitlements

39. The resettlement policy framework for the project combines the existing legal framework and procedures for land acquisition in Kazakhstan and ADB Safeguard Policy Statement (2009).

4.1 Kazakhstan Legal Framework and Practice

40. In Kazakhstan, land is owned by the State but can be transferred, sold or leased to individuals or legal entities. Most leases are on a long-term basis (generally for 49 years). A few others prefer to lease for the short-term (between 1 to 5 years). The State can reclaim private lands only for specific uses, including road construction, and only after compensating the owner for the asset and other losses.

4.1.1 Kazakhstan Constitution

41. 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.

4.1.2 The Land Code of 2003

42. The Land Code of the Republic of Kazakhstan (RK Code No. 442-II of 20 June 2003, amended on 6 July 2007) stipulates that a plot may be reserved for State needs by way of purchase or by granting an equivalent plot with the consent of the owner or land user (Article 84.1). Road construction is one of several grounds for purchasing private land or terminating long-term leases (Article 84.2.4). In the case of land under lease, the land user is compensated for the full amount of losses and, if the land user wishes, may be granted an alternative plot to lease under the same terms and conditions (Article 84.4). However, the availability of suitable land to swap varies from one location to another.

43. Land owners/users must be notified of the decision to purchase 1 year in advance, unless the owner/user agrees to release the land more quickly (Article 85.2). If part of a plot is acquired and the remainder area cannot be used as before, the whole plot must be purchased (Article 86 para 2).

44. The price of a plot purchased for State needs is determined by agreement with the owner/land user (Article 87.1). The payment price includes the market value of a plot or rights to it and of real estate situated on it, as well as all losses caused to the owner/land user due to land loss, including losses due to the premature termination of obligations to third parties (Article 87.2). If the owner or land user agrees, another plot of equal value can be substituted instead of cash compensation (Article 87.3).

45. Under the Land Code, basic rates of payment for land plots were established for determining the value of land. Cadastral value of the land plots which are granted by the state for agricultural production is determined using adjustment coefficients based on the

quality/condition of a given land plot, its location, water supply, remoteness from service centers and the condition of a land plot by type of land and type of soil.⁵

46. If an owner disagrees with the decision to purchase (acquisition), the price offered or other purchase conditions, the authority issuing the decision to purchase can file an expropriation case in court (Article 88 paragraph 1) after the year of notification has passed (Article 88 paragraph 2). In disputed cases, the land cannot be taken until the court adjudicates a settlement specifying compensation levels and losses (Article 166.7). Compensation must be paid to the owner or user before the reservation is processed by the regional level office of the Land Resources Management Committee and registered at the Registration Service Committee. Then work may be allowed to begin on the land.

47. The Land Code of RK does not entitle encroachers to compensation for the loss of access to lands they use informally (squatters) or those who have not registered their claims to land. Moreover, no additional provision is made for those who are losing a significant portion (10% or more) of their productive assets.

4.1.3 Law on Housing Relations

48. When residences are affected, the Law on Housing Relations also applies. If a house is demolished for State needs, the owners can choose either to receive a new residence or receive compensation equal to the market value of the house. An owner who chooses the replacement option can select a home from a list of available homes. If the value of the selected house is higher than the market value of the building to be demolished, the exchange is completed; if the cost of the selected building is lower than the market value of the one to be demolished, the owner is compensated in cash for the difference. Disagreements over the evaluation are settled in court.

4.1.4 Labor Code

49. Registered workers from affected business establishments/enterprises who lose their work as a result of discontinuation of the operations of the establishment are also entitled to compensation equivalent to their one-month salary as per the Labor Code of RK.

4.1.5 State Property Act

50. Acquisition of land for State needs is covered by the RK State Property Act (2011). The Act stipulates that in acquiring privately-owned land, the cost of land will be based on the amount paid by the owner to the state when he purchased the land. In case of land purchased from another private individual or entity, the compensation shall be based on the price indicated in the civil contract amount or by a court decision, but not exceeding the market value. Residential properties with houses are compensated at cost, not exceeding market value. If the price of the land is not specified in the civil contract, the value of land is determined by its cadastre (estimated) value⁶.

⁵ In accordance with the Land Code, the RK issued Resolution No. 890 in 2 September 2003 (revised in November 2008) establishing the base payment rates for land plots in providing for private ownership, leasing by the State and payment for selling the right to lease land.

⁶ Kazakhstan's Constitution considers international treaties ratified by the Republic (such as ADB Loan agreements) as having priority over its laws and hence can be directly implemented. The ratification of the loan agreement will provide the legal basis and justification for undertaking measures to address the gaps between Kazakhstan's laws, and the compensation payments and rehabilitation assistance provided

4.1.6 Standard Land Acquisition Practices and Process

51. Land acquisition for public needs in Kazakhstan generally follows the following procedures:

- Proposed alignment and estimates of the amount of land to be acquired permanently or temporarily; as well as estimated cost of acquisition, rental and restoration of affected lands are included in the feasibility study (FS).
- The FS is sent to the oblast and rayon government levels for review and comments. In the case of Republican Roads, the FS is sent to the Committee of Roads in Astana for review.
- Based on the tentative alignment, registered owners/leaseholders are notified initially that their land will be acquired.
- The detailed design is prepared which firms up the alignment and assessment of land acquisition requirements, including detailed maps and individual landholdings to be affected, ownership data from the cadastre and estimated compensation for acquisition and losses.
- Once the final alignment is agreed with local officials, the agency that requires the land requests the akimat of the region to call owners together to discuss the LAR process.
- The akimat issues a resolution on the land acquisition and registers the resolution with the oblast Department of Justice. Owners are officially notified of the extent of land acquisition of their properties.
- The raion akimat establishes an evaluation commission that includes officials and land owners. Inputs are sought from licensed valuers in establishing official compensation amounts. For this project, greater reliance was placed on the valuation report of the licensed valuers.
- Once the official compensation amounts have been established, negotiation between government and the affected persons starts. Signed agreements are again registered with the oblast Department of Justice. Based on the agreements, compensation amounts are processed and delivered to the affected person.
- If agreement cannot be reached, the government agency requiring the land will initiate a court appeal for expropriation after the one-year notification period ends.
- Once the court renders a decision, the compensation amount will be transferred to the account of the displaced land user. Land cannot be accessed until compensation is completed and the title is transferred.

4.2 ADB Involuntary Resettlement Safeguards ⁷

52. ADB Safeguard Requirements 2: Involuntary Resettlement aims to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups.

53. ADB SPS (2009) has the following requirements related to involuntary resettlement:

in this LARP. Hence, where ADB policy requirements as set out in the Loan Agreement and related documents including this LARP (for example, the requirement for compensation at current market rates, not original purchase prices) exceed those of Kazakhstan's laws including the State Property Act (Article 3. Legislation of the Republic of Kazakhstan on state property), then the requirements of the international treaty shall prevail.

⁷ ADB. Safeguards Policy Statement, June 2009. Manila

- a. Compensation, Assistance and Benefits for Displaced Persons (DPs)
- Compensate/assist those with formal legal rights to the land lost and those who have claims to lands that are recognized or recognizable under national laws. Compensate DPs who have neither formal legal rights nor recognized or recognizable claims to land for non-land assets.
 - Compensate for affected lands, structures and other assets and put in place a comprehensive income and livelihood rehabilitation program prior to displacement
 - Give preference to land-based resettlement strategies for displaced persons whose livelihoods are land-based. Provide physically displaced persons with relocation assistance, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, and civic infrastructure and community services.
 - Promptly compensate economically displaced persons for the loss of income or livelihood sources at full replacement cost, and provide other assistance (i.e. access to credit, training, and employment opportunities) to help them improve, or at least restore, their income-earning capacity, production levels, and standards of living to pre-displacement levels.
 - Provide DPs with opportunities to share project benefits in addition to compensation and resettlement assistance.
- b. Social Impact Assessment
- Conduct socioeconomic survey(s) and a census, with appropriate socioeconomic baseline data to identify all persons who will be displaced by the project and to assess the project's socioeconomic impacts on them.
 - Identify individuals and groups who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status as part of the social impact assessment.
- c. Resettlement Planning
- Prepare a resettlement plan based on the social impact assessment and through meaningful consultation with DPs
 - Ensure that DPs are (i) informed about their options and entitlements pertaining to compensation, relocation, and rehabilitation; (ii) consulted on resettlement options and choices; and (iii) provided with resettlement alternatives.
 - Ensure that both men and women receive adequate and appropriate compensation for their lost property and resettlement assistance, if required, as well as assistance to restore and improve their incomes and living standards.
 - Analyze and summarize national laws and regulations pertaining to land acquisition, compensation payment, and relocation of DPs; and compare with ADB SPS (2009) principles and requirements. Propose a suitable gap-filling strategy in the resettlement plan in consultation with ADB, if a gap between the two exists.
 - Consider all costs of compensation, relocation, and livelihood rehabilitation as project costs.
 - Include detailed measures for income restoration and livelihood improvement of DPs. For vulnerable persons and households, provide extra assistance so that they can improve their incomes in comparison with pre-project levels.
 - Finalize the resettlement plan soon after the completion of engineering design. Ensure that the final resettlement plan (i) adequately addresses all involuntary resettlement issues pertaining to the project, (ii) describes specific mitigation measures that will be taken to address the issues, and (iii) ensures the availability of sufficient resources to address the issues satisfactorily.

- Consult DPs identified after the formulation of the final resettlement plan and inform them of their entitlements and relocation options. A supplementary resettlement plan or a revised resettlement plan should be submitted to ADB for review before any contract is awarded.
 - Use qualified and experienced experts to prepare the social impact assessment and the resettlement plan.
- d. Information Disclosure
- Submit to ADB for disclosure on ADB's website: (i) the draft resettlement plan and/or resettlement framework endorsed by the borrower/client before project appraisal; (ii) the final resettlement plan endorsed by the borrower/client; (iii) the new resettlement plan or an updated resettlement plan, and a corrective action plan prepared during project implementation, if any; and (iv) resettlement monitoring reports.
 - Provide relevant resettlement information in a timely manner, in an accessible place and in a form and language(s) understandable to affected persons and other stakeholders. For illiterate people, use other suitable communication methods.
- e. Consultation and Participation
- Consult meaningfully DPs, their host communities, and civil society for every project and subproject with involuntary resettlement impacts.
 - Pay particular attention to the need of disadvantaged or vulnerable groups, especially those below the poverty line, the landless, the elderly, female-headed households, women and children, indigenous peoples, and those without legal rights to land.
- f. Grievance Redress Mechanism
- Establish a responsive, readily accessible and culturally appropriate mechanism to receive and facilitate the resolution of DPs' concerns and grievances, paying particular attention to the impacts on vulnerable groups.
- g. Monitoring and Reporting
- Monitor and measure the progress of implementation of the resettlement plan. For projects/subprojects with significant LAR impacts, retain qualified and experienced external experts to verify internal resettlement monitoring information. If any significant involuntary resettlement issues are identified, prepare a corrective action plan to address such issues. Do not proceed with implementing the project until such planning documents are formulated, disclosed and approved.
- h. Unanticipated Impacts
- Conduct a social impact assessment, update the resettlement plan or formulate a new resettlement plan if unanticipated involuntary resettlement impacts are found during project implementation.
- i. Special Considerations for Indigenous Peoples
- Avoid physical relocation of indigenous peoples that will result in adverse impacts on their identity, culture, and customary livelihoods. If adverse impacts cannot be avoided, formulate a combined indigenous peoples plan and resettlement to meet all relevant requirements specified under ADB Safeguard Requirements 3: Indigenous People.
- j. Negotiated Settlement
- Encourage acquisition of land and other assets through a negotiated settlement whenever possible.

