

**REPUBLIC OF KAZAKHSTAN
MINISTRY OF INVESTMENTS AND DEVELOPMENT
COMMITTEE FOR ROADS**



**SOUTH WEST ROADS PROJECT: WESTERN EUROPE – WESTERN
CHINA INTERNATIONAL TRANSIT CORRIDOR'S KURTY –
BURYBAILTAL ROAD SECTION (KM 2295 – KM 2380)
OF THE CENTER SOUTH ROAD**

**REVISED
DRAFT RESETTLEMENT ACTION PLAN**

ILI & ZHAMBYL DISTRICTS, ALMATY REGION

**FINANCED BY INTERNATIONAL BANK FOR RECONSTRUCTION AND
DEVELOPMENT AND REPUBLIC OF KAZAKHSTAN**

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ABBREVIATIONS

ADB	Asian Development Bank
AP	Affected People
CR	Committee for Roads
MoID	Ministry for Investment and Development
EBRD	European Bank for Reconstruction and Development
GRP	Gross Regional Product
IDB	Islamic Development Bank
IFI	International Financial Institutions
KZT	Kazakhstan Tenge
LARF	Land Acquisition and Resettlement Framework
LARS	Land Acquisition and Resettlement Survey
NGO	Non Governmental Organization
PAPS	Project Affected Persons
OP	Operational Procedure
PMC	Project Management Consultant
CSCs	Construction Supervision Consultants
CCs	Construction Contractors
PIB	Public Information Booklet
RAP	Resettlement Action Plan
GRM	Grievance Redress Mechanism
RK	Republic of Kazakhstan
ROW	Right of Way
SSICOL	State Scientific Industrial Center on Land
TOR	Terms of Reference
WB	World Bank
WE-WC	Western Europe Western China
ORM	Operational Requirement Management
RPF	Resettlement Policy Framework

Glossary

Affected Persons	People, Households, or Legal Entities affected by project related changes in use of land, water, natural resources, or income losses.
Compensation	Payment in cash or kind to which the Affected People are entitled in order to replace land or other assets taken for project use.
Cut-off-date	Date after which people WILL NOT BE considered eligible for compensation, i.e., they are not included in the list of APs as defined by the census.
Encroachers	People who move into the project area, or who have trespassed into government land adjacent to their own, after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the project. Persons informally using or occupying land prior to the cut-off date are eligible for compensation or alternative forms of assistance.
Entitlement	Entitlement means the range of measures comprising compensation in cash or kind, relocation cost, income rehabilitation assistance, transfer assistance, income substitution, and business restoration which are due to APs, depending on the type, degree and nature of their losses, to restore their social and economic base.
Household	Household means all persons living and eating together as a single-family unit and eating from the same kitchen whether or not related to each other. The census used this definition, and the data generated by the census forms the basis for identifying a household unit.
Income restoration	Income Restoration means re-establishing productivity and Livelihoods of APs.
Involuntary Resettlement	Any resettlement, which does not involve willingness of the persons being adversely affected, but are forced through an instrument of law.
Land acquisition	Land Acquisition means the process whereby a person is compelled by a public agency to alienate all or part of the land she/he owns or possesses, to the ownership and possession of that agency, for public purposes in return for fair compensation.
Rehabilitation	Assistance provided to affected persons to supplement their income losses in order to improve, or at least achieve full restoration of, their pre-project living standards and quality of life.
Socially vulnerable people	Population, who have income less than living wage, or have other sources of personal vulnerability to hardship in adapting to changes caused by the project. Operationally, this is defined as people eligible for State Targeted Assistance, as per January 2011 information from Statistic Department of Almaty region.
Land Owner	Physical or legal entity, who uses land plot based on the right of private property, i.e. has purchased the right for property from the state.
Lease-Holders	A person or a legal entity who holds a right of leasing the land (long or short term) on a contractual bases. Typical long-term lease is 49 years.

1. INTRODUCTION

The Resettlement Action Plan (RAP) for the Kurty – Burylbaital Road Section of Zhambyl District, Almaty Oblast is designed to mitigate potentially adverse project impacts. It outlines the remedial measures essential for mitigation of adverse impacts of the Kurty – Burylbaital. This RAP of Kurty – Burylbaital summarized resettlement plan which includes specific details of the project, Laws and Frameworks regulating the matter, Land Acquisition and Resettlement Impact in Kurty – Burylbaital, and compensation aspects.

World Bank OP 4.12, Involuntary Resettlement, sets out planning requirements to be met when proposed projects would cause land acquisition or associated impacts. The policy generally presumes that such a planning process can be initiated prior to land acquisition. Overall, the operational policy document based on the assumption, that the planning process can be started before the land acquisition. For the Kurty – Burylbaital Road Section (km 2295 – 2380), part of the above road project, all land plots have been identified based on detailed design of the two subsection of this road segment (km 2295-2335 and km 2335-238). The land has not been yet been acquired. The actual land acquisition process will start, following approval of the RAP and formal project approval in Kazakhstan. The land acquisition will take place prior to the start of works and only after compensation is paid to the affected people.

As described in greater detail below, the RAP presented the scope and scale of land acquisition that is required, as well as the principles and procedures by which it will be undertaken. There were several steps in the preparation of the data for this RAP. The first survey relied on existing cadastral value and records. Following the consultations with the Bank team the updated has been prepared with estimates based on the replacement costs and taking into consideration market values.

In case of more than 6 month delays from the first market rate appraisal (taking into account potential for time needed for internal approvals of this project), prior to the start of work, an update to the existing cost will be provided, as per the Republic of Kazakhstan laws and in compliance with Bank policy.

The execution of the land acquisition process described in this given Project Resettlement Action Plan (RAP) must be endorsed by Akimat (local administration) of Almaty region. The legal bases for land executing land acquisition process is according to Art. 18 Art. 16-18, of the Land Code of the Republic of Kazakhstan and Art.61-69 of the Law "On State Property" dated March 1, 2011. Accordingly the **acquisition** of land plots and immovable property under the construction of the road should be dealt with by the local executive bodies - in particular the district Akimat of Almaty region.

In case of signing an appropriate finance agreement between the Republic of Kazakhstan and International Financial Institution (IFI), which is an integral part of the agreements, ratified by the Law of the Republic of Kazakhstan and, accordingly, Land Acquisition and Resettlement Program express the views of the Government of the Republic of Kazakhstan and have the status of the International agreement. Along with it the **International agreements** ratified by the Republic of Kazakhstan, identify provisions, which are different from mentioned in the Land Code of the RK, then the provisions of the above agreements will apply. International agreements ratified by the RK directly apply to the land relations. (Land Code of the RK, article 7)

The objective of RAP is to prevent and mitigate undue harm to people and their environment in the development process. Safeguard policies are the corner-stone of assistance provided to developing countries by their partners in development. The policies provide guidelines for donors and borrowers in the identification, preparation, and implementation of programs and projects.

Akimat will issue the Decree, defining that the territory, which is affected by the route change, will be subject to preserving (acquisition). On that stage CoR will address to the local executive bodies about reservation of lands under restructuring, for example, for preventing the speculation. Meanwhile, the owners have been notified that their lands can be acquired. The final design will be prepared in interactive manner, including the intensive field work and consultations with the representatives of local bodies, especially on the district level. The final design includes the detailed maps of separate impact owners, full cadastre data about the property and compensation evaluation for land acquisition and reimbursement of damages.

The design institutions received the maps on land cadastre and records on owners after the endorsement of the route plan with the local authorities and requested the district Akimats to get in touch with the affected people and discuss the procedure of land acquisition. All the essential data was given to the evaluators, who on the basis of that defined “the market cost” of the property, subjected for acquisition, and discussed the method of calculation of the compensation with the owners of the property. Property cost evaluation on cities is rather well-known procedure, but rural property evaluation is carried out in some areas for the first time.

Three main approaches have been applied: with the point of view of the cost, when the property was evaluated by means of comparison with some objects in the market; approach, based on profits, when potential profit from the commercial property; and the approach of market comparison, when the equivalent property, sold in the local market, has been compared

2. PROJECT DESCRIPTION

2.1 Project Background

Government of the Republic of Kazakhstan is now giving top most priority to the reconstruction of the transit route Centre South Corridor “Astana-Karaganda-Balkhash-Kapshagay-Almaty” under the South West Road Project, Kurty – Burylbaital Road Section, km 2295 – 2380 is part of the above road. This is the country’s principal link with the international transit corridor from China to Europe often characterized as the New Silk Road. The World Bank (WB), Asian Development Bank (ADB), Islamic Development Bank (IsDB), European Bank for Reconstruction and Development (EBRD) and other international financial institutions (collectively referred to as IFIs) have been involved in this major task with the Committee for Roads, Ministry for Investments and Development (CoR, MoID) as the executing agency (EA) and the Akimat of Almaty Oblast as the Implementing agency of the RAP.

