

# Land Acquisition and Resettlement Plan

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July 2019

## Azerbaijan: MFF Second Road Network Development Investment Program, Project 1

Prepared by BCL Associates Limited for the State Agency of Azerbaijan Automobile Roads and the Asian Development Bank.

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## CURRENCY EQUIVALENTS

(as of 17 July 2019)

Currency unit	–	Azerbaijani Manat
AZN1.00	=	\$0.5894
\$1.00	=	AZN1.6965

## ABBREVIATIONS

AAY	–	State Agency of Azerbaijan Automobile roads
MOF	–	Ministry of Finance
ADB	–	Asian Development Bank

## {GLOSSARY}

<b>Compensation</b>	Money or payment-in-kind to which the displaced persons are entitled in order to replace the lost assets, resource or income.
<b>Cut-off date</b>	The completion date of the census of project-displaced persons is usually considered the cut-off date. A cut-off date is normally established by the borrower government procedures that establishes the eligibility for receiving compensation and resettlement assistance by the project displaced persons. In the absence of such procedures, the borrower/client will establish a cut-off date for eligibility.
<b>Displaced persons</b>	In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihood) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. Economic displacement. Loss of land, assets, access to assets, income sources, or means of livelihood as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
<b>Eminent domain</b>	The right of the state using its sovereign power to acquire land for public purposes. National law establishes which public agencies have the prerogative to exercise eminent domain.
<b>Entitlement</b>	Resettlement entitlements with respect to a particular eligibility category are the sum total of compensation and other forms of assistance provided to displaced persons in the respective eligibility category.
<b>Income restoration</b>	Re-establishing productive livelihood of the displaced persons to enable income generation equal to or, if possible, better than that earned by the displaced persons before the resettlement.

and children,

**NOTE{S}**

- (i) The fiscal year (FY) of the Government of the Ministry of Finance and its agencies ends on 31 December 2019. FY before a calendar year denotes the year in which the fiscal year ends, e.g., FY2011 ends on 31 December 2011.
- (ii) In this report, "\$" refers to United States dollars



**REPUBLIC OF AZERBAIJAN**

**STATE AGENCY OF AZERBAIJAN AUTOMOBILE ROADS**

**Land Acquisition and Resettlement Plan**

**Reconstruction of Ujar-Zardab-Agjabadi Road Section (70.50 km)**

**under Second Road Network Development Investment Program, Project 1**

**Revised Final Version**

*Submitted by*



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## **Acronyms**

ADB	Asian Development Bank
DPs	Displaced Persons
SAAR	State Agency of Azerbaijan Automobile Roads
PIU	Project Implementation Unit
SPS (2009)	Safeguard Policy Statement (2009) of Asian Development Bank
SC	Supervision Consultant
EP	Executive Power
GFP	Grievance Focal Person
GRM	Grievance Redress Mechanism
LAD	Land Acquisition Division
LAL	Law on Acquisition of Lands for States Needs
LAR	Land Acquisition and Resettlement
LARP	Land Acquisition and Resettlement Plan
MOF	Ministry of Finance
SC	Supervision Consultant
SCPI	State Committee on Property Issues

## GLOSSARY

**Compensation.** Money or payment-in-kind to which the displaced persons are entitled in order to replace the lost assets, resource or income.

**Cut-off date.** The completion date of the census of project-displaced persons is usually considered the cut-off date. A cut-off date is normally established by the borrower government procedures that establishes the eligibility for receiving compensation and resettlement assistance by the project displaced persons. In the absence of such procedures, the borrower/client will establish a cut-off date for eligibility.

**Displaced persons.** In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihood) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. Economic displacement. Loss of land, assets, access to assets, income sources, or means of livelihood as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.

**Eminent domain.** The right of the state using its sovereign power to acquire land for public purposes. National law establishes which public agencies have the prerogative to exercise eminent domain.

**Entitlement.** Resettlement entitlements with respect to a particular eligibility category are the sum total of compensation and other forms of assistance provided to displaced persons in the respective eligibility category.

**Income restoration.** Re-establishing productive livelihood of the displaced persons to enable income generation equal to or, if possible, better than that earned by the displaced persons before the resettlement.

**Meaningful consultation.** A process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

**Physical displacement.** Relocation, loss of residential land, or loss of shelter as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.

**Replacement Cost.** Replacement cost involves replacing an asset at a cost prevailing at the time of its acquisition. This includes fair market value, transaction costs, interest accrued, transitional and restoration costs, and any other applicable payments, if any. Depreciation of assets and structures should not be taken into account for replacement cost. Where there are no active market conditions, replacement cost is equivalent to delivered cost of all building materials, labor cost for construction, and any transaction or relocation costs.

**Relocation assistance.** Support provided to persons who are physically displaced by a project. Relocation assistance may include transportation, food, shelter, and social services that are provided to the displaced persons during their relocation. It may also include cash allowances that compensate displaced persons for the inconvenience associated with resettlement and defray the expenses of a transition to a new locale, such as moving expenses and lost work days.

**Entitlement.** Range of measures comprising compensation, income restoration, transfer assistance, income substitution, and relocation which are due to displaced persons, depending on the nature of their losses, to restore their economic and social base.

**Expropriation.** Government's action in taking or modifying property rights in the exercise of sovereignty.

**Host population.** Community residing in or near the area to which displaced persons are to be relocated.

**Income restoration.** Re-establishing income sources and livelihoods of displaced persons.

**Involuntary resettlement.** Development project results in unavoidable resettlement losses that displaced persons have no option but to rebuild their lives, incomes and asset bases elsewhere.

**Land Acquisition and Resettlement plan.** A time-bound action plan with budget setting out resettlement strategy, objectives, entitlement, actions, responsibilities, monitoring and evaluation.

**Rehabilitation.** Re-establishing incomes, livelihoods, living, and social systems.

**Relocation.** Rebuilding housing, assets, including productive land, and public infrastructure in another location.

**Vulnerable households.** The vulnerable are individuals or groups who may experience adverse impact from a proposed project more severely than others because of their vulnerable status. Typically, those below poverty line, the landless or those without a title to land, the elderly, female headed households, women and children,

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## EXECUTIVE SUMMARY

1. This Land Acquisition and Resettlement Plan (LARP) is prepared for upgrading the road Ujar-Zardab-Agjabedi Road (R32) from km 00+000 to km 70+500 (Project). The Project will be implemented through savings made from the Loan no. 2921-AZE, Project 1 under the Road Network Investment Program-MMF2 financed by Asian Development Bank (ADB). The LARP is prepared in compliance with the Safeguards Policy Statement (2009) of ADB (SPS 2009) and applicable laws of Azerbaijan.
2. The State Agency of Azerbaijan Automobile Roads (Agency) is an Implementing Agency and responsible for the Project including for preparation and implementation of LARP. State Agency of Azerbaijan Automobile Roads will exercise its functions through the Project Implementation Unit (PIU) that handles day-to-day project activities. Land acquisition and resettlements (LAR) tasks including surveys, asset valuation, and community consultation, provision of compensations and entitlements and interagency coordination will be managed by the Land Acquisition Division (LAD) of State Agency of Azerbaijan Automobile Roads.
3. The Project road is a vital link in the national highway network. Upgrading of this road will strengthen domestic trade in the central and southwest regions of Azerbaijan. It will promote economic activity and employment opportunity for the low-income group people in the central regions. It will also provide safe and efficient transport link between the central and southern agricultural regions with M2, Baku-Alat-Gazakh-Georgia state border. It will make economic integration of the southwest agricultural region into the national economy. The project aims to provide good transport link of the Ujar-Zardab-Agjabedi road by upgrading the road and provide efficiency, safety and sustainability.
4. Considering the life span and existing poor conditions of Kura Bridge, located at Ch.50+260 Km of project, construction of a new bridge is proposed under the project plan. The new bridge will be built on the right section of exiting bridge, for that some land acquisition is required. In addition, land acquisition in a smaller scale at various locations will be required to improve the geometry of the existing alignment.
5. Minimum land acquisition is considered in the design and where required the relaxing of shoulders` dimensions to existing situation is considered provided that the maintaining carriageway within existing right of way (ROW) in accordance with standards, especially in the project`s sections passing through village and settlement.
6. These data are based on the latest cadastral plan that was prepared and approved by the State Committee on Property Issues. In total, 2,425 hectares of land will be affected. 1,028 hectares (0.989 hectares of agricultural land and 0.039 hectares of habitat) of this are private land owned by 13 affected person and 1,397 hectares are municipal lands. 328 different types of non-fruit bearing trees will be affected in 1,028 hectares of private land. 297 of them are willow, 21 poplar, 5 bacacia and 5 mulberry trees. These trees are located on the border of the private lands and ROW.
7. The project will not impact any structure or any business. There are no severely affected DPs (the acquired area is only a narrow strip with less than 5% impact on each land plot). No DPs or households will be physically displaced. One widow as a female headed household and vulnerable person is identified.

8. LARP's total budget was calculated as 28,707.71 AZN. This amount is part of the Project budget.

9. This LARP and the potential issues related to project implementation will be settled through a monitoring and complaint mechanism that is the part of the LARP. Before commencement of contract works the agency will complete the execution of the LARP. At present, no construction works has been carried out in the project area of km 49+575 to km 50+700. Construction works will start only after completing the compensation payment for this part.

## **1. INTRODUCTION**

### **1.1. Project description**

10. The Ujar-Zardab-Agjabadi project road, R32 located in the central region of Azerbaijan is very important for connecting five (5) different rural villages but agriculturally rich districts to the capital city through the Baku-Ganja-Georgia State Border, M2 highway, considered to be the economic lifeline of the country. The road is 76 km long starting from the Ujar intersection of M2 and passes towards the west and southwest direction. This road will be vital link in the national highway network. Upgrading of this road will strengthen domestic trade in the central and southwest regions of Azerbaijan. It will promote economic activity and employment opportunity for the low-income group people in the central regions. It will also provide safe and efficient transport link between the central and southern agricultural regions with Silk Road.

11. The existing road section is a two-lane carriageway road with a paved width of 7.00 m and an unpaved shoulder width of 2 x 2.5 m with poor condition. Upgrading of the road to standard two-lane Category-II national highway will generally be done using the existing right of way; while land acquisition in a smaller scale at various locations will be required to improve the geometry of the existing alignment and construction of approaches of a new bridge over Kura River.

**Figure 1. Existing Ujar –Zardab- Agjabadi Project Road**



12. The topography along Ujar-Zardab-Agjabadi road is mostly plain and open land with mild longitudinal gradient. The project area belongs to the catchment area of the Kura River, which crosses the project road at km 50.26. Besides Kura River, the project road crosses 2 other rivers and 4 collector canals, 74 culverts and 8 animal crossings.

**Figure 2: Existing Bridge on Kura River, Ujar-Zerdab-Agjabadi Road**



13. The main objectives of the project are:

- Improving traffic flow and road capacity
- Enhancing connectivity between R32 to R18 as well as M2 and Baku to central regions
- Reducing car accidents, traveling time and cost
- Stimulating trades with neighboring provinces and boosting economic growth
- Providing traffic safety and environmental friendly road to drivers and residents
- Promoting regional potential and so on.

14. The R32 road section links R18 on the south of Agjabadi city with the international highway M2 at Ujar intersection on the north and connects Baku with the central regions of Azerbaijan. The location map of the project road is shown in Figure 3. This road will be vital link in the national highway network.