- Subject to third-party validation negotiated settlements that would result in expropriation to ensure that the compensation is based on fair price (replacement cost) of land and/or other assets, and is based on meaningful consultation with DPs.

4.3 Comparison of ADB Resettlement Safeguards and Kazakhstan's Legislation

54. There are a number of differences between Kazakhstan's laws and ADB's Resettlement Safeguards. A major difference relates to the compensation of privately-owned land. Under national law, compensation is based only on the amount paid by the private owner to the state, while ADB policy requires compensation at current market rates. Moreover, ADB does not consider the absence of land rights of DPs as an impediment to receiving compensation for non-land assets. While ADB Policy specifically seeks to improve the livelihood of vulnerable DPs, such objective is not included under national legislation. Key differences between ADB Resettlement Safeguards and Kazakhstan's Legislation are outlined in Table 11 below.

Table 11. Comparison of Kazakhstan's Land Acquisition/Resettlement Practice/Policy and ADB Resettlement Safeguards

Kazakhstan's Land Acquisition Practice	ADB Resettlement Safeguards
Compensation of privately-owned land based on amount paid to the state and may be lower than market rates.	Compensation of privately-owned land based on current market value.
Compensation for land and non-land assets is only for titled landowners or leaseholders who purchased the right to land leasing from the State.	DPs without formal legal rights and claims are entitled to compensation for non-land assets
Compensation of private agricultural land plot (with no account for losses) purchased by the land owner from the State and subject to acquisition for public needs shall be determined as equal to the amount paid to the State.	Compensation of private agricultural land is based on current market value.
Crop, tree and structure losses compensated only to registered DPs	DPs without formal legal rights and claims are entitled to compensation for crop, tree and structure losses (non-land assets)
Objective is more on compensation for affected privately-owned assets, not restoration of livelihood and standards of living	Considers as a key objective, the restoration of livelihood and standards of living displaced persons, regardless of tenure or legal status
No provision for additional assistance to vulnerable groups, relocation costs or transition period.	Stipulates enhancement of livelihood if possible and improvement of livelihood for vulnerable DPs
Uses negotiated settlement as an initial approach to acquiring land without the requirement for third party validation. If agreement cannot be reached, initiates expropriation procedures,	Encourages acquisition through a negotiated settlement subject to third party validation, to ensure compensation at replacement costs and conduct of meaningful consultations with DPs

4.4 Actions Made to Address the Gaps ⁸

55. For this project, differences between the national legislation and practice and ADB resettlement safeguards will be reconciled by: (a) providing compensation at replacement rates for all items, (b) compensating DPs without legal rights to land for non-land assets, (c) assisting

⁸ Kazakhstan's Constitution considers international treaties ratified by the Republic as having priority over its laws and can be directly implemented. The ratification of the loan agreement will provide the legal basis for undertaking measures to address the gaps in compensation payments and rehabilitation assistance provided in this LARP.

DPs to restore their livelihood, and (c) by providing allowances to DPs who will lose more than 10% of their productive land and DPs who are vulnerable.

4.5 Policy Framework and Entitlements for this Project

4.5.1 Entitlements to Compensation

56. The following groups of DPs will be addressed in the LARP for this project:

- All DPs losing land either with legal title, lease holding land rights or without legal status;
- Tenants and sharecroppers whether registered or not;
- Owners of buildings, crops, plants, or other objects attached to the land; and,
- DPs losing business, income, and salaries temporarily or permanently.

57. To enable the project to compensate unregistered land users under Kazakhstan's laws, representatives from the Zhambyl GosNPTsZem advised displaced land users to register or update the registration of their lands. In projects covered under the MFF for CAREC 1 (Zhambyl oblast section), 5 unregistered land users identified during the surveys were assisted in having their land claims registered. This entitled them to be compensated according to standard Kazakh legal framework. The assets/structures on the affected plots of land users without titles have been evaluated by exactly the same criteria as those with titles. For this project, there are no unregistered land users. In case, unregistered land users are identified later, similar assistance for registering their lands will be provided.

58. Compensation and entitlements must ensure that the DPs are able to restore their livelihood and maintain or improve their standard of living after the project. For purposes of eligibility, the cut-off date for the project is the date of State Expertise conclusion for the projects of the transport Corridor "Western Europe –Western China" reconstruction (June 2009). The users of the affected lands received initial notifications in January 2009. Official notifications were sent by the rayon akimats after the issuance of the akimat resolution on land acquisition. Table 12 below provides the entitlements for various categories of DPs and degrees of impacts related to the project.

Table 12. Entitlement and compensation framework

Asset	Specifications	DP	Compensation Entitlements
Permanent Loss			
Arable Land	All Land Losses irrespective of severity of impact	Owners	<ul style="list-style-type: none"> • Cash compensation at replacement cost (without deduction of depreciation, taxes and other transaction costs) or through replacement land equal in value/productivity to the plot lost and at locations acceptable to DPs where feasible.
		Leaseholders of State land	<ul style="list-style-type: none"> • Cash compensation for potential profit loss equal to market value of one year crop harvest (based on a 3-year average); and, • Cash compensation for pre-termination of lease, or, renewed lease in an alternative plot
	Severe Impact— >more than 10% of income/	Owners, leaseholders of State land	<ul style="list-style-type: none"> • Additional cash compensation equal to one year crop harvest and agricultural subsidies

Asset	Specifications	DP	Compensation Entitlements
	productive land lost		
Commercial Plots		Owners	<ul style="list-style-type: none"> Cash compensation at replacement cost (without deduction of depreciation, taxes and other transaction costs) or through replacement land equal in value/productivity to the plot lost and at locations acceptable to DPs where feasible.
		Squatters (if any)	<ul style="list-style-type: none"> Leased plot on State land; Self-relocation cash allowance option;
Buildings and Structures		Owners of permanent structures	<ul style="list-style-type: none"> Compensation of full market value (without deduction of depreciation, taxes and other transaction costs) or, at the owner option, house for house swap
Crops	Standing crops affected	All DPs including squatters	<ul style="list-style-type: none"> cash compensation for actual crop loss at full market rate
Trees	Trees affected	All DPs including squatters	<ul style="list-style-type: none"> Cash compensation reflecting income replacement. Economic trees value based on age category and valued at gross market value of one year income times the number of years to grow a tree to similar productivity, plus purchase price of seedlings and starting materials
Business and employment	Temporary or permanent business/employment loss	All DP including squatters and workers of alienable enterprises	<ul style="list-style-type: none"> Owner of shops/commercial establishments: if permanent loss, cash compensation equal to one year income (lost profits); if temporary, cash compensation for the period of income loss taking into account the compensation to workers for lost job (forced interruption) due to complete or temporary business cancellation – amounting up to 3-months average wages Owner of peasant farm: allowance for labor maintenance
Resettle ment	Transport and transitional livelihood costs	All resettled DPs	<ul style="list-style-type: none"> Allowance sufficient to cover transport expenses and livelihood expenses for one month due to relocation.
Vulnerable house holds		Households below the poverty line	<ul style="list-style-type: none"> Cash assistance equivalent to = Total Monthly Household Income – (poverty line x number of family members) Enrollment in government TSA program if not yet enrolled Priority in local employment for members of vulnerable household.
Temporary Loss			
Lands for construction sites and burrow pits		Owners (private or public)	<ul style="list-style-type: none"> Cash compensation at local commercial rental rates for duration of use; Land restored to original status at the end of rental.

59. The entitlements provided in the matrix are further elaborated below:

- a. **Arable land impacts.** The households with private ownership will be given cash compensation at replacement cost or through replacement land equal in value/productivity to the plot lost and at location acceptable to DPs where feasible and also cash compensation for crop losses at current market rates. Actual

transaction taxes/fees will be paid by the Committee of Roads (CoR) or waived by the concerned agency. Compensation will also include costs incurred by the owner related to land plot development, maintenance, protective measures and soil fertility improvement, taking into account the inflation, as well as the losses, that the owner incurred related to early termination of obligations to third parties.

Leaseholders of State-owned land will be paid cash compensation for potential profit loss from the land equal to market value of one year crop harvest (based on a 3-year average). To facilitate livelihood restoration of leaseholders, leaseholders may be granted an alternative plot to lease depending on the plot availability. If no alternative equivalent land to lease can be provided, leaseholders will be provided with cash compensation for the pre-termination of their lease following the established base rates as per Resolution No. 890 (revised on 7 November 2008). They will also be given compensation for works related to land plot development, maintenance, protective measures etc.

If the permanent or temporary acquisition results in partial or complete damage to irrigation, drainage and erosion-preventive structures (systems), then the losses will be determined based on the costs of the work for construction of new facilities or rehabilitation of existing structures (systems), including the costs of design and survey works.

- b. Residual agricultural land impacts.** Residual portions of the acquired lands which are rendered unusable will be included in the affected land and compensated as indicated above subject to the preference of the DP.⁹

Alternatively, the DP has the option of seeking an alternative plot or of changing the intended use of the remaining plot i.e. from agricultural to commercial. Moreover, DPs may also explore the reorganization and swapping of plots with adjacent owners to improve the economic viability of the remaining agricultural lands.