In physical terms, the proposed reconstruction of the road will require upgrading of the existing two-lane highway within the current ROW, road expanding from two to four lanes road. Reconstruction of much of the corridor will be rather simple and straight forward, but some sections will require more complex inputs from soil testing and new surveying to preparing detailed designs and environmental assessments; determining needs for some land acquisition

consulting local officials and stakeholders to gain support; and planning and managing the logistics of getting labor, machinery and materials to the remote locations.

The Government of Kazakhstan is seeking the World Bank financial support for a proposed “Kurty – Burylbaital” Road Section under the South West Roads Project, connecting between Almaty (the largest city and a major business center of the country) and Astana - capital of Kazakhstan. The project is part of the Government’s ongoing Western Europe-Western China highway development program, for which World Bank support is already provided under an existing South-West Highway Project.

The Road, Kurty – Burylbaital Road section will be a heavily trafficked road segment that connects Almaty with Astana and Russia through Kazakhstan via WE-WC corridor, as well as providing transportation to the also westward links from China to Europe. The proposed project is scheduled to be complete by 2018 and would contribute to the Government’s target of upgrading the entire WE – WC road corridor.

The Project will cover a 85 km road in two lots between the Ashisu, Aiderly and Akshi villages passing through the rural areas by expanding of an existing two-lane road to four-lane highway status. The project alignment lies with Zhambyl and Almaty Oblasts. It covers two districts. The project consists of 2 design sections of 40km and 45km length respectively which are likely to translate into construction in 2 Contract lots during implementation. They are subsequently described, including features and information relevant for safeguards classification and the design of safeguards instruments:

The project corridor runs parallel to the Tien Shan mountain range over its entire length at a distance ranging from 10 to 30 km. There will be no significant conversion of untouched habitats under the project. However, Settlements close to the alignment, where noise protection may be an issue in the future.

The road passes through a predominantly rural area with low population densities. The total number of population of 2 districts through which this road section lies is the following:

Table 2.1 Populations of Districts

District	Population (2011)
Zhambyl district	126108
Ili district	154124

As, in the majority the route passes through the open district, level of population, living directly near the road, is very low. The proposed project entails land acquisition and associated impacts, as is to be expected minimum in a highway project with 85-km of road alignment. Only, few owners have been affected by the proposed rehabilitation and 4-laning. Principles and standards incorporated into the Resettlement Action Plan, agreed between the CR and the Bank, for use throughout the Western China- Western Europe Corridor program, apply to the proposed project.

3. SOCIO-ECONOMIC BACKGROUND

The main sources of transportation, within the country - Astana, Kokshetau, Petropavlovsk, Kostanai, Karaganda, Almaty, Shymkent. The main sources of international transportation - Western Europe, Russia (Siberia), Uzbekistan and Kyrgyzstan. Percentage of transport which is operating in the international traffic is 30% of the total flow.

The proposed rehabilitation, reconstruction of the Kurty – Burylbaital road section from the existing 2 lanes road to 4 lanes road.

The whole Kurty – Burylbaital Road sections has been divided into 4 sections: Section 1 - km 2152-2214 (62km), Designer LLP "Kazdorproject"; Section 2 - km 2214-2295 (81km), Designer, LLP "Top Geodesy"; Section 3 s- km 2295-2335 (40km), Designer, LLP "Kazdorproject"; and Section 4 - km 2335-2380 (45km), Designer LLP "Doris". First, third and fourth road sections are considering for financing by IBRD, and the second road section by EBRR.

Kazakhstan is one of the largest countries in the world, has a huge network road with length about 88 thousand km, including about 23 thousand. km of republican roads. About 93% of the roads have asphalt concrete pavement; however the condition of roads does not meet current standards and type of traffic.

Kazakhstan has huge reserves of fuel resources, rich deposits of other minerals, as well as a major producer of crops and livestock supplier. The industrial sector is based on the extraction and processing of natural resources in the engineering sector, specializing on construction equipment, tractors, agricultural machinery, as well as the production of military-defense purposes.

Over the past few years in the country has discovered new oil fields, and the mining and processing of other natural resources.

Transport corridor which connect Almaty, Karaganda, Borovoe, Kokshetau, Petropavlovsk, the length is about 1700 km, is considered to be one of the most important in the country, on which is carrying out the vital important transport communications between the the Republic of Kazakhstan and such as states as the Republic of Uzbekistan, Tajikistan, China and the Russian Federation.

The main sources of transportation within the country - Astana, Kokshetau, Petropavlovsk, Kostanai, Karaganda, Almaty, Shymkent. The main sources of international transportation - Western Europe, Russia (Siberia), Uzbekistan and Kyrgyzstan. Percentage of transport which is operating in the international traffic is 30% of the total flow.

Based on data obtained from operational services, as well as through direct observations which were carried out during the performance of survey works in 2014, was determined intensity of traffic and composition of cars' park, which are on the road project area. The planned road section refers to the Central-South corridor "Astana-Karaganda-Balkhash-Kapshagay-Almaty", the Republican site roads "border of Russia Federation (Ekaterinburg) - Almaty", km 2295 - 2335. According to the administrative division the projected site passes through the territory of Aydarlinskogo Sarytaukumskogo rural districts of Zhambyl district of Almaty oblast.

3.1. SOCIO-ECONOMIC CHARACTERISTICS OF PROJECT SITES

Ashisu - a village in Zhambyl district of Almaty oblast, the administrative center and only settlement of Sarytaukumskogo rural district. In 1999, the village population was 621 people (327 men and 294 women). According to the 2009 census, the village population was 340 people (173 men and 167 women).

Aidarly - a village in Zhambyl district of Almaty oblast, the administrative center and only settlement of Aydarlinskogo rural district.

In 1999, the village population was 1,246 people (659 men and 587 women). According to the 2009 census, the village population was 1251 people (623 men and 628 women).

In all the above villages, residents are engaged in the livestock, in particular breeding of camels, cattle, horses, sheep and goats. Land plot use for grazing, and in areas where there is fertile soil, grows melons.

The project road section under consideration for WB financing, consist of two parts. The first part of the road section is from km 2295 – 2335 of length 40.04 km, designed by Kazdorproject. The main direction of the road is in the south-east. The climate is acutely continental and arid, CZ (climate zone) - V; The hottest month-July; The average temperature is - + 25,4oS; The absolute maximum temperature: + 47 ° C; The coldest month - January; Average temperature - 11,7 ° C; The absolute minimum of air temperature - 46oC; The thickness of snow cover, with an estimated probability of exceeding is 5% -35 cm. In the geological structure participates Middle-Upper-Quaternary sediments?

The second part of the road section is from km 2335-km 2380 of length 45 km, designed by LLC "Doris". The designed road section is located in Almaty region, on the border of two districts - Ili and Zhambyl.

Existing roads "Astana-Karaganda-Balkhash-Kapshagay-Almaty" on km 2335- km2380 passes through the Zhambyl and Ili districts of Almaty region within the existing 40m right of way of the Committee for Roads, MoID, RK.

Akshi – is a village in the Ili district of Almaty region, the administrative center of the Kurtin rural district. It is located on the right bank of the river Kurta, about 82 km to the south-east of the village Otegen Batyr, the administrative center of the district, at an altitude of 507 meters above sea level. In 1999, the village population was 4,662 people (2,300 men and 2,362 women). According to the census at 2009, the village population was 5646 people (2800 men and 2846 women).

4. BRIEF DESCRIPTION OF THE LAND ACQUISITION

The Right of Way (Road Reserve) of the existing Kurty – Buribaital Road section is 40 m. The land acquisition for permanent and temporary uses are required for road rehabilitation and reconstruction. In the presence of representatives of all stakeholders and affected land users, made a survey area of farms, in order to select land for reconstruction of the road republican values the first part of the road section start from Km 2295 - Km2335 under category I-B of the total project

road section from Km 2295 – Km 2380. Act of identifying of land acquisition sites was made on October 17, 2014, signed by the commission. The project identified areas of land required to be identified in addition to the existing road reserve and the office of permanent and temporary use, necessary to accommodate roads, quarries and construction sites are shown below:

- A permanent land acquisition for highway is required 79.3587 ha.
- Temporary land acquisition under the query of road-building materials is 25 hectares.
- Temporary land acquisition under the construction site offices and construction camp required is 3.7 hectares.

Total necessary land area under permanent use in the border of Zhambyl district is 79, 3587 hectare – pasture lands(primarily for the purposes of livestock grazing). For temporary use at the time of the construction it is expected around 28.7 hectare. On the basis of land plots selection act has received Decision of Zhambyl District Akim # 708 dated October 30, 2014 about permission of construction works on designed road section. The construction is expected to start only after the approval of this project by the Bank and following procedures of the Republic of Kazakhstan. The RAP provisions will be observed prior to any construction. In the Right of Way there aren't any burials, animal burial sites and archeological sites.