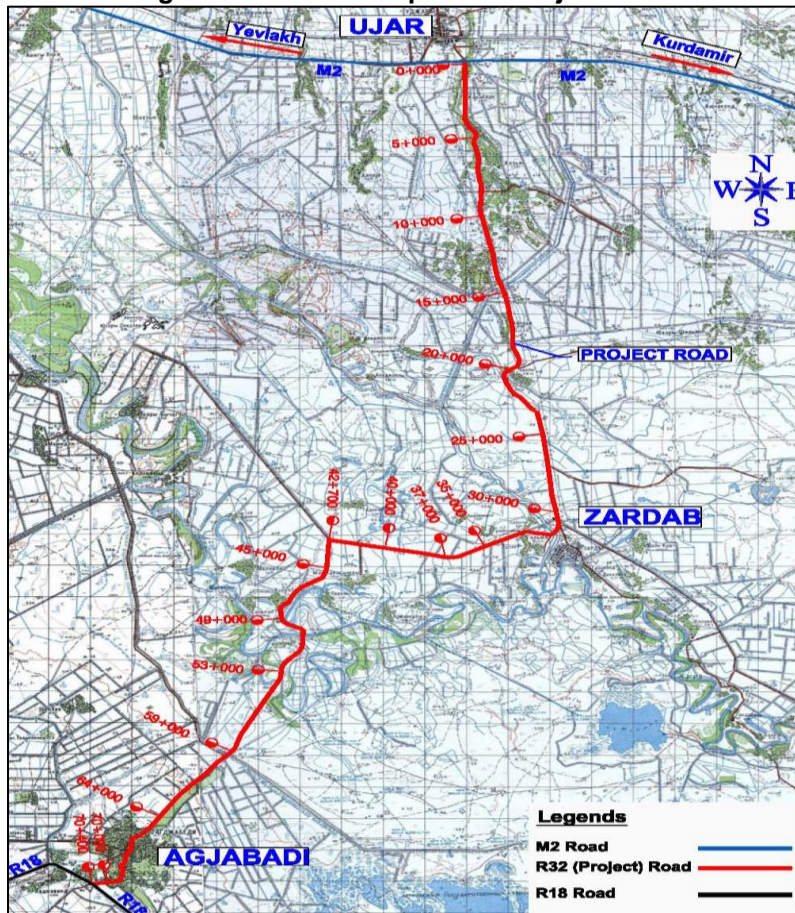
15. Ujar-Zardab-Agjabedi (R32) is divided into 2 Lots:

- Lot 1 km 00+000 - km 37+000
- Lot 2 km 37+000 – km 70+500

16. The design elements for the cross section of the project road are as follows:

- Width of embankment :15.0 m
- Number of lanes: 2
- Carriageway width: 7.5m(2x3.75m)
- Width of shoulder: 2 x 3.75m (of which 2 x 0.75m m is paved with asphalt concrete, of which 2 x 3 m with double bitumious surface treated shoulder)
- Carriageway gradient: 2%
- Shoulder inclination: 4%.

**Figure 3. Location Map of the Project Road**



17. The length of Lot 1 (km00+000 – km37+000) is 37.0 km and there is no affected structure and land plots. However, a small area of Municipal and privately owned arable lands are going to be affected under the Lot 2 by change of existing road alignment and approaches of the Kura bridge. This is unavoidable due to planning and designing point of view.

### **Bus bays**

18. No land impact is expected for bus bays in Lot 1 and Lot 2. The lands to be used for installing 14 bus bays belong to the road's ROW. The bus bays will be installed in locations of the existing bus bays and within the ROW where open areas are available. Therefore, no land acquisition is required for installing the bus bays. If during project implementation there will be any changes/adjustments related to installing the bus bays which would cause involuntary land acquisition and resettlement, addendum to LARP will be prepared.

## 2. SOCIO-ECONMIC INFORMATION AND PROFILE

### 2.1. Assessment methodology and approaches

19. All the 13 DPs are from Goruqbagi village of Zardab district. Assessment was carried out in September 2017 to study the socioeconomic characteristic of the DPs households, poverty level and socio-economic issues in Zardab district. Methodologies include:

- (i) Surveys of all DPs households using the questionnaires,
- (ii) Focus-group discussions with DPs and affected communities' municipalities,
- (iii) Interviews with the DPs, staff of local state agencies, as well as
- (iv) Desk review of statistical documents, maps and design schemes, as well as other qualitative and quantitative materials.

20. The socioeconomic survey focused on the followings in particular:

- (i) Households and household structure,
- (ii) House and homestead,
- (iii) Livelihoods and income & expenditure,
- (iv) Attitudes regarding the Project.

### 2.2. Households and household structure

21. The socioeconomic survey covered all 13 DPs. The DPs households consist of 4-5 family members (60 persons in total for 13 DPs households). Most of the households' members are between 31 and 60 years old. As per responses, 69% are married, 23% single, 8% widow or divorced. About 23% of respondents are women and 77% are men.

22. The survey data shows that 42.1% of DPs households' members have complete secondary education, 21.7% have high education, 14.2% have incomplete secondary education, 16.9% have vocational education and 2.5% have incomplete high education, 2.6% of DPs have primary education and the remained are children.

**Table 1: Age groups, education level and marital status of the DPs households**

		Respondents	
		Number	Number
<b>Age levels</b>	<30	1	7.7
	31-40	3	23.1
	41-50	3	23.1
	51-60	5	38.4
	61<	1	7.7
<b>Education levels</b>	High	6	46.1
	Vocational	2	15.4
	Secondary	5	38.5
	primary	0	0.0
<b>Marital status</b>	Married	9	69.2
	Single	3	23.1
	Widow	1	7.7

### 2.3. House and homestead

23. All 13 DPs households have their own houses that are built of stone and cement with either iron lists or tile slates as roof. All 13 DPs households have land plots and livestock: 38.7% have big horned animals, 31.3% have small-horned animals and 30.0% have poultry.

24. About 95% of the DPs households have water, gas and electricity supply facilities.

### 2.4. Livelihoods, income & expenditure

25. DPs households' incomes are in range of 200 and 420 AZN. 38.6% of DPs households consider agriculture is their main source of income; 23.0% of households have salary from non-agriculture activities as their main source of incomes; 23.0% of households have members who receive state-paid pensions. The main source of income of 7.7% of households is from assets. Another 7.7% households responded they are self-employed in non-agriculture sector.

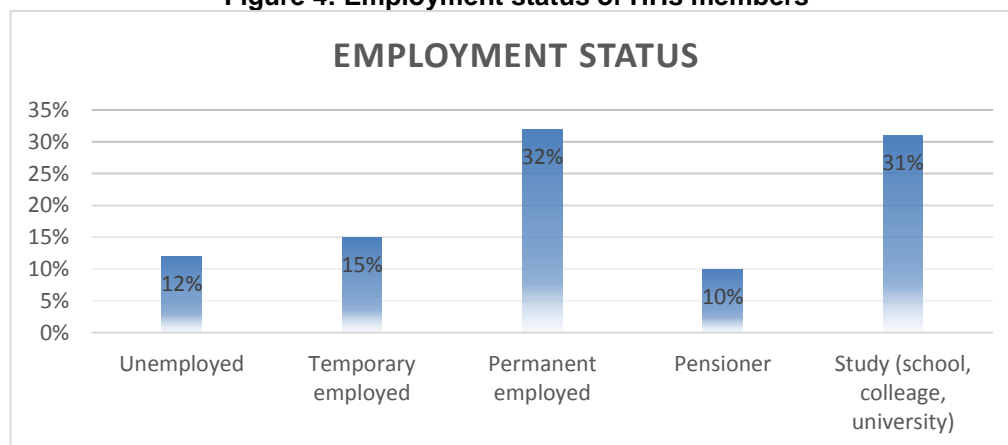
26. The affected agricultural lands used mainly for grains cultivation (wheat and barley) and animal grazing. Only one DP will lose maximum 5% of his land. No DP is severely affected.

**Table 2: Main Income Source of households**

Income source	Number and percent of households	
	No.	%
Self employment in agriculture	5	38.6
Self-employment in non-agriculture	1	7.7
Salary in non-agriculture	3	23.0
Income from property	1	7.7
Pension	3	23.0
Aids	0	0.0

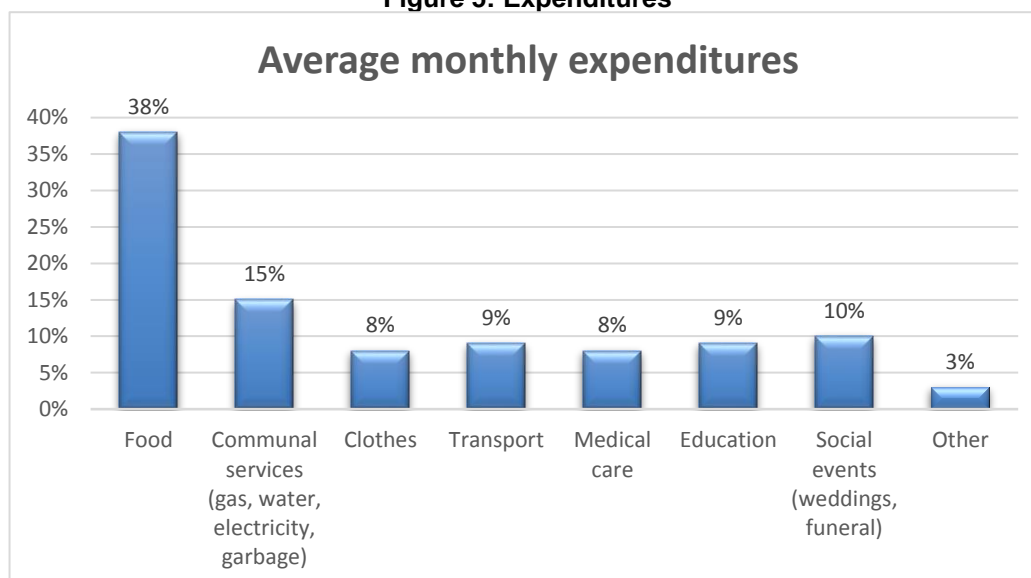
27. As per responses, 32% of DPs households' members are permanent employed, 15 % have temporary employment and 12% are unemployed. 10% are pensioners and 31% study.

**Figure 4: Employment status of HHs members**



28. An average expenditure of DPs households is 420 AZM/month. Food is the biggest share in the DPs households' monthly expenditures (about 38%), utilities 15%, transport 9% for, medical care 8% and social events 10% in average per month.

**Figure 5: Expenditures**



## **2.5. Attitudes regarding the Project**

29. During the survey, all DPs households as well as communities in the project areas have been informed about the project. Along with the State Agency of Azerbaijan Automobile Roads, local authorities and project design consultants have provided information about the project to affected communities and people. The DPs and local residents consider the project beneficial and expressed that they do not mind to lose some parts of their lands for upgrading the road. The DPs expressed they prefer cash compensation for their land losses.

## **2.6. Updating the census and socio-economic survey**

30. Socioeconomic conditions and vulnerability of DPs households may change over time, sometimes significantly. Therefore, it will be necessary to update the census and inventories prior to LARP implementation to ensure that all social risks are addressed, in particular if there will be any vulnerable household, or previously non-identified land owners in order to provide them assistance and compensations accordingly.

# **3. IMPACT ASSESSMENT AND SCOPE OF LAND ACQUISITION**

## **3.1. Measures for minimizing land acquisition and resettlement**

31. During updating the design several approaches were considered to reduce the social and land acquisition impact, such as:

- (i) Minimum changing of road alignment for project; maintaining carriageway within existing ROW in accordance with standards to avoid loss of certain structures,

- (ii) Existing ROW is followed in accordance with standards as much as possible, especially in the project's sections passing through village and settlement in order to mitigate the adverse impact (for example: construction of pavements instead of shoulders on both sides of road),
- (iii) Construction of retaining walls at locations where the slope inclination is height in village area,
- (iv) Relaxation of the ROW in some cases to avoid loss of certain structures; and
- (v) Construction of underpasses and same level crossings to allow access by pedestrians and livestock from one side of the road to the other,
- (vi) Construction of 7 bridges, 8 underpasses and 74 culverts with various diameters are considered for the project. The locations are selected by taking into consideration of social and technical factors.