- c. Severe impact losses.** When >10% of an DP income or agricultural land is affected, DP (owners, leaseholders, sharecroppers, and squatters) will receive an additional allowance for severe impacts equal to one year's harvest from the acquired land. The amount of the harvest is determined based on the average yield in the past three years. Assistance will also be provided (i.e. agricultural subsidies and micro-credit support under the current agricultural programs of the Government), to help them restore their livelihoods.
- d. Agricultural sharecroppers and agricultural workers.** Sharecroppers will receive cash compensation equivalent to their share of harvest at market rates, including costs incurred by the sharecropper in the improvement of the land. Costs incurred by the sharecropper on the plot allotted will be determined under the procedure stipulated by constituent documents of economic partnerships, producers' co-operatives or an agreement between the parties. On the other hand, agricultural workers who will lose employment due to land acquisition for the Project will be paid

⁹ The main criterion to determine whether the residual part (plough land or pasture) is or is not suitable for its earlier purpose, is its economic impracticability based on the following: a) small area of the remaining part; b) difficulty of access (driving of agricultural machinery or cattle via highway); c) incomparable costs for plot processing and insignificant profits that can be obtained from its further use. The owner or long-term leaseholder has the right to determine practicability of further use of the land. This will be determined via negotiation. (Article 86, RK Land Code)

cash compensation equivalent to their salary for the remaining part of the agricultural year.

- e. **Commercial land.** Households and legal entities who own commercial plots that will be affected by the Project will be compensated at replacement rate either (i) in the form of land for land or (ii) in cash at current market rates free of transaction costs and depreciation.
- f. **Buildings and structures** will be compensated in cash at replacement cost free of deductions for depreciation, salvaged materials, and transaction costs irrespective of the registration status of the affected item. The cost of lost water and electricity connections will be included in the compensation.
- g. **Crops.** Standing crops on the acquired lands will be compensated at market rates for their gross value of 1 year's harvest losses. Crop compensation will be paid both to landowners and tenants. However, for this project no standing crop is expected to be affected since there is sufficient lead time between the notification and commencement of civil works. The land user will be able to harvest its crops way ahead of the site clearing.
- h. **Trees.** Trees planted by private land users will be paid cash compensation reflecting replacement of income derived from the trees. The economic value of the tree will be based on the age category and valued equivalent to one year income times the number of years to grow a tree to similar productivity. The cash compensation will also include the price of seedlings and starting materials.
- i. **Businesses.** If business is lost permanently, it will be compensated in cash equal to 1-year net income (loss of profit). If disruption is temporary, the DP will be paid cash compensation for the period of business interruption period based on tax declaration or, if unavailable, official monthly minimum salary. Cash compensation is also provided in cases where there is already an approved business plan and the DP has already incurred cost in the business preparation, subject to review of supporting documents. For those involved in agricultural production and who employ workers, a one-time labor maintenance allowance will be provided to supplement cost of maintaining labor despite the reduced income as a result of land acquisition. Labor maintenance allowance is computed based on the following formula: number of workers X average wages for 3 years X percentage of acquired land.
- j. **Employees.** Workers whose employment will be disrupted, will be provided with indemnity for lost wages for the period of business interruption up to a maximum of 3 months, based on their registered monthly wages/salaries.
- k. **Self resettlement allowance.** DP households/owners of structures forced to move will receive a self-relocation allowance to help them transport their structures, goods and personal items.
- l. **Community structures and public utilities** will be fully replaced or rehabilitated to maintain their pre-project functions.
- m. **Socially vulnerable people** (Displaced households below the poverty line) will be provided an additional assistance equivalent to total monthly household income – (poverty line x number of family members) and will be enlisted in existing special programs and other initiatives for socially vulnerable people (i.e. Targeted Social Assistance and State social benefits). Able-bodied (and qualified, after training if

necessary) members of vulnerable households will be given priority in project-related jobs.

- n. Temporary impacts.** In case of temporary land acquisition, compensation will be based at local commercial rental rates for the duration of use, taking into account the lost income from the land. The project will ensure that the land is restored to its original status at the end of the rental period.

If the temporary use of the land will damage existing structures on the land, the payment will include the cost for constructing a new facility or rehabilitation of existing structures (systems) including the cost of design and survey works. Moreover, losses (expenditures) related to inconveniences in the land use (disturbed transport connections, disconnection of territory etc.) shall include the cost of the design and survey works, as well as the construction of access roads and other structures. When defining expenses connected with the need to reclaim disturbed soils, the calculation may include the cost of soil, agrochemical and other specialized investigation and surveys as well as soil reclamation measures.

The responsibility of the contractor in handling temporary use of land during construction, including reporting, will be stipulated in the civil works contract. Contractor's compliance to the LARP provision will be monitored by the CSC and included in its monthly progress report.

60. For unexpected adverse effects during the project implementation, the rayon akimats and the Zhambyl Oblast RD will undertake measures in accordance with the objectives of this LARP of restoring the socio-economic and living conditions of the DPs.

61. In case of cash compensation, payment will be made through the banks or "KazPost" JSC, by checks or other means based on the preference of the DPs, free from fees or processing charges. Expenses related to transfer of funds, and documentation requirements will be borne by the Zhambyl Oblast RD.

Chapter 5

Compensation and Livelihood Restoration Strategy

62. For all but seven households, impact of land acquisition to their livelihood is marginal. All but seven DPs will lose less than 10% of their productive lands and can continue with their livelihood activities in the remaining portions of their lands or in their other plots. The cash compensation to be provided for losses would be sufficient to help them re-establish and continue with their livelihood. No household is expected to be displaced from housing or relocate. No worker from the affected peasant farms and agricultural enterprises is expected to lose his or her job despite the reduction in the land area of these farms. This chapter presents a more detailed explanation of the compensation strategy of this project and the supplemental assistance for severely affected households.

5.1 Compensation for Privately-owned Lands

63. The seven privately-owned plots have been compensated in cash based on the current market values in the area. Official valuation was conducted in 2009 taking into account costs incurred by the owner related to land plot development, maintenance, protective measures, as well as any loss that the owners incurred related to early termination of obligations to third parties.

5.2 Compensation for leased/rented lands

64. Long-term leaseholders were compensated in cash for potential loss profit from the land. Compensation was computed equivalent to the market value of gross crop harvest for one year (based on the average three-year indicator). Information on crop income was based primarily on the DP's statements/application. Data from the Zhambyl Department of Agriculture and other documents/data (pledge agreements, statistics data and tax information regarding farms, etc.) were also used in the valuation.

65. Each plot was individually valued by a licensed valuator engaged by the design firm based primarily on the DPs application provided that these were reasonably within the recorded average volume of harvest/productivity in the region for similar land and crop category. If the application was found unreasonable, the valuator could request the DP to submit a revised application for another review. Moreover, the valuator provided free consultation to DPs on filling up the application. The DP could also request a re-valuation in case the DP was not satisfied with the earlier valuation. All landusers have been compensated in 2009 for potential income losses from the affected land. Table 14 show the average crop outputs and prices in the project area based on records from the Zhambyl Oblast Agriculture Office used as general reference by the valuator in evaluating the DPs applications.

Table 14. Average crop output and value of Crops (KZT) per ha based on based on records from the Zhambyl Oblast Agriculture Office, 2009

.crop output

City/district	Perennial grass	Barley	Wheat	Safflower	centner/ha
					Corn
Zhambyl area	44.5	5.1	18.0	15.9	46.4
Bayzak district	40.0	5.3	16.4	11.6	53.0

average crop price

Name of crop	Amount (ton, kg)	Bayzak district	Zhambyl area
Perennial grass	Ton	6946	11636
Wheat	Kg	29	34
Barley	Kg	25	26
Corn	Kg	33	32
Safflower	Kg	-	-

66. Evaluation of compensation of land-users under this section were completed by "KazNIPi Dortrans" Ltd. and "Karaganda Kazdorproject" Ltd. However, their evaluation did not correspond to ADB's Safeguard Policy Statement (2009) with regard to compensating for early termination of long-term agricultural lands lease. ADB suggests to apply base payment rates provided for under Kazakh Government Resolution 890 (revised 7 November 2008) consistent with ADB Safeguard Policy and the approach taken under Tranche 3 and the realigned section of Tranche 2. The Zhambyl RD will engage the Land State Scientific and Production Center for Land Management (GosNPTsZem) to re-assess the compensation based on Resolution 890. Re-evaluation is expected to last two weeks after conclusion of contract.

67. In coordination with the akimats of Zhambyl and Baizak rayons, potential alternative agricultural lands to lease were identified. Leaseholders who cannot be provided with an alternative land to lease will be paid cash compensation for the pre-termination of their lease following the base rates provided for under RK Resolution No. 890 (revised 7 November 2008). The same base rate is used for valuating land for mortgage purposes, contribution to economic partnerships, share to production cooperatives, and for selling rights to lease. Table 13 shows the basic rates to be used for compensating for the early termination of lease of government agricultural land in lieu of providing replacement land to lease.

Table 13. Basic rates for computing compensation for permanent recovery of leased government agricultural land

Thousands of tenge per hectare

Region	Types of leased agricultural land	Soil types and subtypes					
		Grey-brown	Sands	Light and ordinary sierozem	Light-brown foothill and upland soil	Chestnut foothill and upland chernozem	Sub-alpine and alpine
Zhambyl	Non-irrigated plough land			15.6	24.4	26,9	
	Irrigated plough land	40.2		74,5	114,1		
	Hay field	5.6	2.0	10.6	10.6	11,9	9.4
	Pasture land	2.0	1.9	5.6	6.9	8.6	6.9

Source: RK Government Resolution #890 on Establishment of Base Payment Rates for Land Plots in Providing them for Private Ownership, as well as in providing for lease by the State or State land users and also fees to be paid for selling the right to Lease land plots dated September 2, 2003 (revised 7 November 2008)

5.3 Compensation for crop and tree losses

68. All land users had sufficient time to harvest their crops since after the notification in 2009. Hence, none lost any standing crop. Likewise, no privately-owned trees were affected. Hence, no compensation payment is needed for loss of standing crops and trees.

5.4 Compensations for losses related to plot development and responsibilities to third parties

69. Losses related to the plot development also was taken into consideration in compensating land users. Of the 108 affected land users, 59 (54 HHs & 5 LEs) incurred this types of losses. The total cost of land development for 130.11 ha of land estimated by the valuation company is KZT. 719.074. However, there is no cost involved relating to responsibilities to third parties.

5.5 Cash allowance for severe loss of productive lands

70. Five households losing more than 10% of their total land are considered as severely affected. For these households, a severe-impact allowance equivalent to one-year harvest will be provided. Likewise, additional assistance in terms of subsidies for seeds, fertilizer and pesticides will be provided to improve the productivity of their remaining plots and assist them in restoring their livelihood (see Section 5.8).

5.6 Compensation for affected structures

71. No structure is affected under this project.

5.7 Compensation for loss of potential business profits

72. Compensation for loss of potential business profits did not apply under this project because none of the households will lose business.

5.8 Subsidies for livelihood restoration for severely displaced farm households

73. The Ministry of Agriculture, through the Zhambyl Oblast Agriculture Division has ongoing programs to encourage farmers to resume and re-intensify farming activities. Under these programs, the government provides 40% subsidy for the cost of certified seeds, fertilizer, and pesticides. The government also provides credit support at below-market rates for the purchase of agricultural machineries, payable in installment basis.