Annex 1: provides details about the project affected people. Overall, the impacts are identified as generally non-substantial. There will be no physical resettlement of individuals. The land to be acquired is typically a small portion of the availed land. No demolitions of commercial or residential structures are expected. At the current design, the main impacts are related to permanent and temporary land acquisition. The typical land affected by the project while having 'agriculture' classification is not suitable for typical agricultural purposes and has official sub-classification as pasture land for grazing. The pasture land is abundant in the areas and will also be offered as swap land-for land option in case it is preferred by the affected people. There is a total of 42 affected land plots, which are either leased on the long term bases or owned by the total of 31 affected people (including commercial entities/cooperative). All affected land plots are register and have official title or lease contract holders. No encroaches were found in the area. Of the 42 affected land plots, there are eight (8) which are owned by the movements. These 8 represent land plots from the state reserve lands or already on the balance of the local road agencies or local department.

Of the remaining 34 plots, the five (5) are land plots which will be affected temporarily for the period of construction.

Of the remaining 29 land plots, seven (7) represent private land. The remaining 22 plots all represent long-term (49 years) leased land (pastures) with official leased contract titles from the government.

The area of land for the construction of the road has been specified in the detailed design. Temporarily occupied land are subject to reclamation.

Existing roads "Astana-Karaganda-Balkhash-Kapshagay-Almaty" Km2335 – Km 2380 passes through Zhambyl and Ili district of Almaty region and the lands belonging to the Committee for Roads MoID RK.

The total land acquisition required for the second part of the road section from Km 2335 - Km2380 under the I-B category of the total project road section Km 2295 – Km 2380, The total land acquisition required for the section for road rehabilitation have been calculated for temporary and permanent lands are given below:

Total permanent acquisition under the above designed road section is -101.4333 ha, of which:

- Under the junction - 0.5 ha;
- Under recreation area -1.35 ha;

Total temporary acquisition is -24.917ha, which will be used for

- Under the construction site
- Under the ACP area –
- Development of road side ground borrow pits -
- Diversion of road

Temporary loss: Reconstruction of the road will require temporary land acquisition for the entire period of construction to accommodate the borrow pits for a sample of soil, working settlements, parking for road-building equipment and storage of road-building materials on the site.

The details of the Land Plots (leased from the State) getting to a Construction Zone of the Reconstruction of Kurty-Burylbaital Road Section (km 2295- km 2380) Project along with the total approximate Value of Compensation are presented in Appendix 1.

Table 4.1: Comparison between Kazakhstan and World Bank Land Acquisition Policy/Practices.

Standard Practice of Land Acquisition in Kazakhstan	WB Policy on Involuntary Resettlement
Compensation of private land plot for agricultural/livestock grazing purposes , purchased from the State by the land owner and it acquisition for public use must be determined as an equal sum on market price of land plot. Payments for transaction fees are not explicitly covered. Certain sub-categories of land ownership can be appraised at the cadastre purchase value, however legislative clarifications are currently under review by the state to ensure fair rates for compensation.	WB policy requires explicit full replacement cost coverage (market rate plus associated fees)
Harvest/livestock grazing, trees and structures are compensated only for registered (with legal titles) AP's -	However, AP without legal rights and requirements have the right for compensation for lost of harvest, trees and structures (non-land assets).
The Kazakh legislation does not explicitly require restoration of livelihood and standards of living	The main purpose is considering the recovery of livelihood and living standards of relocated people, regardless of property right or legal

	status.
Additional assistance for vulnerable group, costs on relocation and on period of relocation are not provided. However, some additional assistance for those under the poverty line is envisioned in the law.	Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them,
Kazakh legislation suggests that the negotiated settlement (finalized by a commission consisting of local authorities) is a primary approach to acquire land without direct requirement for third party validation. If agreement cannot be reached, local authorities may initiate expropriation through judiciary means.	Whereas OP/NP 4.12 does not explicitly require third party valuation, it encourages affordable and accessible procedures for third-party settlement of disputes.

5. POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK

i. In Kazakhstan, although most land is owned by the State, it can be privately owned, transferred, sold or rented to individuals. Once land is in private hands, the State can reclaim it only for specific uses Private ownership is generally reserved for non-agricultural land.

ii. Kazakhstan's laws and regulations regarding land and land ownership derive from the Constitution, which states that land (surface and underground) is in principle owned by the State, but can also be privately owned (Article 6.3). Article 26.3 also states that *No one may be deprived of property unless stipulated by a court decision. Forcible alienation of property for public use in extraordinary cases stipulated by law may be exercised on condition of its equivalent compensation;*

iii. The Land Code of the Republic of Kazakhstan (CODE No. 442 of 20 June 2003) covers the *reservation* of land for State Needs, stating that *A land plot may be reserved for state needs by way of purchase or by granting an equivalent land plot with the consent of the owner or land user* (Article 84.1). Road construction is one of several grounds for purchasing private land or terminating long-term leases (Article 84.2.4). In the case of land under lease, the land user is compensated for the full amount of losses and may be granted an alternative plot (Article 84.4). However, the availability of suitable land to swap varies from one location to another.

Involuntary acquisition of land or any property for public use is an exceptional case of alienation of property. These are in the property of individuals and non-governmental entities, and can be done only if it is not possible to use all other possible cases of alienation of the property provided by the Civil Code of the Republic of Kazakhstan and the Laws of the Republic of Kazakhstan.

It is not allowed forced alienation of land or other immovable property in connection with the land acquisition for public use in the presence of other (alternative) way to meet public needs.

Alienation of property for public use, other any alienation of property, which is represent profit purposes of non-governmental legal entities or satisfying of non – government interests other alienation of property which is not arising from the implementation of public functions and do not

pursue public interest objectives cannot be recognized. In these cases, the alienation of property is permitted by agreement between the property owner and the person pursuing commercial purposes, on the basis of the contract of sale of the property between them.

Forced alienation of land or other immovable property in connection with the land acquisition for public use is allowed only in that volume in which it is necessary to meet the public needs.

About the beginning of the forced alienation of land or other immovable property in connection with the land acquisition for public use in extraordinary cases stipulated by Article 84 of the Land Code of the Republic of Kazakhstan, Resolution of the Government of the Republic of Kazakhstan or local executive body (Akimat) in accordance with the competence provided by the Land Code of the Republic of Kazakhstan is adopted.

In the decree on the beginning of forced alienation of land or other immovable property in connection with the land acquisition for public use are indicated:

- 1) the purpose and the basis of forced alienation for public use;
- 2) location, area, cadastral number of the land;
- 3) the owner of the property or non-state land user;
- 4) the date of forced alienation, but not earlier than three months from the date of the official publication of the given decree;
- 5) places where have to appeal to the owner or non-state land users for procedure of reconciliation.

In case if any changes are made in the specified decree regarding to subparagraphs 2) and 4) of this given paragraph, then the procedure of forced alienation for public use is carried out again from the date of publication of the decree on amendments and additions to this given decree.

These decrees shall be published respectively in the national or local media within three working days from the date of their adoption.

In the case, if the right of private ownership of the land in accordance with the legislation of the Republic of Kazakhstan, is not registered, the owner after the decree, can make the necessary arrangements to confirm the right of private ownership of the land in respect of which the decree has made.

At the same time the period of forced alienation for public use, which accepted by the decree, is extended for not more than six months.

Executive authority or on behalf of the superior body, subordinating executive body shall not later than three calendar days after publication of the decree, should send to owner or non-state land owner a written notice of forced alienation of land or other immovable property in connection with the land acquisition for public use with the attachment of draft contract on land acquisition or other immovable property in connection with the land acquisition for public use by the post mail with mandatory receipt of the notification of the receipt of posting. In the absence of notification of the receipt of posting the documents specified in given paragraph shall be sent again.

Notification of forced alienation of land or other immovable property in connection with the land acquisition for public use as a legal claim is subject to state registration in accordance with the Law of the Republic of Kazakhstan "On state registration of rights to immovable property."

The basis forced alienation of land or other immovable property in connection with the land acquisition for public use is a contract of land acquisition or other immovable property in connection with the land acquisition for public use or court decision.

Local executive body (Akimat) submits to the relevant local representative body (Maslikhat) of draft agreement on land acquisition or other immovable in connection with the land acquisition for public use within two months from receipt by owner or non-state user of notification of alienation of land or other immovable property in connection with the land acquisition for public use or rights for it.

Draft agreement on land purchasing or other immovable property in connection with land acquisition for public use is considered by the Standing commission of the local representative body not later than two weeks from the date of its submission with the obligatory invitation of the owner and the persons whose rights in relation to the alienated property will be terminated or limited.

Upon reaching an agreement with the owner or non-state land user of alienated for public use property and other persons whose rights in relation to the alienated property will be terminated or limited at forced alienation, agreement on land acquisition or other immovable property in connection with the land acquisition for public use is approved by the executive authority by the agreement with the local representative body and signed by the owner or land user.