### **3.2. Impact assessment**

32. Impact assessment was conducted during October 2017 and finished by 29 October 2017. Following approaches and methods were utilized to identify the project affected persons and assess the scope of impact of the Project.

#### **a) Cadastral Mapping**

33. The plans and coordinates of the final alignment were overlaid over the land cadastre data for the areas in the records of the State Committee on Property Issues (SCP). From this cadastral data, the information on all publicly and privately owned land parcels within 30 m width zone from both sides of the centreline was extracted and mapped. Accordingly, an integrated database was developed where the information on specific location, ownership, land category, land-use profile, and potential land take for ROW is indicated for each land parcel.

#### **b) Census**

34. A census was conducted for all households affected by the land take using the detailed cadastral maps as reference. The staked out centerline and delineated ROW boundaries were the basis for the subsequent field investigations:

- (i) ownership status for all affected lands was identified/rechecked, conducted "on-site" census in cooperation with the local administration and community key informants,
- (ii) The boundaries of the affected parcels were delineated and measured,
- (iii) The profiles for all land parcels were prepared, revised/updated,
- (iv) The condition of all agricultural lands (irrigated and non-irrigated, arable and non-arable, perennial, etc.) were recorded,
- (v) All non-agricultural properties and facilities were identified and recorded: public properties including schools, commercials including shops and petrol stations, etc.

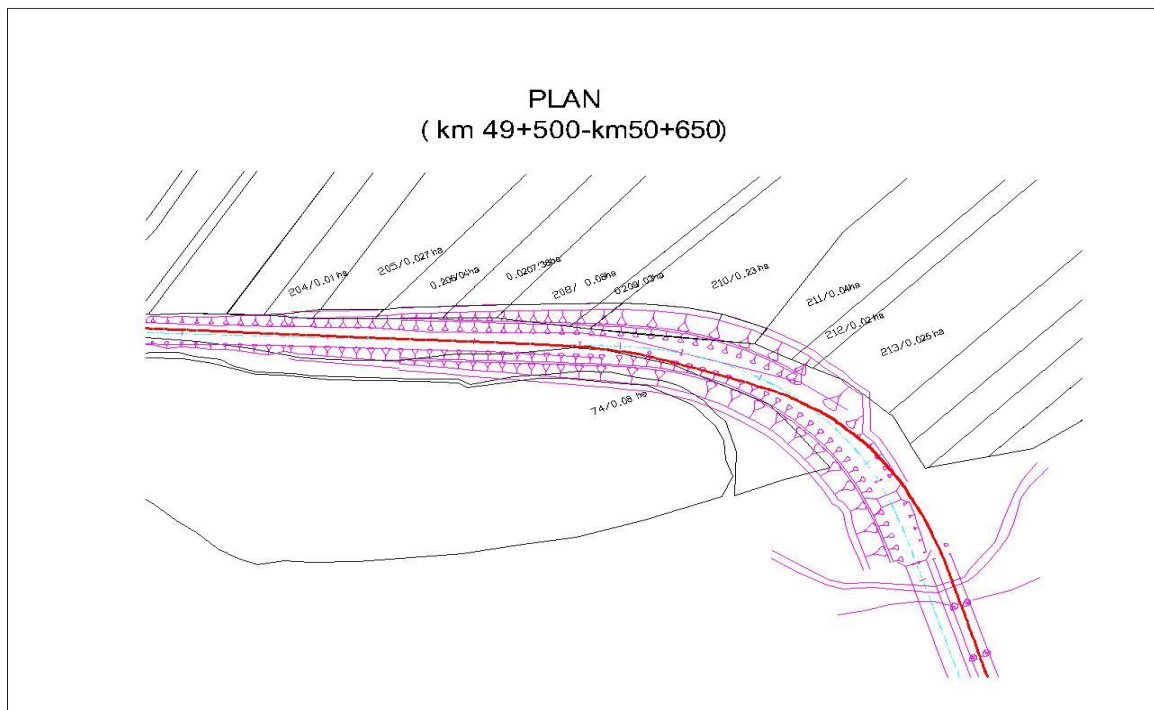
#### **c) Asset Inventory/Detailed Measurement Survey and Socioeconomic Survey**

35. The list of land owners within the ROW requirement of the final road alignment was obtained from the SCPI. After the determination and identification of the affected parcels, the team undertook an inventory and detailed measurement of assets (i.e., structures, trees, crops, utilities, communal resources, etc.) within each affected parcels as well conducted a

socioeconomic survey of sample of affected households to come up with a profile and determine the impact of the land take and displacement on their standard of living.

36. The information contained in the profile per parcel included the category of affected land and updated ownership, size of land that is affected, size of the parcel to be acquired for ROW, standing crops and trees within the said parcel that will be cut down, income to be lost and access to be lost.

**Figure 6. Plan reflecting land plots under the road construction in Gorugbagi village, Zardab district**



### 3.3. Scope of land acquisition and resettlement impact

37. **Lot 1:** The length of Lot 1 of the construction package (km00+000 – km37+000) is 37.0 km and no land plot and no structures are affected.

38. **Lot 2:** In 2nd Part of the construction block, a small part of the private lands and municipal lands will be affected by changing the approach of the existing road and the new bridge. Compared with the existing alignment of project, changing the alignment to the left side in km 49 + 575-50 + 200 and to the right side in km 50 + 400-50 + 700 was done (8 m to 18 m). 13 private land and municipal lands in the village of Gorugbaghi of Zardab region are affected by the change of alignment. In total, 2.425 hectares of land will be affected by the project (including 1,028 hectares of private lands and 1,397 hectares of municipal lands). The project will not have effect on any state lands.

39. A summary of land acquisition impact due to the project are the following:

- (i) The loss of 1,028 hectares of the land (0.989 hectares of them are agricultural lands and 0.039 hectares of them are private lands that belong to 13 DP's),
- (ii) The loss of 1.397 hectares of municipal land,
- (iii) Loss of 328 non-fruit bearing trees on the affected lands,
- (iv) No impact to any building / structure,
- (v) No impact to any business,
- (vi) No impact on lease lands.

40. **Bus bays in Lot 1 and Lot 2:** No impact to any land and no impact to any structures, trees or business are expected for bus bays.

41. The lands to be used for installing 14 bus bays belong to the existing road's ROW. The bus bays will be installed in locations of the existing bus bays and within the ROW. If during project construction there will be any changes/adjustments related to installing the bus bays which would cause land acquisition and involuntary resettlement, addendum to LARP will be prepared accordingly.

#### a) Impact on lands by categories

42. Total land impact by categories summarized in Table 4.

**Table 4: Total impact of lands by categories**

Region	Village	Private Lands		Municipal Land		State land	Total (ha)
		No. plots	Size (ha)	No. plots	Size (ha)		
Zardab	Gorugbagi	13	1.028	2	1.397	0	2.425

#### b) Impact on private lands

43. Out of 13 affected private plots (1.028 ha), 12 are agricultural lands (0.989 ha) and generally used to cultivate grains or pasture lands; and 1 plot is residential (0.039 ha). The agricultural private lands are merely used as grazing area. In total, 13 families will be affected by the project.

**44. Table 5: Summary of private lands impact**

No of plots/households	Location and affected area (ha)		Total
	Gorugbaghi Region in Zardab,	<b>1.028</b>	<b>1.028</b>
Number of plots		13	13
Number of families		13	13

#### c) Impact on municipal lands

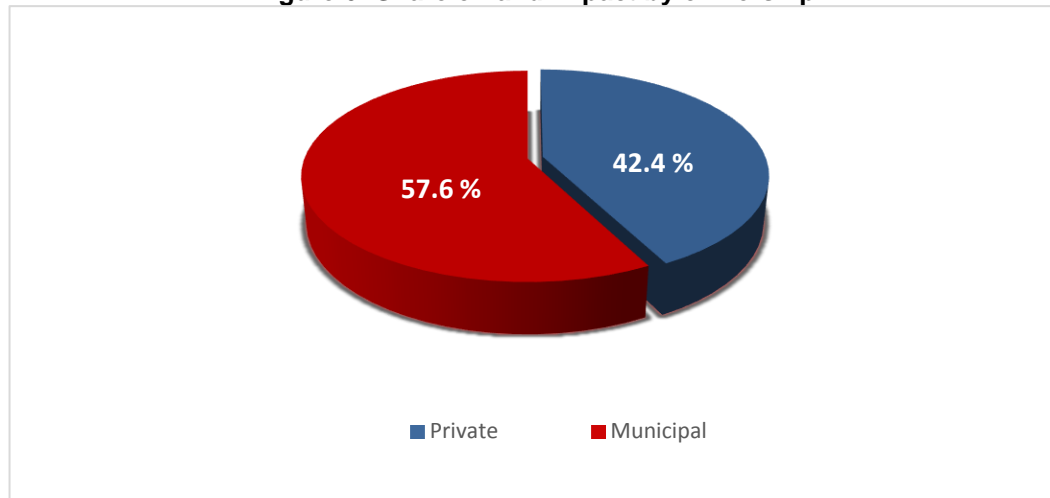
44. A total of 1.397 ha of municipal land are useless and waterfall, the land that is under local traffic. The affected grazing land area is so insignificant compared to thousands of hectares available for open grazing around the community.

**Table 6: Classification of affected municipality lands**

Land Classification of affected Municipal Land	Location and area (ha)	
	Goruqbagı village of Zardab region	Total in ha
Animal grazing	1.397	1.397
<b>Total</b>		<b>1.397</b>

45. Share of affected private lands and municipality lands is shown in the Figure below.

**Figure 6: Share of land impact by ownership**



**d) Impact on trees and perennial plants**

46. As a result of the final clarification based on the cadastral plan it was identified that 328 non-fruit bearing trees (297 willows, 21 poplars, 5 acacias and 5 mulberry trees) will be affected.

**e) Impact on crops**

47. Impact on crops are not anticipated as the DPs will be informed in advance to take measures and harvest their crops.

**f) Impact on buildings and structures**

48. The project will not affect any structures and buildings.

**g) Community structures and public utilities**

49. No such impact is defined at this stage. If will be needed these assets shall be fully relocated or rehabilitated by contractor to meet their pre-project functions and utilities.

**h) Impact on lease land**

50. No lease land is affected.

**i) Impact on businesses**

51. The project will not have any land acquisition and resettlement impact on any business.

52. During constructions, access of travellers/residents and businesses to main road will be maintained all through the project. Construction works will be planned and carried out in phases so that the travellers/residents and businesses will not be affected and they will have access to their houses and businesses. The measures will include:

- (i) Construction works will be carried out in each side of the road at a time. When construction works carried out in one side of the road, another side of the road will be used for traffic, and the road shoulders in the side constructions are going on will be used also for supporting traffic. After completion of the construction in one side of the road, the traffic will be put into the ready side of the road and construction will begin in another side of the road (and improvements of shoulders and sidewalks will begin in other side of the road where constructions were carried out first). These works will be carried out in accordance with the construction norms and road safety regulations,
- (ii) Temporary accesses roads will be provided to reach houses and businesses. Where necessary, temporary bridges and access roads will be provided to access the stores.
- (iii) Construction works in road sections close to businesses will be carried out during the hours when business facilities are not operational (mainly at night).
- (iv) Announcements will be made about the nature and duration of works (advance notifications on the work schedules, traffic management plans etc.) on the boards of social and administrative buildings, along the road and through local radio and media.

**j) Vulnerable groups**

53. One widow- female headed household is identified. She has one child and lives with her father. 1 additional allowance equal to 3 months at average minimum salary defined by the government for 2017.