74. The five households losing more than 10% of their total lands and confirmed as having no other plots to cultivate, will be fully-subsidized with farm inputs (fertilizers and pesticides) for two crop-years proportionate to the land they have lost (approximately 6.94 hectares) and the type of crops they plant. Application of such inputs is expected to double the productivity of the land which in turn will help the household to replace its lost income from the acquired land. Unit per hectare of these additional subsidies is shown in Table 15 below. Based on these unit costs, agriculture subsidies for these households are estimated at around KZT 653,500. For subsequent years, these households can avail of the regular 40% subsidy for these inputs and other support provided by the Agriculture Division of the Zhambyl oblast akimat.

Table 15. Cost per hectare of fertilizers and pesticides for increasing productivity of land

Crop	Cost of Agricultural Input Per Hectare (in KZT)					
	Ammonium Nitrate	Ammophos	Potassium	Pesticides	Fertilizer Application	Total
Safflower	7,600	7,000	7,000	3,000	3,000	27,600
Onion	19,000	21,000	14,000	10,000	3,000	67,000
Potato/Vegetables	19,000	21,000	14,000	10,000	3,000	67,000
Perennials	-	-	-	-	-	3000

Source: Estimates from the Crop Production Development Unit, Agricultural Division, Zhambyl Oblast

5.9 Additional support to vulnerable households

75. Akimats of Bayzak and Zhambyl districts sent the letter to Zhambyl Road Department confirming that there is no any vulnerable household under this section.

Chapter 6

Consultation and Disclosures

5.1 Consultations

76. A number of consultations with rayon (district) akimats and DPs had been conducted by the Committee of Roads since 2007. Initial consultations were with the akims, deputy akims and land allocation offices at the different rayons. Further informal discussions and individual visits were made by the design firms in 2008 during the preparation of detailed design. DPs identified in the process were contacted by the valuers and the Committee chaired by the deputy akims of Baizak and Zhambyl Rayons from August to November 2008 to notify them of the extent of the affected lands and seek preliminary agreements for land acquisition.

77. In January 14, 2009, a consultation was held at the Conference Hall, Zhambyl Oblast RD, Taraz city to present the scope of the project as part of the preparation of the environmental assessment (EA) for the former IDB Tranche/Project 2. Questions and concerns related to the project were noted. Compensation issues and cattle passages were among the common concerns raised in the consultation. A total of 16 people attended the EA-consultation.

78. In August, 2009, a consultation was again held at the Conference Hall, where the akim of Baizak rayon and Sarykemer settlement Officer explained the rights of displaced persons, as well as the valuation of losses, grievance redress and procedures in land acquisition. In order to maximize participation in the consultation, notifications were made in local newspapers. The akimat also mobilized the heads of rural villages to inform DPs about the event.

79. The akim of Baizak Rayon chaired the consultation in Baizak on August 21, 2009. Mr. Toyshibai Aliahmetov, the Deputy Director of the Zhambyl Oblast RD participated in the consultation. DPs/stakeholders and representatives from the akimat and 2 local NGOs (Alga and Taraz Information Center) also participated. About 39 DPs attended the August consultation. DPs participated actively in the discussion. Questions and comments revolved around the following: (i) eligibilities and entitlements, (ii) factors to be considered in the valuation of agricultural and commercial lands, (iii) documentation requirements, (iv) compensation amounts, (v) schedule of project implementation and compensation payments, (vi) mode of delivery of compensation, (vii) concerns about charges and expenses related to receipt of compensation (viii) options for remaining plot areas that are no longer suitable for their former use, and (ix) treatment of people who had not registered their land rights.

80. On March 31, 2010 another consultation meeting was held at the Conference Hall, akimat of Zhambyl rayon, Assa settlement with participation of representatives from Zhambyl Oblast RD, akimat and 22 DPs/stakeholders. On 29 March 2011, a follow-up public consultation was held at the conference hall of Zhambyl Oblast Road Department with participation of representatives from CoR, Zhambyl Oblast RD, ADB, PMC, DPs and other stakeholders.

81. In all the above meetings/consultations, problems, mitigation of problems, and prospect of the project were raised and discussed. Questions on the location and size of cattle passages, employment of local people were raised. The participants also pointed out the necessity for more effective disclosure of information on the project. The participants asked for information on the particular officials (with contact details) who can be contacted in case of questions and complaints. In view of this, the Zhambyl oblast RD announced telephone numbers which they could call to get the necessary information. Deputy akims also explained their role in receiving and addressing complaints. During the conduct of the socioeconomic surveys by PMC-ADB from April 17- to May 07, 2011, DPs were consulted on their compensation status and concerns

related to the acquisition process. A number of concerns were raised about extra charges for transmission of payments, handling of unviable remaining portions of their plots, and financial assistance for vulnerable persons. These findings were integrated into this LARP document. A summary of dates of consultations held and numbers of participants are given in Table 16.

Table 16. Summary of dates of consultations

Date	Location	Participants
Aug–Nov 2008	Offices of the Akimat of Zhambyl and Baizak rayon / on-site	Representatives from the akimat, design firms, Zhambyl Land Resource Mgmt Agency, and individual DPs met in the field
January 14, 2009	Conference Hall, Zhambyl Oblast RD, Taraz city	Representatives from Zhambyl RD, design firm, akimat and 16 DPs/ stakeholders
August 21, 2009	Conference Hall, akimat of Baizak rayon, Sarykemer settlement,	Representatives from Zhambyl RD, akimat and 39 DPs/stakeholders
March 31, 2010	Conference Hall, akimat of Zhambyl rayon, Assa settlement,	Representatives from Zhambyl Road Dept, akimat and 22 DPs/stakeholders
March 29, 2010	Conference Hall, Zhambyl Oblast RD	Representative from CoR, ADB, PMC, DPS and other stakeholders
April 17-May 07, 2011	Individual visits carried out by PMC-ADB	110 DP's

5.2 Disclosure

82. A revised summary brochure of the Land Acquisition and Resettlement Plan (LARP) (translated in Kazakh and Russian) shall be distributed among the APs to provide additional information on the implementation arrangement, payment schedule, assistance etc. to specific groups and grievance redress options. Separate instructions to contractors regarding temporary use of land for borrow pits, staging areas, labor camps, and the like, shall be included in the construction contract documents.

83. The complete LARP document will be translated into the Russian and Kazakh languages and disclosed on the MOTC-Project website, the website of the CoR and the Zhambyl RD. Copies will be distributed to the rayon akimats of Baizak and Zhambyl. The LARP in English will likewise be submitted for uploading to the ADB website.

Chapter 7

Grievance Redress Participation

84. Grievance redress procedures for the project aim to provide an effective and systematic mechanism for the Subproject in responding to queries, feedbacks and complaints from affected persons, other key stakeholders and the general public.

7.1 Grievance Focal Points, Complaints Reporting, Recording and Monitoring

85. Complaints can be received through the staff of the rayon akimats, Zhambyl RD or the Project Management Consultant. Grievance Focal Points (GFPs) have been designated at these levels to receive, help resolve, report or forward complaints received from DPs and the general public. A community liaison group (CLG) composed of representatives from CoR, NGOs, consultants, and akimats will be formed to meet regularly to help resolve complaints that require further attention. The following are the GFPs designated for the project:

Mr. Aliakhmetov Toishibai Zhanadilovich, Deputy Director
Zhambyl Committee of Roads, 1a Tauke Khan Street, Taraz City
Telephone Nos: +7 7262 31-6006; +7 7262 31-6004
Email: uad_zhamb@mtc.gov

Mr Kaliyev Usubali Arnovich Vice Akim, of Zhambyl rayon
Telephone Nos: +7 72633 2 14 36

Mr. Yesemkulov Tursun Abdusametovich, Vice Akim of Baizak rayon
Telephone Nos: +7 72639 2-11-52

Ms. Maryana Altayeva,
Designated Grievance Focal Point Person, PMC-ADB
Telephone Nos: +7 7025312270.

86. The PMC-ADB designated GFP will liaise with the above parties and will compile/maintain a central register of the details of all complaints in writing (including how, when, and by whom the complaint was resolved), and distribute periodically to all parties, if desired. COR (Zhambyl) and PMC-ADB will also propose to whom the complaints should be referred to, who should attend meetings with the complainants, etc.

87. At the rayon level, the deputy akims will be supported by the Land Allocation Unit and Legal Staff of the Akimat. DPs or other concerned individuals may visit, call or send a letter or fax to any of the GFPs to register their comments or complaints related to land acquisition or other aspects of the Subproject.

88. The rayon akimats and the Zhambyl Oblast RD will maintain a record-book to register the complaints, keep track of their status and report monthly to the Project Management. Reports and grievance resolution will be subject to follow-up by the PMC-ADB. Complaint forms will be distributed to the heads of local self governments, the akimats and the Zhambyl Oblast RD to facilitate recording of complaints.

7.2 Grievance Resolution Process

89. Information about the land acquisition and other aspects of the project will also be provided to the heads of the local self-governments/rural settlements. DPs may opt to initially course their complaints or queries through their local self-government heads.

90. In case the heads of the rural settlement cannot resolve or clarify the issue at their level within one week, they can forward the case to the Grievance Focal Point at the raion akimat. If the issue cannot be resolved in two weeks, the Akimat will then pass the complaint to the Grievance Focal Point at the Zhambyl Oblast RD which will call for a meeting of the community liaison group to help resolve the complaint.

91. Issues requiring attention or action from the MOTC-Project Management will be forwarded by the Zhambyl Oblast RD to the CoR. If the case remains unsolved, a complaint can be lodged to the court.

92. Alternatively, people with concerns about the Project may contact the Project Management Consultants (PMC-ADB). The PMC GFP in Taraz who is tasked to receive, follow-up and report on a weekly basis all complaints, disputes or questions received about the project. The PMC GFP also serves as secretariat for the community liaison group (CLG).

93. The following standards shall be used in responding to or referring complaints received by the project (Table 17):

Table 17. Standards to be used in responding to or referring complaints received by the project

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 raion Akimat for resolution.
Rayon-level	Vice Akim, Grievance Focal Point Akimat	Receives the complaint, registers it and attempts to resolve it. If there is no resolution in 2 weeks, it is passed to the Zhambyl Roads Department
Zhambyl Oblast	Deputy Director, Zhambyl Oblast Roads Department	Receives the complaint and attempts to resolve it together with the CLG. If there is no resolution within 2 weeks, it will be passed to the GFP at the CoR in Astana
CoR/PMC	GFP	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 Kazakhstan legislation.
Court	Oblast court	Hears the case and renders decision.