In the agreement on land purchasing or other immovable property in connection with the land acquisition for public use shall include:

- 1) the price for the land which has no be acquired, determining in accordance with the procedure established by Article 87 of the Land Code of the Republic of Kazakhstan and Article 67 of the Law "On State Property" and identifying characteristics of the property or the land plot, provided to the owner or land user instead of acquired land;
- 2) the difference in cost in case if the price of the acquired land plots would be higher than the price (value) of land provided instead;
- 3) the amount to be reimbursed losses, including the value of immovable property which is acquired in connection with the land acquisition for public use, if incurred in connection with the forced alienation;
- 4) the period of payment of the price (value) for the acquired land or other immovable property in connection with the land acquisition for public use or transfer of land plot (other immovable property) provided to the owner instead of acquired for public use;
- 5) property assets to be acquired for public use;
- 6) a list of persons whose rights in relation to the alienated property will be terminated or limited;

7) the financing expense procedure of the government on the acquisition of property for public use.

In case of disagreement of the owner of acquired property for public use or non-state land user with the decree referred to paragraph 2 of Article 63 of the Law of the RK "On State Property" and (or) the failure to reach an agreement with him about the value of acquired property for public use and the amount of damages which are have to be reimbursed at the end of three months from the date of receipt of the notification by the owner or non-state land user, but no later than (date) the implementation of forced alienation which is determined in the decree referred to paragraph 2 of Article 63 of the Law "On State Property", the local executive body have the right to go to court with a claim of forced alienation of land or immovable property in connection with the land of acquisition for public use.

Civil cases upon claims of forced land alienation or other immovable property in connection with the land acquisition for public needs are considered and resolved within one month.

8) In the case of claim rejection on forced alienation of land or immovable property in connection with the land acquisition for public use damages inflicted to the owner or non-state land user, in the result of filing of a claim and submission of decree referred in paragraph 2 of Article 63 of the Law "On state property "shall be compensated from the budget.

9) The actual transfer of acquired land for public use or other immovable property in connection with the land acquisition for public use may be implemented only after the receipt by the owner or non-state land user whose rights in respect of acquired property is terminated or limited during the forced alienation, fair reimbursement, produced in the manner of determined by the Law of the RK "On State Property".

State registration of the termination of the rights of the owner or non-state land user and the emergence of the state to the property is implementing by the submission to the body, which is providing the state registration of rights on immovable property, a document confirming the payment of reimbursement.

The owner or non-state land user from the time of receipt of the notification on procedure initiation of forced land alienation or other immovable property in connection with the land acquisition for public needs before the reach an agreement on the value of acquired property for public use and the amount of damages to be reimbursed, or a court decision on forced land alienation or other immovable property in connection with the land acquisition for public use may implement its rights to land and other property and make the necessary expenses to ensure the use of the property in accordance with its intended purpose. In this case, the owner or non-state land user bears the risk of attributing to it the damages and losses associated with new construction, expansion or reconstruction of buildings (structures) and other immovable property in a given period.

If the owner or non-state land user after the part of land acquisition for public use cannot use the past intended purpose of the rest part of land, then whole land plot is alienated.

1) during the transfer of property within the time specified in paragraph 1 of this article to another person by means of alienation or for other reasons, as well as by changing the right of owner by virtue of universal succession. Procedure of forced land alienation or other immovable

property in connection with land acquisition for public use is applied (continued) in relation to the new right holder.

The value of land alienated for state needs (excluding losses), acquired by the owner from the state, is determined by the amount which is paid to the state, except cases provided in paragraph 2 of this Article.

At incomplete payment of value for the land (excluding losses), sold by the state by installments, and its acquisition at forced alienation for public use, price of alienated land is defined in the value amount paid to the State.

2) The value of the land alienated for state needs provided for individual housing construction, for private farming (except field plots), which has an individual house, in the amount is determined by the value of the land and located on it real estate, in the amount which is not exceeding their market value.

The cost of land alienated for state needs which is passed to the owner under the civil law agreement or by court decision, is determined by the value specified in the civil contract or in the court decision, but not exceeding the market value. If in the civil contract price for the land is not specified, the cost of land is determined by its cadastral (appraised) value.

3) The cost of real estate located on the land is determined in an amount which is not exceeding the market value.

The market value of the land or other immovable property alienated in connection with the land acquisition for public use is determined by an independent appraiser in accordance with Article 208 of this Act at the time of the receipt the notification by the owner or the non-state land user about coming forced land alienation for public use.

4) The amount of reimbursement is determined in accordance with paragraphs 4 and 5 of Article 9 of the Civil Code of the Republic of Kazakhstan on the basis of the value of the property and incurred losses caused by the owner or non-state land user as a result forced land alienation for public use and (or) caused by the early termination of obligations by the owner or non-land user to third parties.

The amount of reimbursement to other persons whose rights in relation to forced land alienation for state needs will be terminated or limited, is determined on the basis of the losses that arise from this forced alienation.

5) Reimbursement is determined in KZT.

6) Under the agreement with the owner of the land or non-state land user, he may be granted instead of acquired land during expropriation for public use, other land taking into account the value of provided land or the rights to it in the value of the alienated land or the rights to it for cadastral (appraised) value.

Reimbursement of the cost of land or other immovable property in connection with the land acquisition for public use and losses, which are to be recovered, is made in full before the date of

transition to the Republic of Kazakhstan or administrative-territorial unit of ownership on specified property.

Reimbursement is made from the budget.

Reimbursement by, other than money, property is permitted by agreement between the Republic of Kazakhstan represented by the Government of the Republic of Kazakhstan or political subdivision in the face of the local executive body and the owner of the property. This agreement shall be in writing on the contract of purchase of land or other immovable property in connection with the land acquisition for public use.

Reimbursement is paid at the same time not later than one month from the date of signing of the purchase contract of land or other immovable property in connection with the land acquisition for public use or from the date of entry into legal validity of the court decision

It is not allowed to carry out forced land alienation or other immovable property in connection with land acquisition for public use, providing installment payment of reimbursement.

The owner of the acquired property or non-state land user from the time of the receipt of written notification of expropriation of land or other immovable property in connection with the land acquisition for public use within one month may initiate conciliation by filing appeal to the local executive body. The above appellation is recorded on the day of submission.

Local executive body during one month is required to consider the proposals of the owner or non-state land user to the draft agreement on the purchase of land or other immovable property in connection with the land acquisition for public use according the composition of acquired property to persons whose rights in respect of acquired property will be terminated or limited, and the amount of damages to be recovered. From the time of receipt of proposals local executive authority must arrange for an independent assessment of the value of acquired property for public use and to determine the regulations of financing losses of the government on acquisition of property and to carry out other activities associated with the transfer of ownership of the property.

Upon reaching an agreement between the local executive body and the owner or non-state land user of acquired property for public use, as well as other persons whose rights in respect of acquired property will be terminated or limited under expropriation, the draft agreement on purchase of the land or other immovable property in connection with the land acquisition for public use has to be sent to the local representative body for approval.

If there is no agreement on the transfer of property from any of the interested persons, referred in paragraph 3 of this Article, the forced land alienation or other immovable property in connection with land acquisition for public use is carried out in the courts.

Requirements for reimbursement before the transfer of ownership of the property to the Republic of Kazakhstan or to the administrative unit and other terms of reimbursement which are set out in Articles 67 and 68 of the Law of the RK "On State Property" cannot be canceled by mutual agreement.

If in case of signing an appropriate finance agreement between the Republic of Kazakhstan and International Financial Institution, which is an integral part of the agreements, ratified by the Law

of the Republic of Kazakhstan and, accordingly, Land Acquisition and Resettlement Program express the views of the Government of the Republic of Kazakhstan and have the status of the International agreement. Along with it, the **International agreements** ratified by the Republic of Kazakhstan, identify provisions, which are different from mentioned in the Land Code of the RK, then the provisions of the above agreements will apply. International agreements ratified by the RK directly apply to the land relations. (Land Code of the RK, article 7)

6. LAND ACQUISITION PROCESS

The feasibility study for an investment includes a proposed alignment and estimates of the amount of land to be acquired permanently; the amount of land needed temporarily for staging, construction sites and borrow pits; and the number of buildings that would be demolished; and estimated cost of acquisition, rental and restoration of affected lands. The document is sent to the oblast and rayon levels for review and comments. It is then sent to Astana. Meanwhile, the rayon akimat issues a decree identifying the area affected by changes in the alignment and designating the land as subject to reservation (expropriation). At this point, CoR requests the local executive bodies to freeze land transactions in the area identified for land acquisition for bypasses, for example, to prevent speculation. At the same time, owners are notified that their land may be acquired.

i. The final design is prepared in an interactive manner, involving intensive field work and ongoing consultations with local officials, particularly on the rayon level. The design process generally starts with a meeting of all relevant officials in the oblast—agriculture, land resources, registration, utilities, public works, and others—to inform them of the tentative alignment and requesting information that should be taken into account in the final design. The final design includes more detailed maps of individual landholdings to be affected, complete ownership data from the cadastre, and estimated compensation for acquisition and losses.