54. In addition, safeguard specialist of the Supervision Consultant should monitor and make sure that she and/or able members of her household are given priority in employment in project works during constructions.

**k) Severe affected DPs**

55. No severely affected persons are identified in this project. All 13 DPs loose less than 5% of their land or productive asset.

## 4. POLICY FRAMEWORK AND ENTITLEMENTS

### 4.1. Applicable laws and regulations of Azerbaijan

56. Laws of Azerbaijan guarantee the citizens' right to own, use and dispose their property on their willingness. The laws stipulate specific types of state needs projects for which involuntary land acquisition are allowed. The key laws are summarised below.

57. **Constitution:** Recognizes the citizens' right to own, use and dispose property. It also recognizes three type of property ownership in Azerbaijan - state, municipal and private (Article 13). It guarantees that no one will be dispossessed of their property without their consent or decision by the court of law and that alienation of private property for state needs will be allowed only after payment of fair compensation to the owner (Article 29).

58. **Land Code:** It stipulates that all damages caused by acquisition of land (compulsory purchase) or temporary detention, as well as limiting the rights of owners, users and lessees or deterioration of the quality of soil should be fully paid to land owners or users. In addition, costs derived from early termination of its obligations against third parties should also be paid to the affected person. Disputes relating to compensation are resolved by court in accordance with the procedure established by the legislation.

59. **Civil Code:** Articles 246, 247, 248 and 249 state the provisions for acquisition of lands for state needs. The Code requires the Decree on acquisition of lands for state needs should be registered in state real estate registration. It also states that Executive Agency should; a) send official notifications to all affected persons about land acquisition; b) pay full compensation to the affected persons within 90 days after the agreement made with the right holder; c) assist relocated people; and d) pay compensation for affected assets on the market rates (in case it is not possible to identify market rates, replacement cost is used).

60. Civil Code states that affected person can select one or more type of compensations, such as land for land, cash compensation and provision of dwelling. It also states that any rights to real estate must be state registered. It also stipulates that expropriation of lands for state needs can only be done after resolution of the relevant courts.

61. **Flat Code:** The Code states that acquisition of residential lands and residential building on the land should be acquired by the provisions of the Land Acquisition Law.

62. **Law of Azerbaijan Republic on Acquisition of Lands for State Needs (LAL, 2010):** Specifically address matters related to involuntary resettlement (IR), including the process and institutional arrangement for land acquisition, compensation and valuation, consultation requirements, entitlements of various categories of displaced persons and grievance redress mechanism. The law considers various categories of displaced persons, including those without state registration, renters, non-formal long-term users of land, and persons who have no legal rights on the land that they live in.

63. **Law on Land Lease:** The law states that (Article 16) when the leased land is acquired for state needs, another land plot having a same size and of similar quality can be provided to lessee. Losses incurred in the affected land shall be paid in accordance with the legislation.

64. **Law on valuation activity:** The law states that valuation of real estate is mandatory in cases of land acquisition for state needs.

65. **Decree of the President on additional activities regarding to implementation of the Law on "Acquisition of Lands for State Needs" dated 15 February 2011:** The Decree stipulates additional provisions for the implementation of the Land Acquisition Law. It also assigns government agencies for responsibilities of relevant executive bodies which are defined with generic words in the Law on Land Acquisition for State Needs.

66. **Decree of the President No. 506-3 QD dated 7 December 2007 regarding to amendments in the Civil Code:** It requires the provision of 20% additional compensation to the calculated market price of the acquired property.

67. **Cabinet of Ministers' Resolution No.45, 12 February 2012:** It stipulates guidelines for preparation of resettlement plan, as well as shows sample content of a resettlement plan and resettlement guideline.

68. **Cabinet of Ministers' Resolution No. 55, 21 April 2011:** It reflects guidelines and criteria for the selection of a planner (person/entity who prepares resettlement plan or guideline).

69. **Cabinet of Ministers Resolution No.110 (June 1999) on Approval of Regulations for an Inventory Cost Estimation of Buildings.** It outlines procedures for acquisition and compensation valuation for affected buildings and immovable property based on standard rates of construction costs by region within Azerbaijan.

70. **Decree of the Cabinet of Ministers on approval of protection strips of state-owned highways, 11 September 2015, № 298.** It approves width of ROW for highways of national importance by 30 meters from the center of the carriageway in each direction. For the regional roads width of the ROW is 12.5 meters in each direction.

71. **Road** related legislation regulates usage of the road reserves, maintenance, defines standards for noise and vibration, as well as construction, width requirements, as well as assigns rights for the road authorities to evict illegal occupants.

#### **4.2. ADB Safeguards Policy Statement (2009)**

72. The ADB SPS (2009) applies both to physical and economic displacement caused by involuntary acquisition of land and includes the following basic principles:

- 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 impact 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. In case of gap, propose a suitable gap-filling strategy in the resettlement plan in consultation with ADB.
- 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. Where required, 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 impact.
- 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 impact on vulnerable groups.
- Monitor and measure the progress of implementation of the resettlement plan. For projects/subprojects with significant LAR impact, 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.

g. Monitoring and Reporting

- Monitor and measure the progress of implementation of the resettlement plan. For projects/subprojects with significant LAR impact, 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 Impact

- Conduct a social impact assessment, update the resettlement plan or formulate a new resettlement plan if unanticipated involuntary resettlement impact is found during project implementation.

i. Special Considerations for Indigenous Peoples

- Avoid physical relocation of indigenous peoples that will result in adverse impact on their identity, culture, and customary livelihoods. If adverse impact 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 Azerbaijan laws and regulations on LAR and SPS (2009)

73. Differences between Azerbaijan laws and SPS (2009) are outlined in Table 7 below.

**Table 7. Comparison of Azerbaijan laws and ADB's SPS (2009)**

Issues	ADB SPS (2009)	Azerbaijani law
Livelihood rehabilitation	ADB SPS requires rehabilitation/improvement of livelihood standards.	Notion of livelihood rehabilitation is also sanctioned by national law
Compensation eligibility	A. Legal and legalizable DPs are to be compensated for lost land/other assets.  B. Non-legal DPs are to be compensated at least for non-land assets lost.	A. Legal and legalizable DPs are to be compensated for lost land/other assets.  B. Non-legal DPs receive resettlement allowances but are not compensated for real estate losses
Compensation	A. Loss of land. Replacement land as preferred option or cash compensation at full market rate for legal/legalizable DPs.	A. Loss of land. Cash compensation in cash at market rate +20% or replacement land for legal/ legalizable DPs. An additional 10% premium for voluntary sale.
	B. Replacement of leased land. Based on replacement of lost income through cash compensation of gross income x the remaining lease years or a replacement lease.	B. Replacement of leased land. Based on cash or lease replacement of lost income for remaining lease years or through a replacement lease.
	C. Loss of structures/ buildings. Cash compensation at replacement cost for lost item free of depreciation, transaction costs, and other deductions.	C. Loss of structures/ buildings. Cash compensation at replacement cost for lost item free of depreciation, transaction costs, other deductions +20%
	D. Loss of indirectly affected items. Non-affected parts of an asset not usable after impact is to be compensated as well.	D. Loss of indirectly affected assets. The law prescribes their compensation if so requested by DPs.
	E. Loss of business. Compensation up to 12 months based on tax declaration. In absence of tax declaration compensation based on mechanisms agreed with State Agency of Azerbaijan Automobile Roads (usually maximum non-taxable salary).	E. Loss of business. Indirectly provided as compensation for lost income. Compensation methodology not specified.
	F. Loss of trees. Irrespective of legal land occupancy status compensation at replacement cost based on tree type/	F. Loss of trees. Indirectly provided as compensation for lost income.

	wood volume for wood trees and lost income (x tree type x 1-year income x production years lost) for productive trees.	Compensation methodology not specified.
	G. Loss of crops. Compensation of crop in cash at market price.	G. Loss of crops. Mandate by the law as well but application not clearly defined.
	H. Loss of jobs. Indemnity ensuring DP rehabilitation. Arrangements to be agreed with EAs but usually based on salary x months of stoppage up to 6-12 months.	H. Loss of jobs. Compensated based on job income lost.
LAR planning, assessment and impact valuation	Preparation of a comprehensive LARP for all projects disregarding number of DP. LARP includes: detailed impact measurement survey (DMS)/DP census; Socio- economic survey; entitlements definition, income/livelihood provisions, AP consultation results; grievance procedures, execution arrangements; monitoring schemes; budget and implementation schedule.	Comprehensive surveys needed but DMS specified only for land and houses. Other impact are assessed but DMS is not clearly required. A Resettlement Plan is carried out only if there are more than 200 DPs and includes only items related to relocation. Resettlement Guideline should be prepared in case of less than 200 DPs.
	i. Measurement survey. Measures through a DMS all affected items.	i. Measurement survey. Land and buildings clearly assessed through a DMS in the field. Other impact also assessed but survey methodology is unspecified.
	ii. DP Census. Identifies all DPs and establishes legitimate beneficiaries based on legal status.	ii.DPs Identification. Same.
	iii. Socio-economic survey. Provides background information on socio-economic features.	iii. Socio-economic survey. No comparable requirements exist.
	iv. Valuation survey.	iv. Valuation survey.
	a) Land: If land market exists based on a survey of recent transactions; without land market based on land productivity income.	a) Land: valued at market rate based on a transactions survey. Valuation includes transaction costs/third party liabilities
	b) Buildings/structures. Based on replacement cost of materials, labor, transport and special construction features without discounting	b) Buildings/structures. Same.

	depreciation, salvaged or transaction costs.	
	c) Trees/crops. Based on the methodology detailed in section 2.	c) Trees/crops. Valuation methodology not specified.
	d) Business losses. Based on methodology detailed in section 2.	d) Business losses. Valuation methodology to be specified.
	e) Job Loss. Based on methodology detailed in section 2.	e) Job Loss. Valuation methodology to be specified.
Due-Diligence support mechanisms	A. Information disclosure. LAR- related documents to be timely disclosed in the DPs language.	A. Information disclosure. LAR documents/ impact assessment protocols to be disclosed.
	B. Public consultation. Meaningful public consultations to be held with the DPs. DPs to be informed on entitlements and options, as well as resettlement alternatives.	B. Public consultation. The legislation stipulates requirement for conducting Public Consultations by participation of DPs and other stakeholders.
	C. Grievance procedure. A Grievance Redress Mechanism (GRM) is to be established for each project. Information on GRM to be communicated to DPs.	C. Grievance Procedures. Grievance Redress Commission is formed if the Project has significant LAR impact. A Resettlement Commission should also be established composed of 3-20 DPs representatives to facilitate grievance redress process and other bilateral relations.
	D. Asset acquisition conditions. Property acquired only after full payment of compensation to DPs.	D. Asset acquisition conditions. Property to be acquired only after full payment of compensation to DPs.
Assistance to vulnerable and severely affected DPs	These DPs are to be identified and special assistance is provided to restore/ improve their pre-project level of livelihoods.	No special consideration is given to these DPs.

74. The main difference between Azerbaijan laws and ADB SPS (2009) are about compensation for no- titleholders and illegal structures, as well as additional assistance to severity affected DPs. In addition, according to the Decree of the President of Azerbaijan (dated 26.12.2007), additional premiums of 20% should be added to compensation calculated based on market value, 10% bonus for negotiated transactions, and 5-10% addition for physical relocation if there will be such impact. This is mainly for (i) encouraging the DPs to come into agreement; and (ii) reducing the negative impact on their livelihoods.

#### 4.4. Compensations eligibility and entitlements for the Project

75. The following compensation eligibility and entitlements framework is agreed and shall be applied for this project in line with the laws of Azerbaijan and ADB's SPS (2009), as given in Entitlement Matrix below.