7.3 Disclosure of the Grievance Process

94. The grievance resolution process for this LARP will be disseminated through information brochures and posted in the offices of the rural village heads, the rayon akimats and at the Zhambyl RD Office.

Chapter 8

Institutional Framework

95. The timely and effective implementation of the LARP will require the involvement of several agencies and units. This chapter describes the roles of these units.

8.1 Committee of Roads (CoR)

96. The Committee of Roads (CoR) through its Project Director has overall responsibility for LAR preparation, implementation and financing, with the assistance of the Project Management Consultants (PMC-ADB).

8.2 Zhambyl Oblast Roads Department (RD)

97. However, day-to-day implementation of LAR activities will be the responsibility of the Zhambyl Oblast Roads Department. A special unit (Socioeconomic and Legal Concerns Unit, SLCU) within the Zhambyl Oblast RD composed of detailed staff from other units and additional temporary staff will implement the LARP for this subproject. This unit shall report to the Deputy Director of Zhambyl Oblast RD. It will be tasked to:

- Finalize the list of DPs and develop/update a database of DPs based on the results of the census and new information;
- Prepare documents for negotiation of compensation with the DPs;
- Coordinate regularly with relevant State Agencies at the Oblast (e.g. Land Resource Agency, Justice Department), and rayon Akimats;
- Prepare documents for formalizing agreements with DPs and processing of compensation payments;
- Conduct regular consultations and exchange of information with DPs on the implementation of the LARP;
- Assist in receiving, recording, resolving and reporting of grievances related to land acquisition process and other aspects of the project and coordinate with the GFPs at the rayon akimats, the Construction Supervision Consultants (CSC) and at the PMC-ADB;
- Assist in facilitating discussions and agreements among DPs and other adjacent land users for land swapping and land reconsolidation, including re-issuance of documents on land use rights;
- Assist DPs who may wish to reclassify the remaining portions of their plots that are no longer viable for continued agricultural activities or the continuation of the past activity;
- Facilitate the conduct of field surveys, and re-registration of the remaining portions of the DPs plots (it is assumed the government will promptly register its own ownership of land it has acquired);
- Monitor/supervise, through its CSC, the temporary land acquisitions done by contractors engaged for the project;
- Prepare regular reports on the progress of LARP-related activities.

8.3 Akimats (District Local Governments) of Bizak, Zhambyl rayons

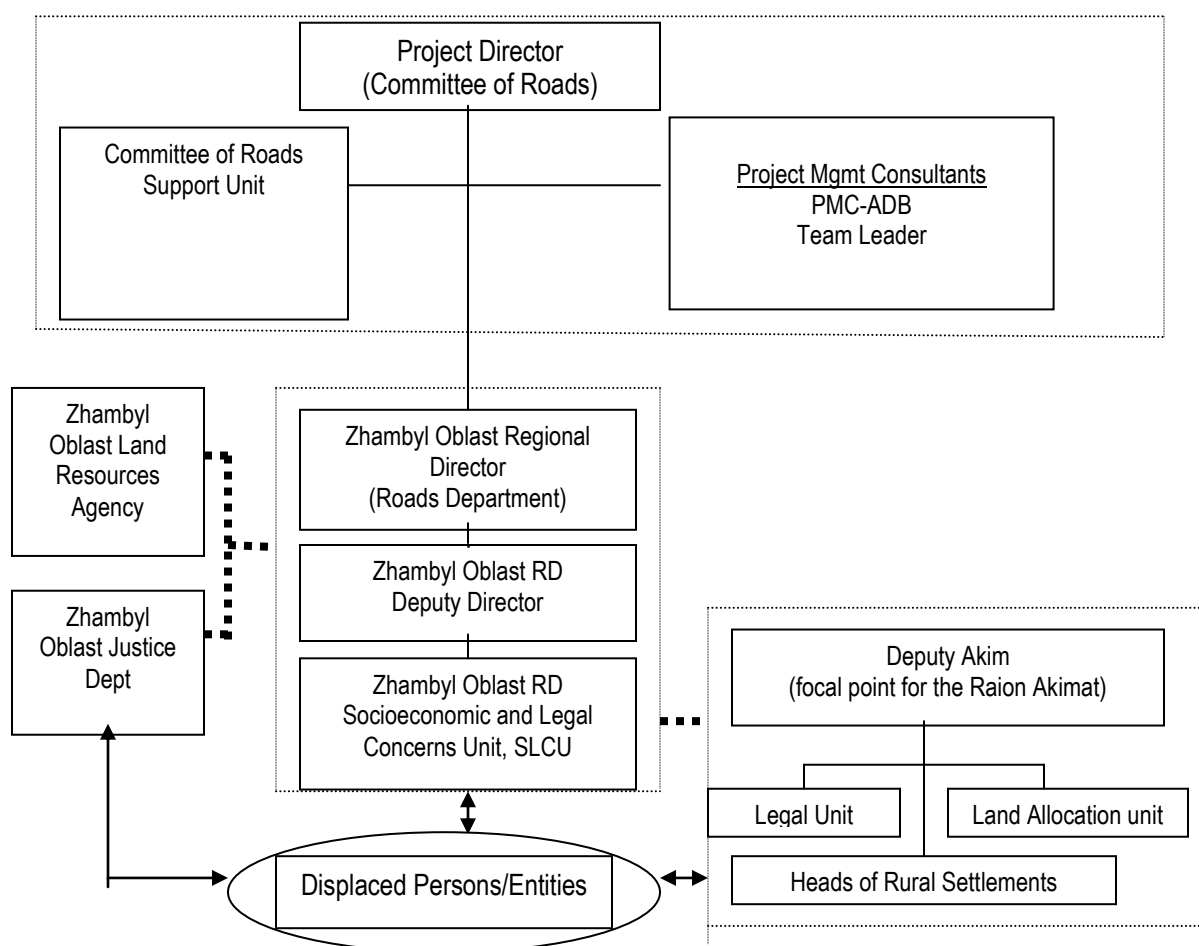
98. The Akimats of Baizak and Zhambyl rayons will continue to play important roles in grievance resolution and in the provision of replacement land for DPs who may opt for a land-for-land compensation. The rayon akimats will also tap leaders of village/rural settlements for information dissemination, and grievance redress.

8.4 Project Management Consultants-ADB (PMC-ADB)

99. At the Project Management level, the PMC-ADB will assist the Project Director in the overall responsibility for implementing, supervising, and evaluating LARP activities. The PMC-ADB Unit will perform the following tasks:

- monitor the implementation/progress of work on LARP and preparation of quarterly reports on internal monitoring of resettlement with an indication of critical points, that require undertaking the actions of management;
- monitor compliance of contractors, including activities on temporary land acquisition;
- consult with the RD in implementation of activities provided for in the LARP;
- Perform the function of a focal point for complaints under the project.

Figure 1
LARP Implementation Arrangement



Chapter 9

Resettlement Budget and Financing

100. The CoR is responsible for all land acquisition costs associated with the implementation of the LARP. An indicative budget is outlined below in Table 19. This compensation cost has been calculated based on the official valuation reports conducted by the licensed evaluators engaged by the design firm. The budget for the compensation and LARP implementation would be updated once full evaluation data is available and will be incorporated in the final LARP. The total cost has been estimated approximately KZT 129.87 million for all LARP implementation activities including contingency cost.

Table 18. Land acquisition and resettlement budget

	Particulars/Items	Number of HHs & LEs	Quantity	Estimated Budget (KZT)
1	Compensation for land			
	a. privately owned	7 HHs	13 .44ha.	13,701,000
	b. leased	91 HHs & 10 LEs	200.05 ha.	8,402,223
2	Compensation for crops and perennials	98 HHs & 10 LEs	213.49 ha.	83,834,201
3	Compensation for structures			
4	Severe impact cash allowance (value for the second year loss losing more than 10% of total productive agricultural land)	15 HHs	45.35ha.	10,131,285
5	Agricultural subsidies and micro credit for livelihood restoration for severely affected DPs	5HHs	6.94 ha	653,500
6	One-time cash allowance for labor maintenance	57 HH+5LEs that employ agriculture workers	283	565,588
7	Compensation for early credit payment	2 HH	1.87 ha	63,986
8	Compensation for plot development expenses	54HH & 5Les	103.11 ha	719,074
9	LAR Administration/ Implementation including internal monitoring by PMC ¹⁰			
10	External Monitoring/Third Party Validation ¹¹			
11	Total			118,070,857
12	Contingencies (10%)			11,800,000
13	Total + Contingencies			129,870,857

¹⁰ Budget for internal monitoring will be integrated in the PMC contract.

¹¹ External monitoring will be financed by ADB

Chapter 10 Implementation Schedule

101. Civil works is expected to commence on the first quarter of 2012. Related to this, the LARP needs to be fully implemented and evaluated not later than December 2011. Compensation payments are expected to take one month once the land acquisition documents (i.e. valuation reports, signed agreements with DPs) have been completed. Table 20 shows the activities involved in the LARP preparation, finalization and implementation and the agencies/units involved.

Table 20. Activities/Milestones and Agencies/Units Involved

Milestones/Activities	Agency/Unit involved	2011												2012
A. draft LARP Preparation		3	4	5	6	7	8	9	10	11	12	1		
A1.Detailed surveys/consultation	Zhambyl RD/ PMC-ADB													
A2.first draft LARP preparation	PMC-ADB													
A3.first draft LARP Review	ADB													
A4.draft LARP approval / Disclosure	ADB/MOTC													
Milestone 1: Loan Signing														
B. LARP Update.														
B1. completion of supplementary valuation activities	GosNPTsZem													
B2. finalization of agreement for provision of agricultural subsidies for livelihood restoration	Zhambyl RD													
B3 . Preparation of updated LARP	Zhambyl RD/ PMC-ADB													
B4. Review/approval of updated LARP and issuance of no-objection to contract awards	ADB													
Milestone 2: Contract awards Signing														
C. LARP implementation														
C1 Processing of supplementary compensation and assistance payments	Zhambyl RD													
C2 Third Party mobilization /Action plan preparation	CoR/TPV													
C4 issuance of new State Acts for remaining plots	GosNPTsZem													
C5 Monitoring	CSC													
C6 Preparation of compliance report	TPV													
C7 Review of compliance report and issuance of No-objection for civil works	ADB													
Milestone 3 no objection to start of civil works from ADB														
Start of civil works	Contractor													

* Restoration of temporarily acquired lands will be done at the end of the rental period. Cash compensation for the early termination of leases and subsidies for severely affected households will be completed on or before November 2011.

Chapter 11 Monitoring and Evaluation

102. The LARP implementation will be subject to both internal monitoring and third party validation (TPV). Results of these monitoring will be reviewed by ADB and will be a basis for ADB's no objection for the issuance of notice-to-proceed (NTP) to the contractors.