ii. Once the alignment is agreed with local bodies, the design team obtains maps of cadastral lands (lay out) on owners and Committee for Roads will ask the Akimat of the rayon to call affected owners together to discuss the land acquisition process. The data are then given to the licensed assessors who are responsible for determining the “market value” of the property to be acquired and negotiating compensation with owners. Although there is established precedent for assessing urban property values, rural property assessment is rather new, and transactions are not common in many areas. To determine rural property values, the assessor takes into consideration soil quality, productivity, trees, and other production characteristics, in addition to recent land transactions, if there are examples available. The assessors are expected to negotiate with owners and sign agreements, if possible, which are used for purposes of estimating project costs, but are not binding. Once the Akimat approve the final alignment, the CR can proceed with acquisition or expropriation. If the owners and akimat cannot agree terms, the Akimat can initiate a rayon (city) court after half year notification period ends. If Akimat or owner appeals to the court, the court renders a decision that includes the amount of compensation to be given to the owner. Judgments are said to be impartial, favoring either the government or the owner, depending on the case. Land cannot be accessed until compensation is completed and the title is transferred.

iii. The previous practice was for the Rayon Akimat to establish a valuation commission that included officials and landowners, without specialized inputs. The use of licensed

assessors was expected to reduce claims and result in a smoother acquisition process, but the final results will be seen once the acquisition process begins.

iv. The final design identifies possible locations for work camps, storage and staging facilities, borrows pits and other sites for temporary use during construction. Contractors can use the information to estimate costs and logistics, but are not required to use the recommended sites. Civil works contracts will require the contractors to be responsible for negotiating for temporary land use and reinstatement of all land required outside of the right of way for construction camps, offices, borrow pits, materials storage sites, materials processing sites and haul roads. The contractors will select the land parcels they require and they will be responsible for negotiating agreements with land owners to use the land and extract materials. If a contractor fails to obtain an agreement with a landowner, the contractor must select an alternative site and negotiate a new agreement. No land can be occupied involuntarily for temporary construction purposes. Contractors are assumed to prefer to rent State land, rather than private property, but the choice is theirs. In either case, the arrangements must be subject to a written agreement between the contractor and the owner and lands are required to be returned to their original state after work is concluded.

6.1 Involuntary Land Acquisition/Resettlement Principles

The Government has agreed to apply the following principles in the acquisition of private land and resettlement of households for investments in the given Corridor, which reflect the principles incorporated into the LARF, consistent with resettlement policies of the World Bank. The principles apply in case of temporary or permanent impacts on households resulting from loss of land, structures or other fixed assets; changes in land use or business; restrictions on the use of land, housing or businesses. The principles apply to *all* “affected persons”, *including those without formal licenses or titles*, who experience impacts as the result of land acquisition or resettlement for State Needs.

- Avoid or minimize land acquisition and resettlement;
- Affected persons are entitled to be compensated at full replacement cost for their lost assets, incomes and businesses, including temporary losses or impacts, without adjustments for depreciation or deductions for any other purpose;
- Compensation (and other forms of assistance, as warranted) should enable affected persons to improve, or at least restore, their pre-project incomes and standard of living;
- Affected persons must be consulted in resettlement planning;
- Affected persons must be fully informed of their compensation options;
- Land-for-land swap is the preferred compensation for lost agricultural land if it is available, unless an affected person chooses cash compensation;
- Costs of transfer of property—purchase or swap—are waived or borne by the investor, including taxes, fees, documentation and court appeals;
- Compensation will be made giving equal consideration to women and men;
- Lack of formal title or use agreement does not bar affected persons from entitlements or assistance required to achieve the objectives of the policy;

- Relocated affected persons receive assistance for relocation;
- Special attention should be given to households headed by women and other vulnerable persons and appropriate assistance provided to assure that their living standards are maintained or improved;
- Land acquisition and resettlement are executed as part of the Project and fully funded
- Compensation will be fully provided before land can be entered for civil works or demolition.

6.2 Principles of Resettlement Planning and Implementation

The majority of permanent Project impacts will cluster for dueling and at intersections, where most land acquisition will occur. Demolition of structures is also will be possible close to rayon center, where business areas are located, particularly at the start of the Kurty. Other demolition may be needed where alignments are revised (e.g. curve radii) to reduce traffic hazards and improve visibility.

Once final designs are completed and accepted by the rayon and oblast, they are passed to CR for final review and approval.

This RAP has been subsequently prepared, based on the following steps:

- An inventory of land use and users and their properties such as owned or leased land, enterprises, structures, or agricultural activities
- Local consultations to engage affected persons in the design of the Plan
- Publication of the plan for comment
- Submission of the final plan and cost estimates to the World Bank for concurrence before funding is authorized.

These steps also provide the basis for future tracking impact on affected persons as well as the effectiveness of RAP implementation and determine whether additional mitigation measures should be developed. A socioeconomic assessment to supplement current information will be executed early in project implementation to establish a baseline for monitoring and evaluation.

6.3 Additional Measures

Land and Housing Codes in Kazakhstan regarding the acquisition of land and assets for State needs are mostly concordant with the World Bank's OP 4.12 in most topics. In the absence of standard regulations and procedures, implementation may vary in practice, however. The steps described below ensure more consistent implementation and compliance with Bank policies and international good practice during implementation. Under terms of the RAP Entitlements Matrix, all entities required to relocate by the project will receive a transitional allowance sufficient to cover transport expenses.

6.4 Encroachment and Informal Land Use

In accordance with long term and historic accepted local practice, local farmers generally have open access to use of state owned land for the grazing of livestock (normally sheep, goats and

cattle). Some of this state land will be lost to the road construction. There will be no change to this local practice, and the District Akimats will ensure that farmers will continue to enjoy open access to use of state owned land for the grazing of their livestock. Given minor impacts and abundant presence of land in the area, this is not expected to have any significant negative impacts. It will be important that crossing routes (normally tunnels under the road) are constructed at regular intervals to allow the farmers with cattle to cross the road. Representatives of CoR of MID RK has agreed that additional crossing points can be provided if the community shows that a route is necessary for the farmers or other land users in the area, and that it has no engineering issues. Preferably decisions on the location of any additional crossing points should be made prior to construction start.

6.5 Land Swaps vs. Cash Compensation:

The Land Code offers owners the option to swap land or buildings in lieu of compensation. In some areas of the country the alternative lands may not be readily available. Nonetheless, all affected persons will be informed of the option and all local Akimats have been requested to assess the availability and location of substitute lands. Given that the land is available for swap, officials involved in the land acquisition process are instructed to offer affected persons the option to swap land and buildings for compensation instead of cash, if they choose.

6.6 Socio-economic baseline for Identification of PAPS

The approach for the identification of affected structures and land parcels relies on three approaches:

- Identification of formal use: two instruments were used for identification (1) existing cadastre and land use data maintained by the Land Resource Agency and (2) the construction survey conducted by designers for each individual section at a scale of 1:2,000, in which all structures within a ribbon of ca. 120 m width following the project alignment are detected and geo-referenced. This includes all structures within the existing ROW where works will take place.
- Identification of informal use: Roadside surveys along the entire alignment were conducted by the designers to identify and describe any form of informal use of the ROW or areas affected by bypass construction or other land take, which would not result in visible structures and thus go undetected by above described methods for identification of formal use. This type of use would, for example, involve informal agriculture (gardens, small fields, seasonal stand) encroaching on the ROW or animal or poultry husbandry.

Information on any registered plot and its location with topographical coordinates are kept in the Centers of Registration under the Ministry of Justice. This information is also being collected by the “State Scientific Production Centre on Land” (GosNPTsZem) under the Land Resource Agency. Designers contracted by CR received information on potentially affected landowners from the oblast level departments of the GosNPTsZem in the form of a 1:25,000 scale map indicating the projected road and land plots intersecting with or touching the alignment. The designers combined these maps with information they themselves generated by topographic alignment surveys carried out as a standard measure upstream in their work.

For the identification of informal land users designers compared the official land use data received from GosNPTsZem with their own to-date construction survey. Thus each designer could identify structures which were built (commonly within the ROW) illegally and without formal title.

In order to assess costs of land to be acquired and structures to be demolished, Akimat of Almaty region (Akimats of Almaty region) will sign an agreement with appraisals who have appropriate license. Based on the land requirement data compiled by the designers, the valuers contacted potentially affected parties to assess the value of their properties. Valuation methods used to estimate compensation for structures were similar to common international practices based on (i) expenses, (ii) profits, and (iii) comparison with similar structure with a known cost. Valuations were to be based on current market values. Cost method was applied for valuing industrial and commercial premises in which the manufacturing material, the quality and cost of property material, year of construction, and state of the object were considered. The comparative method applied is mainly based on principles of substitution; this is mainly applied for residential premises. The profit approach is based on the principle of waiting, that is wise buyer (investor) acquires land plot expecting the future income or profit. The application of this approach requires thorough analysis of economics conditions and tendencies, that impact on the level of property profitability in the area of valuation object location, and using of such procedures as discounting and capitalization. Valuation on the basis of documents (tax return, income statement and etc.) defines the valuation.

At evaluation of agricultural land plots value is used method based on assessment of agricultural losses, in case of land acquisition. The used methods were based on the national Kazakh laws, procedures and regulations. The compensation amounts calculated by the appraisals were negotiated between most of the owners and representatives of Akimat of appropriate regions of Almaty region.