**Table 8. Entitlements Matrix**

<b>Assets</b>	<b>Specification</b>	<b>Entitled Person</b>	<b>Compensation and entitlements</b>
Permanent loss of private land	agricultural, residential and commercial land	Land owner	<p>Cash compensation based on market value free of transaction cost plus 20% additional compensation according to Presidential Decree dated 26, 12, 2007.</p> <p>If preferred, land plots of the same size and quality. Transaction cost related to land swap will be covered by State Agency of Azerbaijan Automobile Roads.</p> <p>Residual portions of plots affected by the required ROW that are reduced to less than 160 m2 or rendered unusable by alterations in access, irrigation, or workability will be included in the affected land and compensated as above indicated. Transaction cost related to renewal of land ownerships documents for land remained after impact will be covered by State Agency of Azerbaijan Automobile Roads.</p>
Loss of trees, crops	Trees (non-fruit bearing trees)	Owners/ cultivators, tenants, lease holders, non-titled land users	<p>Cash compensation at replacement cost based on tree type/ wood volume for non-fruit trees. Timber from these trees should be kept by the owner.</p>
	Standing crops	Owners/ cultivators, tenants, lease holders, non-titled land users	<p>90 days' advance notice should be given to harvest standing seasonal crops.</p> <p>No compensation will be provided for crops already harvested.</p>
Severe impact households	Severely affected people (10% or more land take)	Severely affected people (10% or more land take).	<p>Priority should be given to able DPs and/or household members in employment opportunities under the civil works contracts and jobs created in service/rest areas that will be established once the highway becomes operational.</p>
Vulnerability Assistance	Households headed by an elderly or woman.	DPs below poverty line, households headed by an elderly or woman	<p>1 additional allowance equal to 3 months at average minimum salary defined by the government for 2017.</p> <p>Priority to be given to able DPs and/or household members in employment opportunities under the civil works contracts and jobs created in</p>

			service/rest areas that will be established once the highway becomes operational.
Temporary impact	Various types: temporary impact linked to traffic diversion and temporary loss of access, occupation of lands for construction works, materials and camps.	General public, owners of roadside structures	<p>Construction schedule will be arranged so that closure of the existing crossings will be avoided. Temporary pedestrian/car crossings will be established to maintain people's access.</p> <p>The contract will require the civil works contractor to be responsible for the temporary acquisition and reinstatement of all land required outside the road reserve for construction camps, offices, borrow pits, materials storage sites, materials for processing sites and haul roads.</p> <p>The contract will select the land parcels they require and they will be responsible for negotiating agreements with land owners to occupy the land. In the event that a contractor fails to obtain agreement with any landowner, he will be required to select an alternative site and negotiate a new agreement. No involuntary occupation of land for temporary construction purposes will be allowed.</p>

76. The DPs shall be offered a choice between the cash compensation and alternative land plot of the same size and quality. In this LARP, however, cash compensation is applied as preferred by DPs. Also, the area of lands to be acquired is minor and it is not practical to find suitable land plots for land for land compensations.

77. **Permanent loss of private land:** DPs with legal land rights will be compensated at replacement cost in cash or through replacement of land of equal value/productivity. Any costs related to transfer fees will not be deducted from compensation amounts but paid by State Agency of Azerbaijan Automobile Roads. Based on the Decree of the President of Azerbaijan Republic (dated 26.12.2007), an additional premium of 20% of the defined compensation amount based on market value shall added to compensation. Notices shall be sent to the DPs at least before 3 months before taking over the affected land.

78. **Loss of municipal land:** For loss of municipal lands respective municipalities are compensated based on the provisions of the Land Acquisition Law of Azerbaijan (2010). Unit prices for municipal lands of different categories are calculated on the basis of normative prices determined by the Cabinet of Ministers (23 July 1998, no. 158). In this regard, prices for the subject municipality lands are requested from the Ministry of Agriculture, State Committee on Property Issues and the relevant district Executive Power. These organizations within their responsibilities calculate the unit rates based on standard value and apply coefficient for different type of lands.

79. **Trees:** Only non-fruit bearing trees will be affected by the project. Cash compensation for non-fruit bearing trees will be calculated based on replacement cost. Cash compensation

equivalent to prevailing market price of timber for non-fruit bearing trees will be used to define compensation amount. Timber from these trees should be kept by the owner.

80. Contractor should delivery for free timbers of all logged down trees to residences of DPs.

81. **Loss of crops:** Notification will be sent to DPs at least 90 days before land acquisition to make sure the DPs harvest standing seasonal crops. DPs will be informed about the project and land acquisition so not to cultivate on the affected parts of land plots. If the Implementing Agency will fail to provide such notification to DPs 90 days before land acquisition and commencement of civil work, cash compensation at current market rates for the gross value of 1 year's harvest losses will be paid. Crop compensation will be paid both to land owners, non-titles land users, leasers and sharecroppers based on their specific sharecropping agreements.

82. **Temporary impact during construction:** The civil works contract will require the contractor to be responsible for the temporary acquisition. The contractor should select land parcels negotiate lease agreements with land owners and those who may be impacted adversely due to temporary land occupation. The arrangements and agreements should be made in writing form.

83. **Allowance for Vulnerable People:** 1 additional allowance equal to 3 months at average minimum salary defined by the government for 2017 should be paid to vulnerable DP.

#### 4.5. Cut-off date

84. DPs and affected assets are identified through an impact assessment. The end date of impact assessment - 29 October 2017 is the **cut-off date** for compensation eligibility. DPs settling in affected areas or making asset transaction after this date are not eligible for compensation. They, however, will be given sufficient advance notice to vacate and dismantle the affected land/structures. Their dismantled structures will not be confiscated nor will they be fined or sanctioned.

#### 4.6. Valuation

85. The value of all types of losses is defined according to the applicable laws and regulations of Azerbaijan. Unit price for private lands is calculated at the current market value defined based on the market prices for similar lands registered in the last three months. If sales and prices not available, compensation is defined at full replacement cost, and where both can be calculated, a higher value option is applied. Based on the Decree of the President of Azerbaijan Republic (dated 26.12.2007), an additional premium of 20% of are added to the defined compensation amount.

### 5. STAKEHOLDERS CONSULTATION AND DISCLOSURE

86. Meaningful consultation with DPs and affected communities, as well as other project stakeholders are conducted according to the requirements of the SPS (2009) and the Law on Land Acquisition for State Needs" (2010) of Azerbaijan.

87. All DPs are from Challi, Parvanli and Gorugbagi villages of Zardab region. Public consultations were held in all these three villages in September 28-29, 2017. Representatives

of State Agency of Azerbaijan Automobile Roads, local executive authorities, other officials, design consultants, DPs and affected communities attended consultations. During public consultations, DPs and communities were informed about the project, expected impact and land acquisition process and compensations and principles. Participants' questions and suggestions were addressed and summary recorded. Public consultation minutes are attached in Annex 4.

88. During implementation of LARP implementation and project construction, State Agency of Azerbaijan Automobile Roads, Supervision Consultant and Contractor shall conduct consultation continuously with DPs and affected communities shall continue and focus on: (i) information regarding compensation entitlements for lost assets, eligibility for compensation, resettlement assistance, and grievance redress, (ii) rights of DPs and grievance procedures; and (iii) identification of temporary impact.

## **6. GRIEVANCE REDRESS MECHANISM**

### **6.1. ADB requirements**

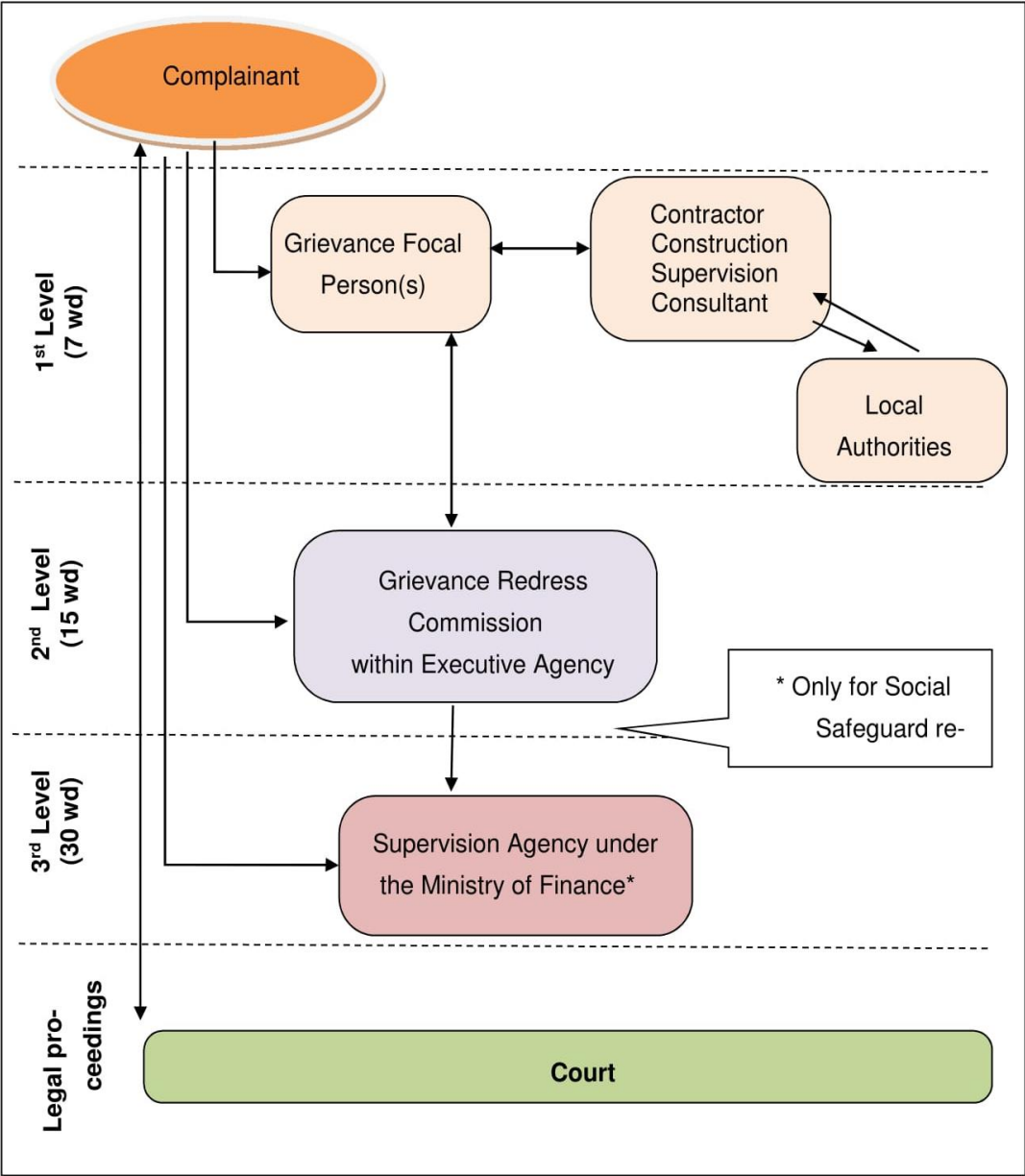
89. ADB Safeguard Policy Statement (SPS, 2009) requires the establishment of a responsive, readily accessible and culturally appropriate grievances redress mechanism capable of receiving and facilitating the resolution of affected persons' (AP) concerns and grievances about the physical, social and economic impact of the projects.

90. The GRM aims to: (i) reduce conflict, risk of undue delay and complication in project implementation; (ii) improve quality of project activities and outputs; (iii) ensure that the rights of affected parties are respected; (iv) identify and respond to unintended impact of projects on individuals; and, (v) maximize participation, support and benefit to local communities.