11.1 Internal Monitoring

103. The Construction Supervision Consultant (CSC)) to undertake internal monitoring of LARP implementation (as well as PPMS monitoring). Once LARP implementation has been completed, the CSC will prepare the resettlement completion report for review by ADB. Likewise, the CSC will assess the temporary use of land by the contractor to ensure that all impacts are considered in the payment and mitigation measures. This shall be included in the regular progress reporting of both the contractor and CSC. The overall system of monitoring indicators is represented in the table below.

Table 27
LARP internal monitoring and evaluation matrix

Purpose	Activities	Monitoring Indicators
Identification of compensation recipients	Checking the list of compensation recipients against eligibility criteria for compensations	Number of persons in the list of compensation recipients, who do not meet eligibility criteria (mistaken inclusion)
	Identification of persons, who may claim eligibility to compensation, but are not included in the lists of compensation recipients. Separate check should be performed on each type of compensation	Number of persons who meet the criteria, but are not included in the list of compensation recipients (mistaken exclusion)
Controlling types of compensation	Confirmation of temporarily or permanently affected areas against the LARP	Area of land subjected to temporary acquisition, for which compensations have been paid
		Area of land subjected to permanent acquisition, to which compensations have been paid
Controlling compensation	Examination of financial documents	Number of persons who received compensation in time and in full amount, disaggregated by compensation types
	Identification and analysis of reasons for compensations not being paid in full amount and in time.	Number of persons who did not receive compensation in time and in full amount, disaggregated by compensation types.
		Amount of funding allocated for payment of compensations.
	Identification of reasons for which funds for compensations have been under/overspent	Rate of spending of funds allocated for compensations, % of amount envisaged in the LARP
Additional compensation	Monitoring time limits of temporary land acquisition	Number of persons on whose plots temporary acquisition needs to be extended
		Area on which construction works will be continued after the established deadline.

Purpose	Activities	Monitoring Indicators
Household impact (income restoration)	Follow up socio-economic survey of affected households (3 months after implementation of LARP)	Changes in household income/livelihood
Consultation and participation	Determining the level of involvement and identification of reasons of inadequate participation	Number of compensation recipients who participated in consultations and coordination meetings at each stage of land acquisition
	Analysis of disputes and complaints content.	Number of complaints
	Resolution of conflicts	Number of complaints resolved

11.2 Third Party Validation/External Monitoring

104. ADB will engage an external monitor Third Party Validator (TPV) to prepare a due diligence/compliance report. The TPV will determine whether the compensation is based on fair price (replacement cost) of land and/or other assets, and is based on meaningful consultation with DPs, validate if provisions in the resettlement plan have been observed during its implementation, and if there occurred any unplanned or unexpected consequences of the resettlement or unresolved issues.

APPENDIX A

CENSUS AND SOCIOECONOMIC SURVEY QUESTIONNAIRES

**Zhambyl Oblast Committee on Road
Ministry for Transport and Communications**

Taraz Bypass Road Project

CENSUS OF AFFECTED LAND USERS

1. Full name _____
2. Sex Male _____ Female _____
3. Address _____
4. Year of birth _____
5. Nationality _____
6. Members of the household

	Full name	Relation to household head (husband, wife, son, daughter etc.)	Age	Sex	Marital status	Education	Occupation	Any disabilities Yes/No
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								

7. What are potential impacts on your household due to the road development project? (Mark with X)

Description of Impact	Temporary	Permanent
Loss of some portion of lands (agricultural, commercial, residential)		
Loss of structure (house, shop-house, secondary structures etc.)		
Loss of business, livelihood or income		
Loss of grains, vegetable crops or trees		

8. What are your rights to the land?

- a) Lease for 49 years
- b) Lease for ____ years
- c) Private land ownership
- d) Common land ownership

9. Years you use this land? _____

10.If you lease the land from a private person, provide the following information on the owner of the land?

Owner's full name _____
Address _____ Phone number _____

11.Did you have any expenditure for land improvement during the last 3 years?

		Yes	No
A	Fertilizers		
B	Irrigation system		
C	Bank loan		
D	Seeds		
E	Access roads on the land plot subject to acquisition		
F	Fuels and lubricants		

12.Do you think that after acquisition of a portion of your land you will be able to continue with your former activities, namely:

Agricultural activities	1. Yes	<input type="checkbox"/>	2. No, but has alternative land to continue agricultural activity	<input type="checkbox"/>	3. No, and has no alternative land	<input type="checkbox"/>
Trading, Business	1. Yes	<input type="checkbox"/>	2. No, but has alternative land to continue trading or business activity	<input type="checkbox"/>	3. No, and has no alternative land	<input type="checkbox"/>
Residential life	1. Yes	<input type="checkbox"/>	2. No, but has alternative land to reside	<input type="checkbox"/>	3. No, and has no alternative land	<input type="checkbox"/>

13.If you have alternative land to continue with agricultural activity, trading or to reside, where is this land situated? _____

14.If the remaining land is not sufficient to continue with agricultural activity or trading, would you like to obtain alternative land plot instead of cash compensation?

___ Yes ___ No

15.What would you like to get as compensation for your land?

1. Cash compensation
2. Land for land
3. Other compensation (specify)

16.(For business owners only)

Type of business	Is it basic or non-operating activity?	Monthly income from this activity, in KZT	Amount of lost income

17. Only for persons engaged in trading, commerce or service

When did you start the mentioned activity in this location? (year)	Do you have an official permit to carry out this activity? (underline)	Authority that issued a trading permit
	Yes No	

18. Do you employ or hire workers to help you on the land plot that would be affected due to road improvement?

1. Yes (permanent or seasonal?)

2. No

19. If you have permanent hired workers, please fill in the table below:

Item No.	Work being done by hired worker	Age	Sex	Education	Worker's monthly income
1					
2					
3					
4					
5					

20. Main crops and trees cultivated on the land subject to acquisition for public needs

Grains	Area	Area that will be acquired	Year of sowing	Total area (ha)	Area subject to acquisition (ha)	Price per 1 metric centner (100 kg), in KZT	Total cost of the harvest lost

21. Structures on the land that will be affected due to road improvement

Type of building, structure	Area (sq. m)		Cost (in KZT)

22. Information on basic premises (house, shop, building) that will be affected due to construction

Building	Materials	Number of storeys	Number of rooms	Has electricity?	Has telephone facility?	Has pipe-borne water?	Year built

23. For persons whose structures will be affected:

a) Did you obtain any credit to build this/these structure/structures?

1. Yes 2. No

b) If yes, please specify your source(s) of credit for building the structure?

1. Bank
2. NGO
3. Cooperative Society

4. Money lender
5. Relatives/Friends
6. Other (specify)

24. Information from renters of affected structures:

a) Monthly rent _____ KZT

b) Number of years you have been renting the affected structure _____ years

c) Until when do you intend to rent the structure:

1. Less than 6 months
2. 6 to 12 months

3. More than 1 year
4. Indefinitely

d) Do you know of an alternative place to rent?

1. Yes 2. No

e) If no, will you need assistance in finding another place to rent?

1. Yes 2. No

25. In case you need to relocate your business as a result of road improvement, what would you prefer?

1. Self relocate to another site
2. Relocate in a site to be identified and provided by local authority (Akimat)
3. Undecided / Don't know

26. What opportunities and livelihood assistance do you expect from the road improvement to help restore your livelihood?

1. Employment from road construction
2. Skill training (specify kind of training)
3. Micro-finance/soft loan (specify business)
4. Others (specify)
5. Don't expect anything

27. Are you a member of any local/community organization?

1. Yes (Please indicate name of organization) _____
2. No

28. What portion of your income (in KZT) you will lose due to land acquisition for road construction?

29. What impact will the road improvement have on your household?

1. Positive
2. Negative
3. Neither positive, nor negative
4. Undecided / Don't know

30.What do you think are the advantages that you and your family would get due to construction of the road?

31.What are your suggestions to minimize the losses or adverse impacts due to construction of the road?

Thank you !

**Zhambyl Oblast Committee on Roads
Ministry for Transport and Communications**

Taraz Bypass Road Project

SOCIO-ECONOMIC SURVEY OF AFFECTED LAND USERS

1. Full name of household head _____
2. Sex Male _____ Female _____
3. District _____
4. _____
- Address _____

5. Land and asset ownership

- a) Total Land area, ha _____
- b) Area of cultivated land, ha _____
- c) Area of uncultivated land, ha _____
- d) Crops being cultivated _____
- e) Yield _____

6. Land type

- a) Irrigated arable land
- b) Non-irrigated arable land
- c) Garden
- d) Pasture
- e) Fallow land
- f) Commercial land
- g) Residential lands
- h) Other

**7. Information on the structures that belong to the household head
(including those outside the road corridor and in other locations)**

Type of structure	Materials (bricks, clay, wood)	Number of storeys	Number of rooms	Has electricity?	Has telephone facility?	Has pipe-borne water?	Year built

8. Other assets owned by your family

Asset	Quantity
Livestock	
Agricultural equipment	
Tractor	
Lorry	
Car	
Well	
Trading and Business	

9. Family members who generate income (specify all of them including pensioners)

Member's name (father, mother, son, daughter etc.)	Income source (salary, pension, profit)	Monthly income, in KZT

10. Information on family expenditure (Monthly):

Item of Expenditure	Amount in KZT
Food	
Clothing	
Coal	
Gas	
Electricity	
Water	
Dwelling house and other accommodation	
Gasoline, fuel	
Medical/health	
Education	
Household utensils	
Telephone	
Transport expenses	
Payment of loan/credit	
Maintenance cost of household structures and equipment	
Smoking	
Alcohol	
Entertainment	
Other (if any)	
TOTAL	

11. Information on family income (2009 average)

Source of Income	Amount in KZT
Agriculture	
Livestock	
Salary	
Allowance	
Pension	
Rent of land or real assets	
Trade/Business	
Household products	
Renting heavy vehicles (bus, lorry, tractor)	
Renting light vehicles (car, van)	
Interest (bank deposit, money lending)	
Gardening	
Other (specify)	
TOTAL	

12. Please indicate your family borrowings during 2010

S No	Name of borrowing family member	Name of source (institution or private person)	Amount taken, KZT	Amount returned, KZT	Balance, KZT
1					
2					
3					
4					
5					
TOTAL					

13. What illness did you and your family members experience during the last 12 months?

14. Did you and your family members apply for medical service to a hospital, out-patients' clinic or maternity hospital during the last 12 months?