The process of identification of affected people and assets has began in August 2014 and completed in January 2015. For the purpose of objects evaluation the independent valuation agencies were appointed to assess affected assets. The valuers, on the basis of documents provided by respective owners carried out the initial valuation of affected assets. Following this the project approval, and in accordance with Kazakh legislation, the local Akimats will be responsible for conducting another independent valuation. In cases of any discrepancy between the estimated costs and full replacement values at the time of independent appraisal, the compensation payments to the affected people will be based on the most recent full replacement costs. Following documents will be reviewed during the valuation:

1. Owners/Users Identity Card
2. State Land Act referred to measurements of the land
3. Building Plan with details

Lists of identified, affected persons by the project, will be approved by the decisions of Akimats of the appropriate districts. On the basis of the evaluation report, relevant Akimats will sign an agreement on expropriation. Commission appointed by the relevant Akimats for impact assessment were consisted from unspecified number of members, consisting from the staff of regional departments of land recourses management, architectural, town - planning and other related services. The appraisal are done in the presence of the affected people.

7. PROPERTY VALUATION AND COMPENSATION PROCESS

7.1 Valuation process

The final list of Affected People along with their affected properties will be provided to the Akimat of Almaty Oblast after project approval. This will be followed by issuing of Akimat's Decision on land plots acquisition for final assessment of the affected properties and AP's compensation purposes.

The first assessment of the valuation of the affected properties were undertaken by the independent evaluator under the Committee for Roads for the preparation of RAP.

The affected properties valuation have been carried out by the Independent evaluators, on the basis of documents provided by respective owners carried out the evaluation of affected assets.

Following documents have been checked and examined during evaluation:

- **Identity Card**
- **State Act on Land referred to measurements of the land**
- **Technical Passport**

Three types of evaluation methods which are common in Kazakhstan have been applied. These are

(a) **Cost Method – Rate of Return method**

Cost approach represents the expenditures of owner. It's based on the fact that the cost for this land plot and its improvement will not increase the market price for already improved land plot with the equal on purpose and quality land improvements. For instance, in case of using this method, the manufacturing material: the quality and cost of property material, year of construction, state of the object and etc. should be considered. Mainly this method is used for habitable premises.

(b) **Comparable Method**

Comparative approach represents the comparison of similar property objects and land plots, which are on the same territory. Valuator should take local newspaper or TV sale advertisement of the similar property and land plot on this territory that is for defining of cost of evaluating object by comparison of recent sales of similar objects on the effective function independent market, where independent customers and independent sellers sale and buy comparative property, taking independent decisions. The approach is based on the principle of substitution: wise buyer doesn't pay larger amount for evaluated object, then that amount that is available on the market for similar of quality and utility objects. This principle is working mainly for residential premises.

© **Income Method – Discounted cash flow method**

Profit approach is applied only for objects for commercial and agriculture purposes (filling stations, cafes, shops, points of sale, empty commercial lands, farming lands and others) for identifying of cost of evaluating object that is capable to bring income in future during definite period of its use. The cost represents the amount of future income by the moment and profit due to resale of evaluating object. The approach is based on the principle of waiting, that is wise buyer (investor) acquires land plot expecting the future income or profit. The application of this

approach requires thorough analysis of economics conditions and tendencies, that impact on the level of property profitability in the area of evaluation object location, and using of such procedures as discounting and capitalization. Evaluator on the basis of documents (tax return, income statement and etc.) defines the evaluating cost.

In Republic of Kazakhstan as per the clause 4, article 6 of RK Law “About evaluation activity” the obligatory evaluation should be performed in accordance with legislative acts of RK for redemption and acquisition of property from owner for the Government needs.

7.2 Affected Population

There are no socially vulnerable people in this section of Kurty – Burylbaital Section km 2295 – km 2380 and no households and affected population

7.3 Land Acquisition and Resettlement Impacts for Kurty – Burylbaital Section Road Work

The private lands that will be acquired include livestock grazing and commercial lands. The details regarding lands to be acquired for the Project’s both the parts of the road section, Km 2295 – Km2380 are given in the following Tables:

Table 7.1: Land to be acquired for Project purpose Km 2295- Km 2335

Resettlement Impact on	Land to be acquired (purchase) hectare	People affected by land acquisition, person number
Residential land	-	-
Pasture	51,4408	9
Commercial land	-	
Total	51,4408	9

Table 7.2: Estimated value on Land Acquisition km 2295- 2335

Item№	Type of land	No. of people affected	Total Compensation in KZT based on present market price
Land compensation	Pasture	9	87,317,733
Total	Land compensation	9	87,317,733

Table 7.3: land to be acquired for project purpose from Km 2335- Km2380

Resettlement impact on type of land	Land to be acquired (purchase) in hectors	People affected by land acquisition
Residential land	-	-
Pasture	68,9007	17
Private for commerical include livestock grazing purposes	32,5325	7
Total	101,4333	24

Costs: 19,489,344 KZ tenge

The above tables, clearly indicates that most part of these lands, which will be acquired for this project, is agricultural/pasture followed by commercial lands. Agricultural land plots used for pasture only with no cultivation for crops at all.

All the people insignificantly affected by livestock grazing and commercial lands acquisition will be compensated by additional support by Akimats, as per agreed RAP Entitlement Matrix, which is specified below in the table 7.5.

Table 7.5 : Entitlement and Compensation Matrix

Property	Description	Affected People	Entitlement for compensation
Lease holders for agricultural land [including pasture category]	All lost land, regardless of the severity of the impact	Long Term Leaseholder 15-49 years	<ul style="list-style-type: none"> Cash compensation in the amount of market value of gross harvest{or indexed matrix for the to pasture quality} for the remaining lease term; renewal of lease agreement on alternative land plot on previous conditions In case of alienation or temporary land acquisition, as a result occurs partially or completely disrupted work of irrigation, drainage, erosion control structures (systems), losses can be based on the cost of the works for the construction of new or rehabilitation of existing facilities and structures (systems), including the cost of design - survey works.
	Severe Impact—more than 10% of income loss	Owner, Leaseholder	<ul style="list-style-type: none"> Cash compensation is equal to market value of two livestock grazing years.
Commercial Land		Owners	<ul style="list-style-type: none"> Land compensation with provision to the ownership the equal land plots; or Cash compensation for alienated acquired land on market price without payment of taxes, registration fees and transaction, including all losses, which he has due to the early termination of obligations owed to third parties; and Compensation for interaptin of business if such takes place
Houses, Buildings and Structures		Owners of permanent structures	<ul style="list-style-type: none"> Compensation of the full market value or at the request of the owner the provision of structure in exchange; if the value of provided structure is lower than alienated, the owner is paid the difference in price, or Cash compensation for outstanding (or unauthorized) construction on price of replacement of lost structure and other material assets on price of building materials value, construction work and labor, excluding the cost of recycled materials, amortization and charges for the transfer of property. The cost of lost connections to the water supply and other utilities included in the compensation.
Business employment	Temporary or permanent loss of business or	All affected persons,	<ul style="list-style-type: none"> Owner: allowance is paid for lost wages for the period of forced break in work up to 3 months. Owner: if permanent, cash compensation

Property	Description	Affected People	Entitlement for compensation
	employment		is paid, which is equal to one year income; if temporary, cash compensation is paid for the period of income loss. Compensation is calculated on the basis of tax declaration or official minimum wage. <ul style="list-style-type: none"> Owner: allowance is paid for lost wages for the period of forced break in work up to 3 months.
Temporary Loss			
Land used for construction activities	Subject to negotiation between owner and contractor	Owner (private or public)	<ul style="list-style-type: none"> Contractor pays cash compensation at local commercial rental rates for duration of use Land restored to original status at end of rental
Land for borrow pits	Subject to negotiation between owner and contractor	Owner (private or public)	<ul style="list-style-type: none"> Contractor pays cash compensation for rental and materials at market rates Land restored to original status at end of rental
Unforeseen the adverse impacts	<ul style="list-style-type: none"> Rayon Akimat and RSE "Committee for Roads of the Ministry for Investment and Development of the Republic of Kazakhstan" will deal with any unforeseen impacts of the project during and after the period of implementation of the project in terms of implementation of the principles of social protection of affected. 		

Persons losing more than 10% of their grassing productive lands will receive assistance in the form of two times the annual crop value of the land area lost. This is in addition to land compensation arrangements specified for all people losing more than 10% lands. Total 24 persons from the Kurty – Burylbaital section km 2295 – km 2380 are losing more than 10% of their productive land out of which 21 are grassing land and 3 are commercial lands.

7.4 Project Impacts on Structures

The Project will affect a total of 3 structures (business) in Kurty Burylbaital Section, and no household relocation will be required.