91. The fundamental objectives of the Grievance Redress Mechanism are:

- To reach mutually agreed solutions satisfactory to both, the Project and the APs, and to resolve any project-related grievance locally, in consultation with the aggrieved party;
- To democratize the development process at the local level, while maintaining transparency as well as to establish accountability to the affected people.

6.2. Chart view of project GRM



**Table 9. GRM description**

Stages	Description	Time frame
1. Project level	<p>One Grievance Focal Person will be assigned by each Contractor and the Construction Supervision Consultant (CSC) in order to receive and handle grievances.</p> <p>Contractor's GFP should receive the complaint and provide acknowledgement letter to the complainer within 3 days after receipt of the complaint.</p> <p>Contractor's GFP should maintain database of Grievance Logbook and submit/update all necessary data related to the registered grievances to CSC's GFP.</p> <p>If the grievance cannot be solved within 7 working days, then CSC's GFP should submit information to the next level (EA level) and provide information to the complainant regarding to the grievance.</p>	7 working days
2. Grievance Redress Commission within the EA/IA	<p>The EA/IA should review and resolve the grievance within 15 working days. If the case is complex and requires investigation (experts' opinion), expertise or confirmations from the state bodies, the resolution period can be extended up to 30 calendar days. If the grievance cannot be resolved still, or the complaining party is not agreeing with the offered solution, then:</p> <p>(i) In case of social safeguard issues: it is forwarded to the Level 3 for resolution at the Supervision Agency under MOF.</p> <p>(ii) In case of environmental issues: the 3rd stage should be omitted and the case can be forwarded to the respective court (stage 4).</p>	15 working days
3. Control Agency (Ministry of Finance)	<p>The Supervision Agency under the Ministry of Finance will review the grievance and resolve it within 30 calendar days.</p> <p>If the grievance is found invalid, a written response should be given to the complaining party, explaining reasons for the rejection.</p>	30 working days
4. Court	<p>If the AP is still not satisfied with the Control Agency's decision, the AP can submit his/her complaint to the appropriate court of law for resolution.</p>	Depends on the nature of complaint.

### **6.3. Receiving grievances**

93. All the received grievances should be registered by GFP of Contractor. Submitting grievances and registration should be a straightforward process, and the APs should be able to submit their grievances and questions directly or through a third party. This process requires availability of a) responsible person to receive and register the complaints (GFP), b) multiple points for receiving grievance, c) procedure for acknowledging the receipt and informing the complaining party about the expected timeframe for the review and resolution, and; d) logbook about the complaints and their status.

94. The complaining party should be able to submit grievance in person, by phone call, email, letter or fax, to the GFP and contact persons assigned by the EA/IA and PIU. Receipt of grievance lodged in person or via phone should be acknowledged immediately by a paper issued by the GFP or other persons received the grievance.

95. All the grievances not depending from its nature should be recorded in a logbook in details.

96. Upon receipt of grievances, the GFP should sort them into the following categories to define if the complaint is eligible for the project established GRM. The procedure should establish clear parameters for qualifying grievance as eligible or ineligible for the project established GRM.

97. The following types of grievances are not eligible for resolution by the project established GRM:

- (i) Grievances that are not related to the project, or should be reviewed by a separate, more appropriate procedures (e.g. issues of fraud and corruption),
- (ii) Nature of the issue is beyond the scope of the GRM, and
- (iii) The grievance has no standing.

### **6.4. Feedback provision**

98. After receiving grievance, the GFP (or other responsible person) should:

- (i) Provide acknowledgement of the grievance receipt, with response/recommendations to complainant through preferred mode of communication mentioned in grievance registration form,
- (ii) Provide the complainant with information about the status of grievance resolution in each of the grievance resolution levels,
- (iii) If the resolution is not reached or seem to be unreachable in this level, the grievance should be passed on to the EA/IA (Level 2) and the complainant should be informed accordingly. Information to the complainant shall include the date when the case was passed on to the EA/IA and the date by which the resolution is expected,
- (iv) The resolution proposed by the EA/IA in this level should be informed to the complainant,
- (v) If resolution (related to land acquisition and resettlement issues) is not reached, the EA/IA forwards it to the Supervision Agency under the Ministry of Finance (Level 3). After the review and resolution in this level, the complaining party is informed accordingly, and
- (vi) If resolution is not reached or the complaining party is not agreeing with it, the Supervision Agency along with its decision, provide the complaining part appropriate information about

why the case was not resolved, and the AP can seek resolution through the court of Azerbaijan. This level includes both environmental and social grievances.

99. In all these levels, the parties involved in resolution for grievance should closely discuss the issue and resolution alternatives with the complainant in order to come to the resolution that is reasonable and acceptable for all parties.

### **6.5. Reporting**

100. The EA/IA is responsible to monitoring implementation of the project established GRM and reflect the outcomes in the monitoring reports.

- (i) The GFP of Contractor should document and monitor the grievance status in grievance log book. He/she should update GFP of CSC on regular bases (at least every 15 days).
- (ii) GFP of CSC should report to responsible person in EA (PIU) on GRM on monthly bases.
- (iii) Responsible person in EA (PIU) will record grievances in a tracking table (provided by ADB) and report to bank on quarterly bases. Besides, all grievances and their status should be reflected in the monitoring reports, especially in semi-annual reports.

### **6.6. Gender Impact and Mitigation Measure**

101. The project will pay special attention to women to make sure that women receive duly compensation and participate in implementation of LARP and project. To ensure increased participation of women in the project, the following measures shall be taken:

- (i) Use culturally and appropriate methods, and time schedules, to ensure women participation in consultations in each stage of the project,
- (ii) Special attention to women, as well as vulnerable groups during implementation of LARP,
- (iii) Focus on women and vulnerable groups during monitoring and evaluation of the LARP implementation,

102. Women play an important economic role in the project areas and are engaged in a variety of income generating activities in agriculture and trade sectors.

## **7. INSTITUTIONAL ARRANGEMENT**

103. State Agency of Azerbaijan Automobile Roads as an Acquiring Agency will be responsible for managing and coordination of all land acquisition and resettlement process. Implementation of the LARP will be coordinated by the Ministry of Finance (MOF), State Committee on Property Issues (SCPI), Ministry of Ecology and Natural Resources (MENR) and district and municipal authorities, as well as contractor and civil society organizations.

### **7.1. State Agency of Azerbaijan Automobile Roads**

104. State Agency of Azerbaijan Automobile Roads will have overall responsibility for all roads and highway projects funded by the ADB, including preparation and implementation of LARP. State Agency of Azerbaijan Automobile Roads will exercise its functions through the Project Implementation Unit (PIU), which in turn will be responsible for project execution and overseeing day-to-day project activities at project level. PIU has a full-time social safeguards specialist who coordinates with the Land Acquisition Division (LAD) of State Agency of

Azerbaijan Automobile Roads on social safeguards and resettlement issues. LAD is responsible for coordinating the process with other authorities and ensuring that all DPs are duly compensated. PIU will oversee the contractor's performance on social safeguards compliance.

## **7.2. Supervision Consultant**

105. A Supervision Consultants (SC) that will be engaged for the project to monitor the civil works carried out by the Contractor will also oversee social and resettlement safeguards compliance. The SC shall reflect social and resettlement safeguards compliance issues in its regular reports as well. In case of serious issues or newly identified impact, the SC should inform immediately State Agency of Azerbaijan Automobile Roads in order to take immediate actions.

106. The SC will also have resettlement safeguards specialists (consultants) to assist the PIU in the implementation of LARP. The social specialist will assist the contractor in the public meetings, gathering of complaints.

## **7.3. Local authorities**

107. Local authorities, especially district officials, play an important role in land acquisition process, including in determining land ownership status, property valuation, and community meetings and grievances management. Local municipalities will be particularly involved in lodging and resolution of complaints of DPs and communities, and in some cases, they officially forward the complaints of the DPs and communities to the State Agency of Azerbaijan Automobile Roads.

## **7.4. Civil Works Contractor**

108. The Contractors selected by State Agency of Azerbaijan Automobile Roads to undertake the construction will be responsible for mitigating temporary impact resulting from the construction activities. Based on the LARP and the Technical Design, will demarcate the acquired part of the land plots to clearly delineate it from the remaining non-affected parts. Contractor will be responsible for implementing measures for dismantling works.

109. The Contractor will assign a Grievance Focal Person (GFP) who will receive, register and manage the complaints received from DPs, affected communities or any other interested parties. The Contractor will open a Grievance register log book to document the received complaints, actions taken and track the complaints until they are resolved. In case of any new land acquisition impact identified, or the impacts that was not identified or caused by design change, the Contractor is obliged to inform State Agency of Azerbaijan Automobile Roads about such new impact so mitigation measures will be taken according to ADB SPS (2009) and laws of Azerbaijan. Contractor shall not take over lands and start construction work in that section where new impact identified until mitigation measures are taken and due compensations and/or entitlements are paid to the respective new DPs.

110. As a rehabilitation measure, members of households, which are either severely affected or vulnerable, will be given priority in project-related employment. This requires close coordination with the civil works contractor and the municipalities in informing and prioritizing workers from the targeted households. Moreover, the contractor is responsible for identifying areas that may be affected temporarily during construction and shall make negotiation and

agreements with the respective land owners on temporary use (lease) of land plots the contractor may need during construction period.

## 8. RESETTLEMENT BUDGET AND FINANCING

### 8.1. Summary budget

111. Total budget of the LARP is estimated at the amount of 28,707.71 AZN. This includes compensations for land owners, trees and perennial plantings, as well as other administrative costs.

**Table 10: Summary of LARP budget**

<b>Kateqoriya</b>	<b>Xərclər (AZN)</b>
Compensation for land	4528.46
Compensation for trees and other perennial plantings	9504.00
Allowance for vulnerable people	348.00
<b>Sub-total</b>	<b>14380.46</b>
Bank expenses 0,35%	50.33
Registration costs	8575.3
Internal monitoring	5000.00
Contingency 5%	701.62
<b>Total</b>	<b>28,707.71</b>

### 8.2. Compensation for lands

112. The total cost is estimated as 4528.46 AZN. Compensation costs for private lands was approved as 4316.20 AZN. Compensation for municipal lands will amount to 212.26 AZN.

**Table 11: Estimated expense for land acquisition**

<b>Category</b>	<b>Region</b>	<b>Land type</b>	<b>Area (ha)</b>	<b>Total expenses (AZN)</b>
Private lands	Zardab	Agriculture	0,989	3560,66
		Back-yard	0,039	755,54
Municipality lands	Zardab	Conventional useless, road, watercourse	1,397	212.26
<b>Total:</b>			<b>2.425</b>	<b>4528.46</b>

### 8.3. Compensation for perennial plantings and trees

113. Compensation for affected trees was estimated as 7872.0 AZN, for other perennial plantings (clover) 1632.0 AZN and totally 9504.0 AZN.

#### 8.4. Allowance for vulnerable people

114. Allowance for vulnerable people is calculated at amount 348.00 AZN: 1 female headed household as vulnerable is identified among the DPs. She should be paid 1 additional allowance equal to 3 months at average minimum salary defined by the government for 2017 (1 AH X 116 AZN X 3 months =348.00 AZN).

#### 8.5. Administrative costs

115. Total administrative cost is estimated as 13575.3 AZN.

**Table 12: Administrative cost of the project**

Category	Expenses (AZN)
Internal monitoring	5000.0
Registration costs	8575.3
<b>Total:</b>	<b>13575.3</b>

116. The allocation and payment of compensation to the owners has been agreed with the Ministry of Finance. It is expected to complete the compensation payment by the end of July, 2019. Ministry of Finance will allocate the calculated compensation to the account of State Agency of Azerbaijan Automobile Roads and the Agency will transfer the compensation to affected residents accounts. An additional report will be submitted to the Bank for the execution of the compensation payment.