Family member	Illness	Medical institutions you applied to

15. Are there members of your family who work in locations outside the rayon (district)?

1. Yes

2. No

If "Yes", please fill in the following:

Name	Type of work (agriculture, industry, construction, trade and business, other.)	Location of work (Zhambyl Oblast, Almaty, Astana, other regions in Kazakhstan, CIS, foreign countries (specify where))	Frequency and duration of work (shift team, permanent, years?)	Monthly income of this member, in KZT

(Question for women – heads of households or family members of the person filling the Questionnaire)

16. Do you think that women in your area have sufficient opportunities to participate in decision making in:

	Yes	No	Limited
Land use			
Bank credits			
Household development			
Land selling or renting			

Temporary workers hiring			
Harvest selling			
Household income distribution			
Purchasing agricultural equipment, seeds, livestock, fertilizers			
Other (specify)			

17. (For respondents who think that there are no or limited opportunities for women) What do you think are the possible reasons why there are limited opportunities for women to participate in decision making in their family and society?

18. What can be done to improve women's life in your region?

19. Should the women receive any supplemental assistance related to land acquisition for road construction?

1. Yes (Please specify)

2. No

3. Don't know

THANK YOU

Appendix B:
List of Heads of Displaced Households and Legal Entities

No	Name of AP	Cad-I №	Total land (in ha)	Area of the plot affected (in ha)	Acquired area	% of acquired area out of total owned land	Ownership		Use of land					Crop cultivated
							Lease or private land	h/h or LE	Arable		Hay	Pas-ture	Other	
									irriga-ted	Non-irriga-ted				
1	H-d Amangeldy Tattikulov Nurdaulet	071-128	1000	514	0.3	0.084	10 y,	h/h	0	0.3	0	0.81	0	wheat
					0.81									perennials
2	H-d Kadyraliyev Bekezhan	071-348	503	54.33	0.46	0.09145	49 y,	h/h	0	0.46	0	0	0	wheat
3	H-d Toybay Turgynbay	095-121	6670	39.84	1.27	0.05757	10 y,	h/h	1.27	0	0	0	0	tomato
		095-690		77.36	2.65		49 y,		0	2.65	0	0	0	wheat
		080-065		41.65	1.93		49 y,		0	1.93	0	0	0	wheat
4	H-d Shametova Telzhan	095-066	40	40	0.61	1.525	49 y,	h/h	0	0.61	0	0	0	wheat, safflower
5	H-d Myrzaliyeva Zhanarkul, relegalized to Myrzaliyeva Raya	095-334		30	2.97		39 y,	h/h	0	2.97	0	0	0	wheat, safflower, vegetables
		095-333		6	1.31		39 y,		1.31	0	0	0	0	perennials, beet
6	H-d Karatayev Yerbol	095-618	122	15.19	1.74	1.42622	49 y,	h/h	1.74	0	0	0	0	onion, potato
7	H-d Baydesheva Abdrazaka, relegalized to Tusipbekova Kulsyn	095-089	15.32	6.32	0.62	4.04699	49 y,	h/h	0.62	0	0	0	0	onion, vegetables
8	H-d Karimova Dina	095-117	3	2	0.19	6.33333	49 y,	h/h	0.19	0	0	0	0	vegetables
9	H-d Bekmuratov Muhamedzhan	095-092	13.65	3	0.99	7.25274	49 y,	h/h	0.99	0	0	0	0	perennials, vegetables
10	H-d Isobayeva Almagul, H-d Olzhabayev	095-113	4	2	0.79	19.75	5 y,	h/h	0.79	0	0	0	0	vegetables

No	Name of AP	Cad-I №	Total land (in ha)	Area of the plot affected (in ha)	Acquired area	% of acquired area out of total owned land	Ownership		Use of land					Crop cultivated
							Lease or private land	h/h or LE	Arable		Hay	Pasture	Other	
									irrigated	Non-irrigated				
	Koyshibay													
11	H-d Abdreev Tursynbay	095-401	2.52	2.52	1.09	43.2539	5 y,	h/h	1.09	0	0	0	0	vegetables
12	KT "Mariya and K" (Ibraimova Mariya)	095-170	38	38	1.2	3.15789	45 y,	LE	1.2	0	0	0	0	vegetables, perenials
13	H-d Cherdyncey Igor	095-440	10	10	0.57	5.7	49 y,	h/h	0.57	0	0	0	0	onion
14	H-d Akhmetov Zholdybay	095-005	250	9	0.56	0.248	49 y,	h/h	0.56	0	0	0	0	vegetables, gardens
		095-004		11	0.06		49 y,		0.06	0	0	0	0	perennials
15	H-d Tulepbergenov Alimbek	095-366	10	10	0.7	7	39 y,	h/h	0.7	0	0	0	0	vegetables, perennials
16	H-d Mynzhasarov Bays	093-004	21	6	0.56	2.66666	49 y,	h/h	0.56	0	0	0	0	perennials, vegetables
17	H-d Omarova Kulzifa	095-721	30	30	0.19	9.63333	7 y,	h/h	0	0.19	0	0	0	clover
		095-722		132.69	2.55		49 y,		0	2.55	0	0	0	lucerne
					0.25				0	0	0.25	0	perennials	
18	H-d Bizhasarov K,Sh,		870	1.55	0.27	0.03103	49 y,	h/h	0	0	0	0	0.27	wheat, vegetables, onion
19	LLP Ulgili-2005 (Yerkebayev B.)	079-137	1330	164	1.61	0.76842	49 y,	LE	1.61	0	0	0	0	vegetables
		079-139		5	0.31		49 y,		0.31	0	0	0	0	vegetables
		079-140		19	0.92		49 y,		0.92	0	0	0	0	vegetables
		080-057		561	6.38		49 y,		0	6.38	0	0	0	wheat
		080-058		448	0.78		49 y,		0	0	0	0.78	0	perennials
20	H-d Kozhamzharova Gulnaz	079-093	165	16.31	1.14	0.69090	private	h/h	0	1.14	0	0	0	wheat
21	H-d Ismailova Satkul	079-092	31.27	24.55	0.77	2.46242	49 y,	h/h	0	0.77	0	0	0	wheat

No	Name of AP	Cad-I №	Total land (in ha)	Area of the plot affected (in ha)	Acquired area	% of acquired area out of total owned land	Ownership		Use of land					Crop cultivated
							Lease or private land	h/h or LE	Arable		Hay	Pasture	Other	
									irrigated	Non-irrigated				
22	H-d Ayubayev Kuatbek	079-086	26.7	20.07	0.24	0.89887	49 y,	h/h	0	0.24	0	0	0	wheat
23	H-d Aulbayeva Ulgat	092-148	12	14.5	0.29	8.08333	5 y,	h/h	0	0.2	0	0.09	0	wheat
		095-724		2.84	0.68		49 y,		0	0	0	0.68	0	perennials
24	H-d Muhanov Zhidebay	092-070	12.5	12.5	0.42	3.36	49 y,	h/h	0.42	0	0	0	0	vegetables
25	H-d Bekmanova Sholpan	092-068	2.5	2.45	0.06	2.4	49 y,	h/h	0.06	0	0	0	0	vegetables
26	H-d Rahmanov Bayzhan	092-082	11.81	11.81	0.91	7.70533	49 y,	h/h	0	0	0	0	0.91	vegetables
27	H-d Kovalcov Aleksey	092-075	9.36	9.36	2.1	22.4358	43 y,	h/h	2.1	0	0	0	0	vegetables
28	H-d Ukibayev Kayrat	079-063	13.65	5.87	0.58	5.05494	49 y,	h/h	0.58	0	0	0	0	vegetables
		079-063		1.89	0.11		49 y,		0	0.11	0	0	0	wheat, barley
29	LLP Tatu	078-130	1970	26.1	1.56	0.141	49 y,	LE	1.56	0	0	0	0	vegetables
		078-128		34.8	1.63		49 y,		1.63	0	0	0	0	
					0.21		49 y,		0	0.21	0	0	0	wheat
		078-131		5.9	0.32		49 y,		0	0.32	0	0	0	
		078-086		26.1	0.6		49 y,		0	0	0	0.6	0	hay
30	H-d Myrzaliyev Zhaksybek	081-006	670	116.42	1.35	0.3657	49 y,	h/h	0	1.35	0	0	0	onion, wheat
				1.1	49 y,		0		0	0	0	1.1	vegetables	
31	H-d Shauharova Turumkul	079-057	2.5	2.59	0.14	5.6	49 y,	h/h	0.14	0	0	0	0	vegetables
32	H-d Sarsenbayeva Balkiya	079-056	15.29	3.54	0.17	1.1118	49 y,	h/h	0.17	0	0	0	0	barley, wheat
33	H-d Bukebayev Altynbek, relegalized to Bukebayeva Klara	079-121	15	15	0.98	6.53333	47 y,	h/h	0	0	0	0.98	0	perennials
34	MP Kuan LLP	№1-	130	2	0.52	0.40	49 y,	LE	0	0	0	0	0.52	perennials

No	Name of AP	Cad-I №	Total land (in ha)	Area of the plot affected (in ha)	Acquired area	% of acquired area out of total owned land	Ownership		Use of land				Crop cultivated	
							Lease or private land	h/h or LE	Arable		Hay	Pasture		Other
									irrigated	Non-irrigated				
	"Viza"	№112												
35	H-d Fazulov Mauat	049-160	1569	58	3.09	0.19694	private	h/h	0	0	0	3.09	0	hay
36	H-d Tleubayeva Roza	049-355	800	11.78	0.54	0.0675	5 y,	h/h	0.54	0	0	0	0	onion
37	H-d Kozhamkulov Yerzhan	049-155	4	4	0.2	5	49 y,	h/h	0.2	0	0	0	0	vegetables
38	H-d Okshin Petr	049-154	7.57	7.57	0.38	5.01981	49 y,	h/h	0.38	0	0	0	0	Clover39
39	H-d Amerhanov Ahmat	049-172	4	4	0.2	5	49 y,	h/h	0.2	0	0	0	0	vegetables
40	H-d Alihanov Mambet	049-171	4	4	0.2	5	49 y,	h/h	0.2	0	0	0	0	vegetables, perennials
41	H-d Popov Georgiy	049-169	4	4	0.19	4.75	49 y,	h/h	0.19	0	0	0	0	vegetables, perennials
42	H-d Tairov Musa	049-361	4	4	0.19	4.75	49 y,	h/h	0.19	0	0	0	0	onion, vegetables
43	H-d Ibragimov Mushtak	049-233	5.89	5.89	0.28	4.75382	49 y,	h/h	0.28	0	0	0	0	vegetables
44	H-d Duysenbekov Myrzahmet	049-253	1.89	1.89	0.09	4.76190	49 y,	h/h	0.09	0	0	0	0	vegetables
45	LLP Akzhol-7 (Momynov B.)	049-262	31	31.02	1.43	4.61290	49 y,	LE	1.43	0	0	0	0	vegetables
46	H-d Matova Gulzhar	049-125	10.66	5.89	0.23	2.15759	private	h/h	0.23	0	0	0	0	potato
47	PK Myrzatay, Aytbayev Aydar		5665	515	22.66	0.4	49 y,	LE	0	0	0	19.03	3.63	perennials
48	H-d Tsoi Vyacheslav	075-040		58.25	1.56		47 y,	h/h	1.56	0	0	0	0	onion, potato
49	H-d Zhamankulov Meyrhan	073-011		13	0.8		5 y,	h/h	0	0	0	0.8	0	hay
50	H-d Dautov Sholpan	027-208	1124	50	4.08	0.645	42 y,	h/h	4.08	0	0	0	0	onion
		026-068			127.3		3.17		10 y,		0	3.17	0	0
51	H-d Putikova Venera	027-095	7.3	2.58	0.45	6.16	49 y,	h/h	0.45	0	0	0	0	vegetables