In Republic of Kazakhstan as per the clause 4, article 6 of RK Law “About valuation activity” the obligatory valuation should be performed in accordance with legislative acts of RK for redemption and acquisition of property from owner for the Government needs. Moreover there are acting the Evaluation standards, approved by the Government of the RK "On some issues of evaluation activity» № 124 from 12.02.2013

8. PUBLIC CONSULTATION AND DISCLOSURE

At project design stage, Committee for Road MoID RK and Akimat of Almaty region and the Designers in Akshy village of Kurtinskyi rural district consulted with all owners when the alignment was being agreed in August 2014.

During the consultations all technical parameters of the road, drawing of the proposed works, the expected benefits, expected impacts, including the expected mitigation measures, the number of underpasses, design solutions for abutment design of bypasses, junctions and underpasses for the needs of owners of land and farms, the definition of placement of production base and a testing

ground for debris removal, consideration of the possibility of the use of water for technological needs of the nearest water bodies, information on land set aside for farms within the area of construction of the road have been submitted.

In the second consultations/Public Hearings which was held on March 30, 2015 matters of the Documents on environment management and resettlement policy were discussed during these meetings including distributing brochures that describe the process and clarify rights and responsibilities, compensation rates, payment schedules and grievance redress options. One brochure has been provided general information about the project and a general explanation of processes and owners' or users' rights includes the list of all categories of compensation or other assistance to which APs are entitled, describes grievance procedures available to APs, and provide contact information for APs with questions or grievances.

Project Management Consultant has an important role in the public information process by preparing and distributing brochures that describe the process and clarify rights and responsibilities, compensation rates, payment schedules and grievance redress options.

Upon receiving "No Objection" This Resettlement Plan will be officially placed in mass media and on web-sites of local executive bodies and CoR. Public hearings on the matter of Resettlement Plan conducted on March 30, 2015.

In addition all the identified APs, in the public hearings, were provided with information brochure that discusses relevant regulations, entitlements, compensation rates, payment, and grievance redress mechanisms. Also these brochures and other project related information is available in all regional and rayon Akimats, where every interested person can visit and get the information.

The RAP will be translated into Russian and Kazakh languages and disclosed on the project website, the website of the Committee for Roads, and the respective rayon Akimats. The RAP in English will be disclosed on the WB website.

The consultation process during preparation stage of the project was mainly focused on key informants interviews, focus group discussion, workshops, and community meetings. The consultation program involved following people:

- a. Head of households likely to be affected
- b. Household members
- c. Community
- d. Respective Akimat
- e. Major project stakeholders such as women, highway user groups, health professionals
- f. Distribution of Public Information Booklet

This Public Information Booklet (PIB) will be included the following useful information concerning the Resettlement Plan:

- a. Brief description of the project;
- b. Types of impacts expected;
- c. Basic Compensation policy and entitlements;
- d. Outline of livelihood restoration measures;

- e. When and where APs will receive their entitlements;
- f. Consultation and participation by APs and community;
- g. Implementation schedule;
- h. Grievances Redress Mechanisms;
- i. Roles and responsibilities of ‘Head of Local Self-Government, Deputy Akim of Rayon, RK, and Grievance Coordinators, in Grievances Redresses;
- j. Contact details of Grievances Coordinators (including PMC Grievance Coordinator), their names, contact phone numbers and address;
- k. PMC Grievance Coordinator could be contacted for additional information.

8.1 Institutional Arrangements and Grievance Redress Mechanism

8.1.1 Capacity Building:

Special seminar can be organized if necessary in Almaty Oblast with participation of non-governmental institutions and ecological movement.

The Project Management Consultant (PMC) will play a key role in the organizational setup for Resettlement and Lands Acquisition Management during Project implementation. According to the PMC’s Terms of Reference (TOR) there will be two social safeguards specialists (One International and one National) working in the PMC for the duration of the Project. Part of their duties and responsibilities will be the management of implementation of this RAP.

The PMC will carry out an independent assessment of the land acquisition process to inform the Committee for Roads and World Bank and prepare one final report on external monitoring and evaluation of resettlement and submit to the World Bank.

9. GRIEVANCE REDRESS MECHANISMS INCLUDING GRIEVANCE DURING CONSTRUCTION

Guideline on Grievance Redress Mechanism (GRM Guideline) is designed and approved in 2014 by Committee for Roads MID RK for all road sector projects. GRM Guideline is intended to be used as a guidance document for stakeholders involved in design, preparation and implementation of road projects, and complements grievance redress requirements incorporated in the loan agreements, as well as environmental and social safeguard documents (in case of projects funded by IFIs).

The overall objective of the GRM Guideline is to establish an effective communication channel among the stakeholders for providing a timely and efficient two-way feedback mechanism to address any complaints made about the project, including those from members of the communities, local businesses and other stakeholders, as well as raising public awareness on the projects and on the availability of a GRM mechanism. The Grievance redress procedure suggests resolution of grievances in the spirit of mediation between the parties, and should comply with the spirit of IFI standards and practices.

Specific objectives of GRM Guideline include:

- Facilitation of an effective dialogue and open communication between the project stakeholders;
- Development of an accessible, transparent and efficient complaint procedure for people involved in and/or impacted by road sector projects;
- Clear definition of roles and responsibilities of the various parties involved in consideration and resolution of grievances;
- Establishment of procedures and standards for recording, sorting, investigating, handling of grievances, and providing feedback;
- Establishment of a mechanism for responding to complaints in an understanding, transparent and culturally appropriate way;
- Increase of awareness on project activities and available mechanism for amicable resolution of grievances,
- Minimization of grievances regarding the project activities and impacts, better management of expectations;
- Improvement of the projects performance (including environmental and social performance) through ensuring monitoring of grievance redress process and periodic progress reporting.

The GRM will be available for those living or working in the areas impacted by the project activities. Any person impacted by or concerned about the project activities will have the right to participate in the GRM, will have easy access to it, and will be encouraged to use it. The proposed GRM does not replace the public mechanisms of complaint and conflict resolution envisaged by the legal system of the RoK, but attempts to minimize use of it to the extent possible.

9.1 Grievance Registration

Complainants or concerned individuals may visit, call or send a letter or e-mail or fax to community Akimat, grievance focal point at CCs and CSCs, GRC Coordinator at CoR MID RK in Almaty regional branch to register their grievances related to road sector projects. Receipt of grievances received through a letter or e-mail or fax shall also be acknowledged through a letter / e-mail / fax within 3 working days upon receipt by GRC coordinator at regional level. Receipt of grievances lodged in person or via phone will be acknowledged immediately.

Each project level party participating in the GRC at regional level shall maintain a record-book to register the complaints, and regularly share the grievance details with GRC coordinator at regional level, in order to keep the track of grievances and the status of their resolution. The GRC coordinator at the regional level shall coordinate with each member of the GRC on a weekly basis, collect relevant documents, maintain a consolidated registry of complaints received, follow-up on the status of resolution of each complaint received, maintain an up-to-date grievance database and provide relevant reporting.

Whichever channel is used for receiving the grievance (e.g. e-mail, mail, fax, call, etc.), its registration will be made by the GRC coordinator at the regional level, who will acknowledge receipt and follow up with the grievance investigation and consideration by the GRC at regional

level. All the grievances will be recorded in a standard format, which will include but not limited to the following details:

- Contact information of the affected party;
- Date, time, and place where the complaint was received;
- Name of the person who received the grievance;
- Details of the grievance.

The project will pursue a participatory approach in all stages of planning and implementation. This is expected to ensure that the affected people have nothing or little to complain about. However, some people may still remain dissatisfied for some reason or the other. Many grievances arise due to inadequate understanding project policies and procedures, and can be promptly resolved by properly explaining the situation to the complainant.

In case the complainant refuses to provide contact details or no contact information is available in the grievance received by e-mail / mail / fax, the GRC at the regional level will consider the anonymous complaint. In such cases, the printed response will be posted at the information board of the KazAutoZhol's respective regional branch, as well as at the information board of the relevant Akimat, so as the complaining party can approach and get familiarized with the feedback. The GRC coordinator at regional level will collect the data on grievances and centralize the grievance registry to assure that every affected person, group or community has an individual registry number and that follow-up and corrective actions are implemented as per resolution provided, or if the issue was not resolved at regional level, it is passed for consideration at the central level. The grievance database will be maintained and updated on a bi-monthly basis by the GRC coordinator at regional level for each project. The database will be designed to make it simple and easy to input data, provide information on grievance and status of its resolution, timeline for resolution and level at which the issue was considered and resolved, track individual grievances, etc. The grievance database will specify details of grievance resolution and include information on satisfaction of complaining party by the resolution provided (excluding the cases of grievance lodged anonymously). Where it will not be possible to resolve grievances to the satisfaction of both parties, appropriate information will be reflected in the database. The GRC coordinator at regional level for each project will share the grievance database with the safeguard specialist of KazAutoZhol central office / GRC coordinator at central level, who will maintain and update the centralized grievance database for all road sector projects.