### 9. IMPLEMENTATION SCHEDULE

117. This LARP shall be endorsed by State Agency of Azerbaijan Automobile Roads and approved by ADB. The steps and procedures involved in LARP implementation shall be aligned with the project preparation and implementation activities. The LARP should be fully implemented and all compensations and entitlements paid prior to the start of the civil works. A tentative implementation schedule is given in table below.

**Table 13. Tentative schedule for LARP implementation**

Activities and Milestones	2019						2020
	July	August	Sept	Oct	Nov	Dec	January
<b>Execution of the last TSKP</b>							
Submission of the final LARP to the Bank and review							
Allocation of compensation to the Agency, opening the accounts for DP and transferring money to these accounts							

Conclusion of contracts with property owners and payment of money							
Completion of the compensation payment							
Preparation of documents for renewal of land legal documents in the Real Estate Registration Department							
Payment of compensation for municipal land							
Carrying out monitoring on LARP implementation							
Preparation of the report on the results of the implementation of LARP and submission to ADB							
Provision of employment opportunities for healthy family members of DP families							
Regular community meetings and monitoring LARP's implementation status							
Grievance Redress and Monitoring							

## 10. MONITORING AND EVALUATION

118. State Agency of Azerbaijan Automobile Roads is responsible for conducting internal monitoring and overseeing proper implementation of LARP. Monitoring will be carried out during LARP implementation for to make sure that land acquisition is carried out in accordance with LARP and SPS (2009), as well as national laws. The PIU will submit internal monitoring reports to ADB. Monitoring and evaluation will be carried out and report will be submitted to ADB also upon implementation of LARP to assess effectiveness of LARP and mitigation measures for DPs to restore their livelihoods as per pre-project standards.

### 10.1. Internal Monitoring

119. Internal monitoring will be carried out by PIU. The results will be reported to State Agency of Azerbaijan Automobile Roads and ADB through bi-annual reports reflecting LARP implementation.

120. The specific indicators in the internal monitoring will include: (i) public consultations and information on project and LARP to DPs and affected communities; (ii) on time payment of compensations for lands and trees; (iii) levels of satisfaction of DPs on resettlement process; (iv) measures for livelihoods restoration of the DPs, (v) grievance management, (vi) participation of women and vulnerable groups in public consultation and LARP implementation.

121. Information will be obtained directly by the Construction Supervision Consultant from the project site and will be monthly reported to the PIU for carrying out the resettlement plans and evaluating their results, and taking correction actions if required. Based on the monthly reports, quarterly reports (if required) will be prepared by the PIU and submitted to ADB.

## ANNEX 1: INVENTORY AND ASSESSMENT FORM

### INVENTORY AND ASSESSMENT FORM

Ujar-Zardab-Agjabedi Highway Reconstruction Project

(Km 00+000 - km 77+460)

Section: \_\_\_\_\_ Rayon: \_\_\_\_\_ Village: \_\_\_\_\_

Date: \_\_\_\_\_ / \_\_\_\_\_ / 2017

#### 1.1 Full name of land owner/user and address:

\_\_\_\_\_

#### 1.2 Plot identification (corresponding to the cadastre map data)

No of land parcel	Area of Plot: (ha)		Area required by road (ha)	Note
	Registered	unregistered		

1.3 Plot classification: ☐ private ☐ municipal ☐ state

#### 1.4 Land/plot use

Please indicate the type of the plot:			
1-agricultural	2-household	3-commercial	4-other non-agricultural

1.5 Annual/Seasonal crops			
Name of crop	Area (m <sup>2</sup> )	Average productivity (kg/ha)	Average price (AZN/kg)

1.6 Perennial crops / trees						
sort	area (m <sup>2</sup> )	trees in total	No of fruit- bearing trees	harvest (kg)	price (AZN/kg)	No. of non-fruit bearing trees
apple						
pear						
quince						
plum						
cherry						
apricot						
peach						
walnut						
hazelnut						
vine						
pomegranate						
other						

2. Please indicate the structures and other facilities located on the plot and relevant information

<b>2.1</b>	Residential	1- Operational	2-non operational	<input type="text"/>
	2.1.1	area as indicated in the plan (m <sup>2</sup> )		<input type="text"/>
	2.1.2	number of floors: (0-under construction)		<input type="text"/>
	2.1.3	construction materials and other relevant information		
<b>2.2</b>	Commercial	1- Operational	2-non operational	<input type="text"/>
	2.2.1	area as indicated in the plan (m <sup>2</sup> )		<input type="text"/>
	2.2.2	number of floors: (0-under construction)		<input type="text"/>
	2.2.3	construction materials and other relevant information		
<b>2.3</b>	Public Building	1- Operational	2-non operational	<input type="text"/>
	2.3.1	area as indicated in the plan (m <sup>2</sup> )		<input type="text"/>

2.3.2	number of floors: (0-under construction)	<input type="text"/>
2.3.3	construction materials and other relevant information	

<b>2.4</b>	Other building	1- Operational	2-non operational	<input type="text"/>
2.4.1	area as indicated in the plan (m <sup>2</sup> )			<input type="text"/>
2.4.2	number of floors: (0-under construction)			<input type="text"/>
2.4.3	construction materials and other relevant information			

3. If the building is used for commercial purposes then indicate the following:

3.1	number of employees		<input type="text"/>
3.2	average salary of employees	AZN	<input type="text"/>
3.3	net profit per day	AZN	<input type="text"/>
3.4	price of building	AZN	<input type="text"/>

## ANNEX 2: SOCIOECONOMIC SURVEY FORM

### INTERVIEW QUESTIONS

Village	Rayon	Location to the Road	Code
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

1.What is your position to the Head of the Household? Specify\_\_\_\_\_

2. Marital Status: \_\_\_\_\_ 3. Age \_\_\_\_ years 4. Nationality \_\_\_\_\_

5.Gender: \_\_\_\_\_

### 6. Education of Adult Members of Household:

1. Primary (1-4 grades) \_\_\_\_\_ persons

2. Incomplete (5-9 grades) \_\_\_\_\_ persons

3. Complete High School (10-11 grades) \_\_\_\_\_ persons

4. Vocational training (technical) \_\_\_\_\_ persons

5. Incomplete High School \_\_\_\_\_ persons

6. University \_\_\_\_\_ persons

Specify education of respondent and HH head \_\_\_\_\_

**7. How long have you lived in this village?** \_\_\_\_\_ years

7a. If you have migrated from another location, please specify when and why?

**8. What is your main occupation and since when?** \_\_\_\_\_

**9. How many people reside in your households and what do they do?** \_\_\_\_\_ **Total (persons)**

		total	Including– Occupation				
			Permanent work	Temporary work	Unemployed	In school	Handicapped, on pension
Adult Household Members	Pensioners						
	above 21						
	17- 20 years						
Children	12 - 16 years						
	Under 12						

**10. How does your family cultivate your land plot and who participate in this work (specify all family members who participate)? Please elaborate**

---

**11. How does your family care for your cattle and who participate in this work (specify all family members who participate)? Please elaborate**

**12. How do you consider your family in economic terms?**

☐very good ☐good ☐mid-level ☐low income ☐poor

**13. Does your family have the following types of assets?**

No		How many heads/pieces/ ha?	Since when?	Cost in AZN
1	Tractor			

2	Mini-bus			
3	Car			
4	Cart			
5	TV			
6	Refrigerator			
7	Radio			
8	VCR/DVD Player			
9	Washing Machine			
10	Horse			
11	Cattle			
12	Sheep			
13	Goat			
14	Poultry			
15	Garden			
16	Apartment flat			
17	House			
18	Land Plot			
19	Other (specify)			

**14. Do you have access to the following utilities? How are conditions?**

No	Utility	Excellent	Good	Satisfactory	Poor
1	Gas supply				
2	Electricity supply				
3	Water supply				
4	Sewerage				

**15. What is your main source of income? (Specify amount of income)**

**Primary** \_\_\_\_\_ **Secondary** \_\_\_\_\_

1- incomes from self-employment in agriculture, Monthly amount: \_\_\_\_\_


2- incomes from self-employment in non-agricultural field, Monthly amount:

\_\_\_\_\_

3- salary from employment in agriculture; Monthly amount: \_\_\_\_\_

4- salary from employment in non-agricultural field; Monthly amount: \_\_\_\_\_

5- income from property (rent, saving accounts, etc.); Monthly amount: \_\_\_\_\_

6- pension, state allowances and benefits; Monthly amount: \_\_\_\_\_

7- aid from relatives; Monthly amount: \_\_\_\_\_

**15. Income from Land Plot (specify the year):**

No	Crop	Area (m <sup>2</sup> )	Productivity (kg/ha)	Unit price	Approx. income
1					
2					
3					

**16. Income from cattle per year:** \_\_\_\_\_AZN; Specify what? \_\_\_\_\_

**17. Type of Household Expenses**

Monthly Expenses		
	Expenditure items	AZN
	Food	
	Clothes	
	Loans	
	House rent	
	Gas	
	Water	
	Electricity	
	Car maintenance and petrol	
	Other transportation costs	
	Medical expenses (medicine, medical treatment – specify)	
	Education (specify)	
	Communication	
	Ceremonies (wedding, burial, etc, specify)	
	Solid waste collection	
	<i>Other (specify)</i>	

**18. What are your HH's sources of drinking and cooking water?**

Piped lines ☐

River ☐

Own well ☐

Other (specify) \_\_\_\_\_

**19. How you handle garbage?**

- ☐ 19.1 through waste collection services
- ☐ 19.2 burn
- ☐ 19.3 bury
- ☐ 19.4 dispose in official landfill
- ☐ 19.5 other (specify)

**20. Please indicate whom do you address when your household member gets sick 1=yes, 2=no**

- ☐ 20.1 district state hospital
- ☐ 20.2 private clinic
- ☐ 20.3 local ambulance
- ☐ 20.4 private doctor
- ☐ 20.5 other (specify) \_\_\_\_\_

**21. Attitude toward the project**

21.1 Have you heard about the proposed **Ujar-Zardab-Agjabedi Highway Reconstruction Road Project**?  
1=yes, 2=no

21.2 if "yes", please indicate the source of information:

21.2.1 Project representatives

21.2.2 Local government

21.2.3 neighbors

21.2.4 newspapers, radio, TV

21.2.5 other (specify)


*if "no" provide the respondent with brief information about the project*

21.3 How does you household use the motor road?

code

21.4 How do you think, is the proposed **Ujar-Zardab-Agjabedi** road useful?

1=yes ☐,      2=no ☐,      3- do not know ☐

21.5 You may be aware that the Project implementation may require the use of a part of the land which is currently occupied, cultivated or otherwise used by you. If you are requested by the Government would you give up this part of your land?

1-yes ☐, 2-no ☐,

### ANNEX 3: SAMPLE GRIEVANCE LOG BOOK

No	Project	Title of complaint	Date of complaint receipt	Who addressed complaint	Contact details of complainer	Summary of complaint	Time bound action	Responsible person and position	Status

#### **ANNEX 4: MINUTES OF PUBLIC CONSULTATIONS**

Location: Gorugbaghi village of Zardab district

Date: 29 September, 2017

Time: 15:00

Participants: 16

Discussed issues:

1. Disclosure of information on the new project to the public
2. Disclosure of project alignments and potential impact
3. Listen to people's thoughts and advice, and answer questions as much as possible

Participants:

1. Executive representative of Gorugbaghi village
2. Chairman of Gorugbaghi Municipality.
2. Representative of State Agency of Azerbaijan Automobile Roads
3. 16 village residents

Representatives of the executive power of Gorugbaghi village of Zardab district gave general information about the project. Later, chairman of Gorugbaghi municipality informed participants about the land plots that would be acquired due to the project and provided the list of impacted land parcels.