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									irrigated	Non-irrigated				
52	H-d Daripbekova Kulshariya	027-104	4.63	2.22	0.17	3.69	49 y,	h/h	0.17	0	0	0	0	perennials
	H-d Kalipbekov Orynbek (to Kalipbekov Maydakul)	027-105	6.58	3.11	0.21	3.19	41 y,	h/h	0.21	0	0	0	0	Perennials
53	H-d Kazbekov Karymbek	027-106	1.86	0.89	0.06	3.19148	49 y,	h/h	0.06	0	0	0	0	perennials
54	F,H Veteran (Kim Leonid)	027-038	337	175	2.36	1.75370	49 y,	h/h	2.36	0	0	0	0	corn, onion, wheat
55		026-035		129.06	3.55		49 y,		0	3.55	0	0	0	barley
56	H-d Dzhabbarov Oladin	027-197	12.17	12.17	1.03	8.46343	48 y,	h/h	1.03	0	0	0	0	perennials
57	H-d Abzhapparov Turar	027-218		6.32	0.23		49 y,	h/h	0.23	0	0	0	0	melon, wheat
58	H-d Ospanov Ziyatkan	027-211	6	6	0.23	3.83333	5 y,	h/h	0.23	0	0	0	0	vegetables
59	H-d Abdrahmanov Toganay	027-119	100	10.01	0.67	0.67	49 y,	h/h	0.67	0	0	0	0	vegetables, perennials
60	H-d Nursilamova Bagila	027-048	27.98	13.59	0.7	2.50178	42 y,	h/h	0.7	0	0	0	0	perennials
61	H-d Ukibayeva Mayrash	027-№600		77.85	0.44		49 y,	h/h	0	0.44	0	0	0	perennials, onion
62	H-d Baynazarova Hamidulla	027-172		174.92	1.21		10 y,	h/h	1.21	0	0	0	0	wheat, onion
63	H-d Shotanbayeva Abirkul	027-193	11	4.97	0.39	4.18181	49 y,	h/h	0.39	0	0	0	0	corn
		026-092		5.39	0.7		49 y,		0	0.7	0	0	0	perennials
64	H-d Kolzhigitova Yesenkul	027-200	0.8	0.8	0.05	6.25	49 y,	h/h	0.05	0	0	0	0	onion, corn
65	H-d Rahmetildayev Nikolay	026-059	120	45.65	2.16	4.44166	49 y,	h/h	2.16	0	0	0	0	onion, wheat
	026-060	58.01		3.17	q		0		3.17	0	0	0	onion, barley	

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									irrigated	Non-irrigated				
66	H-d Otetayev Yerlan (Apsetova Elmira)	026-098	13.8	13.2	0.56	4.05797	5 y,	h/h	0	0.56	0	0	0	perennials
67	H-d Kozhahmetova Turekiz	026-078		24.87	1.83		49 y,	h/h	0	1.83	0	0	0	onion, barley
68	H-d Kumzhot, ruk Ormanov S,(Abay)		525	800	3.2		49 y,	h/h	0	3.2	0	0	0	onion
69	H-d Rahmetildayev Kumisbay	026-096	9.9	4.36	0.1	1.01010	49 y,	h/h	0	0.1	0	0	0	corn, barley
70	H-d Orunabasarov Bahytzhan	026-084	13	6.3	0.16	1.23076	49 y,	h/h	0	0.16	0	0	0	wheat
71	H-d Baytarakov Azamat	026-102	5	2.6	0.06	1.2	49 y,	h/h	0	0.06	0	0	0	wheat, perennials
72	H-d Uzbekov Dzhambulbay	026-090	59.1	27.75	0.66	1.11675	49 y,	h/h	0	0.66	0	0	0	wheat
73	H-d Spatov Amangeldy	119-020		15	1.38		49 y,	h/h	0	1.38	0	0	0	wheat
74	H-d Kyrkybayev Ualihan (Turaliyeva S,)	032-026		86.75	2.2		49 y,	h/h	2.2	0	0	0	0	onion, perennials
75	H-d Shovketov Aidin	032-070	71	45	1.74	2.45070	49 y,	h/h	1.74	0	0	0	0	onion, corn
76	H-d Binaliyev Sabirzhon	032-098	18.45	18.55	0.22	1.19241	49 y,	h/h	0.22	0	0	0	0	onion, corn, wheat
77	H-d Tulendiyev Bayanbay	№ 515	195	92	2.05	1.05128	49 y,	h/h	2.05	0	0	0	0	onion
78	H-d Syzdykov Zhandildi	032-113	140	95.33	2	1.42857	49 y,	h/h	2	0	0	0	0	onion
79	H-d Dautov Talgat	032-061		329.05	4.98		49 y,	h/h	4.98	0	0	0	0	corn
		025-173		35	5.65		49 y,		5.65	0	0	0	0	onion
80	H-d Kulbayev Muhamed	032-050		10.88	0.55		49 y,	h/h	0.55	0	0	0	0	onion, corn, perennials

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									irriga-ted	Non-irriga-ted				
81	H-d Tasybekov Aytbek	032-034	230	319.08	4.64	2.01739	49 y,	h/h	4.49	0	0	0.15	0	wheat, onion, perennials
82	H-d Primzhanov Orynbek	025-033		28	0.75		49 y,	h/h	0.75	0	0	0	0	corn, onion, tomato
83	H-d Kuanyshbeyev Nariman	025-029	186.56	105.63	1.8	0.96483	49 y,	h/h	1.8	0	0	0	0	perennials, potato, sunflower
84	PK "Kyzyl Dihan"	025-053		200.45	4.65		49 y,	LE	0	4.65	0	0	0	wheat
		025-189		29.68	0.94		49 y,		0.94	0	0	0	0	onion
85	H-d Akmoldayev Yergali	025-178	17.6	17.6	0.68	3.86363	15 y,	h/h	0.68	0	0	0	0	
86	H-d Abdrahmanov Murat	025-264	155	9.45	4.99	3.21	private	h/h	4.99	0	0	0	0	potato
87	H-d Balabekov Madi	025-266		3.76	0.15		49 y,	h/h	0.15	0	0	0	0	perennials
88	H-d Kosembayev Altynbek	025-176	15	15.69	1.05	7	49 y,	h/h	1.05	0	0	0	0	corn, perennials
89	H-d Almasbekova Semkul	025-087		10.75	0.42		49 y,	h/h	0.42	0	0	0	0	onion, perennials
90	PK "Aktobe"	025-218	550	170	0.68	0.29272	49 y,	LE	0.68	0	0	0	0	wheat, corn, onion
		025-216		267.5	1.07		49 y,		1.07	0	0	0	0	
		025-223		112.5	0.45		49 y,		0	0	0	0.45	0	hay
					0.09		49 y,		0	0	0	0.09	0	
91	H-d Ospanov Balpan	018-411	43.22	16.16	0.28	0.64784	49 y,	h/h	0	0	0	0.28	0	perennials
92	H-d Anarkulova Aliya	018-390	154	30	2.32	1.50649	private	h/h	0	0	0	2.32	0	hay
93	H-d Karzhaubayev Amirbek	018-069	6.62	6.62	0.8	12.0845	49 y,	h/h	0	0.8	0	0	0	onion
94	H-d Nurbayev Dzhumaseit	018-052	228	7.2	0.63	0.27631	private	h/h	0	0.63	0	0	0	wheat
95	H-d Zhamalbekov Sharipbek	018-041	7.78	1.98	0.14	1.79948	49 y,	h/h	0	0.14	0	0	0	onion, wheat

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96	H-d Maynashev Dinali	018-030	132.5	1.5	0.53	0.40	49 y,	h/h	0	0.53	0	0	0	onion, safflower
97	PK "Yunchi" (Ashirov T.)		14000	1990	7.96	0.05685	49 y,	LE	0	0	0.6	7.36	0	hay
98	H-d Mashanlo Roza	100-119	20.58	2.09	0.14	0.68027	49 y,	h/h	0	0	0.14	0	0	perennials
99	H-d Dzhuma-Ahunov Abdulla	100-115	64	20	1.13	1.76562	49 y,	h/h	0	0	1.13	0	0	perennials
100	PK "Amangeldy"		2000	2000	13.89	0.6945	49 y,	LE	0	0	0	13.89	0	perennials
101	H-d Dzhakipov Abdikadir	058-300		8.5	0.7		49 y,	h/h	0	0	0	0.7	0	perennials
102	H-d Danayev Aldabergen	058-297	7.8	7.8	2.16	27.69230	49 y,	h/h	0	0	0	2.16	0	perennials
103	H-d Kaliyev Almaz	058-271	11	6.29	0.02	0.18181	49 y,	h/h	0	0	0	0.02	0	perennials
104	H-d Baymenov Bolsyn	058-155	4.5	6.77	0.18	4	49 y,	h/h	0	0	0	0.18	0	perennials
105	H-d Kozhageldiyev Bazarbek	058-307	9.2	3.69	0.37	4.02173	49 y,	h/h	0	0	0	0.37	0	perennials
106	H-d Dangilov Serik	067-252	11000	10886.33	7.34		49 y,	h/h	0	7.34	0	0	0	wheat
		067-249		220.7	3.91		49 y,		0	3.91	0	0	0	safflower
		067-251		58.7	2.18		49 y,		0	2.18	0	0	0	barley
		067-479		167.5	3.24		49 y,		0	0	0.58	0	2.66	perennials, wheat, hay
		067-477		98.35	6.4		49 y,		0	4.17	0	2.23	0	
107	H-d Kim Sergei	1067-398		30.8	1.04		private	h/h	0	0	1.04	0	0	hay
108	H-d Sherbinin Nikolay	108-047	149	47.2	0.84	0.56375	49 y,	h/h	0	0.84	0	0	0	wheat