Representatives of State Agency of Azerbaijan Automobile Roads and executive representative of Gorugbaghi village of Zardab district informed participants that compensation for impacted land plots and any other losses will be paid in compliance with principles and requirements of Azerbaijan legislation as well as of Safeguard Policy Statement (2009) of Asian Development Bank.

Summary of raised questions and discussions are given in table below.

## Questions and Answers

Questions	Answers
When will the road construction start?	It is planned to start construction in 2018. However, after the tender it will be clear. At present, works on preparing projects documents are going on. Additional information will be provided to you.
How will the affected persons will be paid compensations?	Compensations will be paid on market value or replacement cost. Compensation principles will be in compliance with Asian Development Bank's Safeguard Policy Statement (2009) and requirements of Azerbaijan legislation.
Will compensation be paid for trees?	Yes. Trees will be compensated as the other properties according to the law.
How will our compensated payments be paid to us?	Compensation will be paid to all displaced persons. These payments will be made at your bank accounts in any local branches of your banks. No charges will be deducted from calculated compensation.
Who will give new documents to our remaining lands after the purchase?	Yes, giving you new documents for your remaining land is important issue. New ownership documents will be prepared for your remaining lands and registration fees will be paid by State Agency of Azerbaijan Automobile Roads. State Property Committee will renew your documents and all related fees will be paid by State Agency of Azerbaijan Automobile Roads.
Will the crops be compensated if it is not harvested properly?	You will be notified at least 3 months prior the construction works commencement so you can harvest your crops.

Attendance sheet

Ucar -Zərdab-Ağcabədi avtomobil yolunun (R32) Km 00+000-70+500 hissəsinin yenidənqurulması layihəsi.

Ərazi: Zərdab rayonu Qorqbəği kəndi.

Tarix: 29.09.2017.

İctimaiyyətlə görüş  
İştirakçıların Siyahısı

No	Adı və soyadı	İş yeri	Tutduğu vəzifə	İmza
1	Qarayev Rəşad	Bələdiyyə	Sədr	[Signature]
2	Qarayev Bəyali	Fermer		[Signature]
3	Məmmədov Abuzər	Fermer		[Signature]
4	Süleymanov Zabit	Fermer		[Signature]
5	Məmmədov Aydin	Fermer		[Signature]
6	Məmmədov Vəqif	Fermer		[Signature]
7	Məmmədov Vəqif	Fermer		[Signature]
8	İbrahimov Cəqur	Fermer		[Signature]
9	İbrahimov Ömər	Fermer		[Signature]
10	Xəlilov Rəşad	İc. rəh. ti.	müavin.	[Signature]
11	Abdullayev Nihal	Fermer		[Signature]
12	İsmayilov Ruzlan	İc. nü. si.	mühasib.	[Signature]
13	Abbasov Fəzil	məntəş.	müəllim.	[Signature]
14	Abbasov Əliheydər	məntəş.	müəllim.	[Signature]
15	Muradov Zabit	Xəstəxana	həkim.	[Signature]
16	Əhmədov Aqər	Fermer		[Signature]
17				
18				
19				
20				
21				
22				

Photos from public consultations in Gorugbagi village of Zardab region



## **MINUTES OF PUBLIC CONSULTATIONS**

Location: Garabork village of Ujar district

Date: 28 september, 2017

Time: 11:00

Participants: 18

Discussed issues:

1. Disclosure of information on the new project to the public
2. Disclosure of project alignments and potential impact
3. Listen to people's thoughts and suggestions, and answer questions

Participants:

1. Representative of Architecture and Construction Department of Executive Power
2. Chairman of Garabork Municipality
3. Executive representative of Garabork village
4. Representative of State Agency of Azerbaijan Automobile Roads
5. 18 village residents

The executive representative of Garabork village of Ujar region and the representative of State Agency of Azerbaijan Automobile Roads gave general information about the project. Later, the participants were given the floor and the meeting continued for questions-answers and consultation.

Summary of raised questions and discussions are given in table below.

### Questions and Answers

Questions	Answers
Will new bus stops be built within the project, or old ones will be repaired?	Yes, all bus stops on the project will be replaced by a new ones. Repair of old bus stops is not planned.
At present, the road is in bad condition, the water pipe diameter is very small. This also creates problems. What can you say about it? Will there be new pipes?	This issue was most frequently asked by the residents. Existing water pipes really have small diameters. In the new project all pipes will not be less than 1250 mm.
Is there underground and/or over ground crossings for cattle and people planned in the project?	Yes, undergrounds and overgroun crossings will be built and locations will be defined through consultations with residents and municipalities. Representatives of municipality s have been in the area with designers and crossings are planned in the project.
Will any land or structure fall under the project?	As mentioned above, the project passes through the territory of Ujar, Zardab and Agjabadi with total 70,460 km. Any land or structure in Ujar region does not fall under the project. The moving part will be stored according to the regulations. Shoulder parts will be adapted to the present conditions in the areas where it is needed. The small land plots in the village of Gorugbagi of the Zardab region falls under the project.
When will the construction begin?	Still the tender was not held. Therefore, we have no exact information about time. But it is supposed to start at the beginning of 2018.
During construction, how the workers such as drivers and so on will be recruited?	Certainly, such workers will be recruited to work as a specialist, driver, worker, and specialist in various fields, as well as from local village residents in accordance with their professional skills.

Attendance sheet

Ucar -Zərdab-Ağcabədi avtomobil yolunun (R32) Km 00+000-70+500 hissəsinin yenidənqurulması layihəsi.

Ərazi: Ucar rayonu  
Qaraböyük kəndi

Tarix: 28.09.2017

İctimaiyyətə görüş  
İştirakçıların Siyahısı

No	Adı və soyadı	İş yeri	Tutduğu vəzifə	İmza
1	Təqiyev Pərviz Nuzumirad	Kəza Nuzumirad	Qaraböyük k. Nuzumirad	[Signature]
2	Həsənov Mənsur Həvida oğlu	İcra Nuzumirad	Qaraböyük k. Nuzumirad	[Signature]
3	Hüseyn Cavid Nəziroğlu	Qaraböyük Nuzumirad	Qaraböyük Nuzumirad	[Signature]
4	Ələkbərova Səndə Ələkbərova	tib məntəbəsi		[Signature]
5	Ağayev Əli Məhəmməd oğlu	Sahibkəz	Pensiyagə	[Signature]
6	Xəlilov Nədim Akif oğlu	Təşviqatçı	mühasib	[Signature]
7	Hüseyn Hüseyn oğlu		mühasib	[Signature]
8	Həsənov Elman	Sahibkəz		[Signature]
9	Hüseyn Akif Səhəb oğlu	Sahibkəz		[Signature]
10	Allahverdiyev Nəriman	Sahibkəz	Sədr	[Signature]
11	İbrahimova Aza	tib məntəbəsi		[Signature]
12	Orucova Fatma	Sədr	Pensiyagə	[Signature]
13	Orucov Məhəmməd	Təşviqatçı	Pensiyagə	[Signature]
14	Rəhimov Rəhim İdris oğlu	Sədr	Sahibkəz	[Signature]
15	Həsənov Ağayev	Orta məntəbə	Müslim	[Signature]
16	Ələkbərova Məhəmməd	Orta məntəbə	Müslim	[Signature]
17	Hüseynov İsmayıl Məhəmməd	Sahibkəz		[Signature]
18	Hüseyn Pərviz		Fəhlə	[Signature]
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Photo from public consultations in Garabork village of Ujar district



## MINUTES OF PUBLIC CONSULTATIONS

Location: Najafkulubeyli village of Agjabadi region

Date: 29 September, 2017

Time: 10:00

Participants: 18

Discussed issues:

1. Disclosure of information on the new project to the public
2. Disclosure of project alignments and potential impact
3. Listen to people's thoughts and suggestions, and answer to the questions

Participants:

1. Representative of Architecture and Construction Department of Executive Power of Agjabadi region
2. Executive representative of Najafkulubeyli village
3. Chairman of Najafkulubeyli Municipality
4. Representative of State Agency of Azerbaijan Automobile Roads
5. 18 village residents

The representative of the Architectural and Construction Department of Executive Power of Agjabadi region informed the participants about the purpose of the meeting. Then the Executive representative of the Najafkulubeyli village informed them about the project. The representative of State Agency of Azerbaijan Automobile Roads provided detailed information on the project, as well as the expected social and environmental impact of the project and explained the issues to the participants.

Later, the participants were given the floor and the meeting continued in the direction of question-answer and consultation.

Summary of raised questions and discussions are given in table below.

### Questions and answers:

Questions	Answers
How will the movement of cars be adjusted during project implementation? Is it possible to provide additional service road in the village or in the rural area?	During construction of the road in rural areas, in proportion to the axis road construction will be carried out in one part, and the other part will be used as a service road. In addition, sidewalks will also be renewed in areas crossing the village. Therefore, it will be possible to use the sidewalks as a service road.
In the case of rainfall, the flow of accumulated water into drains will not be provided. Pipes at the bottom of the road are not enough to transmit water. Will new pipes be added?	The most frequently asked question. Yes, this issue has been repeatedly reviewed by the project engineer. This problem will be completely solved during the reconstruction works. In the new project all pipes should be less than 1250 mm.
Will the bus stops be renewed? In addition, rural areas have been expanded and new bus stops are needed. Are new stops planned?	Yes, municipal officials have been in the area with designers and new stops will be built where needed.
Will the old bridge over Kur River be demolished?	A new bridge will be built over the Kur river. But the existing bridge will not be demolished. It will also be used.
When the construction of the road will start?	The construction works are expected to start at the beginning of 2018. But this is not the exact time. The exact time will be known after the bidding.
During construction, local residents can be involved?	Of course, in accordance with the professional skills of the workers they will be involved.

Attendance sheet

Ucar -Zərdab-Ağcabədi avtomobil yolunun (R32) Km 00+000-70+500 hissəsinin yenidənqurulması layihəsi.

Ərazi: Ağcabədi rayonu Nəxçibulğanlı kəndi.

Tarix: 29.09.2017

İctimaiyyətə görüş  
İştirakçıların Siyahısı

No	Adı və soyadı	İş yeri	Tutduğu vəzifə	İmza
1	Qurbanov Elçin Zəlim	İcra müdirləri	müəllim	[Signature]
2	Hüseynova Fəzidə Tülfə	məktəb	müəllimə	[Signature]
3	Quliyeva Şəminə Rəşid	məktəb	müəllimə	[Signature]
4	Məmmədova Rəyhan Rəşid	məktəb	müəllimə	[Signature]
5	Cəfərova Fəqirət Məz	məktəb	müəllimə	[Signature]
6	Soltanova Səzadə Həlim	məktəb	müəllimə	[Signature]
7	Rəhimova Zöhrə Araz	məktəb	müəllimə	[Signature]
8	Hüseynova Şəminə Rəşid	məktəb	müəllimə	[Signature]
9	İsgəndərova Fəzilə İsmayil	məktəb	müəllimə	[Signature]
10	Axundov Cəvahir Samir	məktəb	mühəndis	[Signature]
11	Qurbanova Məhribə Qurban	məktəb	təqəddüsi	[Signature]
12	Bəyramov Rəşad Rəşad	məktəb	ölkəçi	[Signature]
13	Kəpəzov Məhəmməd	kəpəzli	zəhmət	[Signature]
14	Quliyeva Nəxətin Fəxrə	məktəb	müəllimə	[Signature]
15	Gəlibova Rəyhanə Fəxr	məktəb	müəllimə	[Signature]
16	Məmmədova Zəfərə Rəşad	məktəb	müəllimə	[Signature]
17	Məmmədova Cəmilə Əlibə	məktəb	müəllimə	[Signature]
18	Ağayeva Fətinə Araz	məktəb	müəllimə	[Signature]
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Photo from public consultations in Najafkulubeyli village of Agjabadi district