Grievance Processing

Depending on the nature of grievance, this step may include verification, investigation, negotiation, mediation or arbitration, coordination with appropriate agencies and decision-making. Verification includes gathering of documents, proofs and facts, as well as clarifying background information in order to have a clear picture of the circumstances surrounding the grievance case. Verification will be undertaken by members of the GRC at the regional level, and overall coordination of activities will be ensured by the GRC coordinator. Results of verification or fact-finding activities will be presented at the meeting of the GRC at regional level, where the issue will be considered and resolution will be sought.

The GRC at regional level will discuss the grievance case within ten working days and recommend its settlement to parties. Meetings of the GRC at the regional level will be held on a bi-monthly basis; however, special ad hoc meetings can be arranged in between of regular meetings as needed. The GRC coordinator at regional level will ensure that actions and decisions are properly documented in order to demonstrate that the GRC at regional level is providing an appropriate attention to the grievance and is actively seeking ways to obtain resolution that could satisfy the parties.

If grievance cannot be resolved by the GRC at the regional level and is passed for consideration by the GRC at the central level, appropriate documents collected during investigation and fact-finding shall be shared with the GRC coordinator at the central level. The GRC coordinator at the central level will circulate such documents among the members of GRC at central level, to ensure that they are aware of all relevant details prior to GRC meeting.

Consideration of grievance case by GRC at central level, may require further verification of the issue, including gathering of additional documents, obtaining input from various state stakeholders and project parties in order to have a clear picture of the circumstances surrounding the grievance case. Additional verification will be undertaken by members of GRC at the central level (as needed), and overall coordination of activities will be ensured by the GRC coordinator at central level. Results of verification will be presented at the meeting of GRC at the central level, where the issue will be considered and resolution will be sought.

The GRC at the central level will discuss the grievance case within twenty working days and recommend its settlement to parties. Regular meetings of GRC at central level will be held on a monthly basis; however, special ad hoc meetings can be arranged in between of regular meetings as needed.

If following its consideration by the GRC at central level, the grievance cannot be resolved to the satisfaction of the parties, the recommendation will be made to seek resolution through the courts. Irrespective of the outcome of grievance consideration, documentation regarding the case by the GRCs at regional and central levels will be collected and maintained by GRC coordinator at central level (with input from GRC coordinator at regional level). The GRC coordinator at the central level will keep a separate track of cases, which were not resolved through GRM and were referred to the RoK legal system.

Feedback Provision

At the regional level, for grievances lodged in the office or via phone to the GRC coordinator at regional level the acknowledgement of grievance receipt will be confirmed immediately. For mailed, e-mailed or faxed grievances acknowledgement of receipt will be provided by GRC coordinator at regional level not later than 3 working days. In case the grievance is not related to project activities or impacts generated due to the project implementation and cannot be considered under this GRM Guideline feedback will be provided to the complaining party to which entity (community/rayon/oblast level Akimat, as relevant) it has been forwarded.

Acknowledgement of the grievance receipt, as well as response/recommendation will be provided to complaining party through preferred mode of communication mentioned in grievance registration form.

If grievance was resolved at regional level, the complaining party will be informed of the outcome. If grievance was not resolved at the regional level and was passed to the GRC at the central level for consideration and resolution, appropriate information will be provided to the complaining party, including the date when the case was passed to GRC at the central level and the date by which the outcome at the central level is expected.

If the grievance was resolved at the central level, the complaining party will be informed on the outcome of grievance resolution. If grievance was not resolved by the GRC at central level, appropriate information will be provided to the complaining party, including details why the case was not resolved, as well as recommendation to seek for resolution through RoK legal system.

If the grievance was anonymous or the complainant refused to provide contact details, the information on status of grievance redress and outcomes resolution process, will be posted on the information boards of relevant regional branch of CoR MID RoK and relevant community / rayon / oblast Akimats. Outcomes of the grievance resolution process will also be documented in the grievance database and reflected in the project periodic progress reports.

The GRC coordinator at the regional level will coordinate GRM activities with members of GRC at regional level on a weekly basis to update GRC's consolidated database of complaints for each project. Each member of the GRC at the regional level will have access to the grievance database and will be provided with an electronic copy of the grievance database file in MS Excel format.

The GRC coordinator at regional level will monitor the grievance resolution process and prepare a summary report on GRM, which will be included in its quarterly progress report. The GRC coordinator at the regional level will submit the grievance monitoring forms (relevant parts completed), as well as grievance database for each project to the GRC coordinator at central level on a monthly basis.

The GRC coordinator at central level will collect data from the GRC coordinators at regional level, undertake monitoring of the overall GRM process, track timelines of grievance resolution, recommend corrective actions to GRC coordinators at regional level (as needed), and prepare a summary report on GRM, which will be shared with CoR (and IFIs, as needed) on quarterly basis. In addition, the GRC coordinator at central level will maintain a centralized grievance database for all road sector projects funded by IFIs and will update that on monthly basis. The copies of the grievance database should be shared with CoR (and IFIs, as needed) on a monthly basis. In addition, the GRC coordinator at central level will prepare summary reports on a semi-annual and annual basis (as needed) and submit them to the CoR (and respective IFI, as needed).

To ensure timely and effective resolution of grievances, it is recommended to establish a tracking system and define key performance indicators. This approach will enable the assessment of the overall effectiveness of the GRM and allow for corrective actions as needed. The following key performance indicators are recommended for assessing efficiency of GRM:

Disclosure of Grievance Redress procedure

The grievance redress procedure for the project will be disseminated through information leaflets and brochures, and presented during the project related meetings and public consultations. During these gatherings, it should be emphasized that the informal GRM is aimed at quick and amicable resolution of complaints and does not substitute the legal process established under national

legislation.

At the beginning of each project (commencement of construction at each section of the road) community consultation shall be carried out by CCs and CSCs under the coordination and supervision of the GRC coordinator at regional level to ensure people's awareness of the availability of the GRM, steps of grievance resolution as well as contacts and locations of focal points to be approached in case of grievance.

CCs, CSC, PMCs, CoR MID RK regional branches and Akimats, as well as NGOs and professional mediators are considered as the key actors of the GRM and play a crucial role in disseminating the information on GRM and facilitating quick and amicable resolution of complaints. The GRC coordinator at the regional level shall coordinate information dissemination activities on GRM, and ensure that the posters providing details on GRM and contacts of grievance focal points at CCs and CSCs, GRC coordinator at regional level are posted in publicly accessible and visible places at every construction site and in every affected community. In addition, the information on GRM (leaflets, brochures), including contact details grievance focal points at CCs and CSCs, GRC coordinator at regional level, should be available at the offices of CCS, CSCs, PMCs, Akimats, CoR.

In the areas populated by minority groups meetings shall be held and information leaflets shall be provided in the linguistically appropriate manner, if the language used by the minority group is different from official language of RoK

10. MONITORING AND EVALUATION

PMC will assign for internal monitoring of resettlement, who will work closely with the PMC safeguards specialists and develop a detailed plans and indicators for monitoring for subsequent phases of this RAP. The monitoring specialists will submit semi-annually information about the progress of resettlement to be incorporated into Project reports. Expenditures for this internal monitoring have been incorporated into the project budget. A general system of monitoring indicators is explained in Almaty Oblast Resettlement Action Plan.

If necessary, the PMC will hire specialist for conducting an independent evaluation of the process and results of the resettlement, which will then be discussed with the Management of the Project. This specialist is responsible for monitoring will decide whether the conditions of the resettlement plan during its implementation have been observed, whether the sources of income of the individuals, whose interests have been affected, has been restored, and whether any unplanned or unexpected consequences of the resettlement occurred there.

Following table gives detailed scope of work of Internal Monitoring and External Monitoring

Table 10.1: Scope of work of Internal Monitoring and External Monitoring

Scope of work of 'Internal Monitoring'	Scope of work of 'External Monitoring'
Land Acquisition	Review of pre project baseline data on APs
Payment of compensation	Identification and selection of an appropriate set of

	indicators for gathering and analyzing information on resettlement impact.
Dissemination of information	Use of various formal and informal surveys for impact analysis.
Consultation with APs and other stakeholders	Assessment of resettlement efficiency, effectiveness, impact and sustainability.
Grievance Redress Mechanism	Assessment of APs satisfaction on the valuation of assets and entitlements, timing of payments, funds availability and disbursement.
Restoration of livelihood and income	
Ability of vulnerable APs, including women APs, to improve their livelihood	

The indicators established to ensure attainment of the RAP objectives, as given in the Resettlement Framework, will be followed during internal monitoring.

The monitoring at the field level will be done by Social Safeguard Specialist of PMC in coordination with respective CoR and Akimat. The monitoring will rely mainly on the following information gathering methods: a) review of files b) informal sample survey of APs c) key informant interview d) in-depth case studies and e) community public meetings.

The PMC will send monthly progress reports to the Committee for Roads.

External monitoring will be conducted one time after the completion of entire process of land acquisition. Finally there will also be one post – resettlement evaluation. External monitoring reports will be submitted simultaneously to the CR and the World Bank.

The budget for the external monitoring shall be included in Almaty Oblast RAP budget.

11. IDENTIFICATION OF ADDITIONAL COMPENSATION REQUIRED BY THE WORLD BANK OP 4.12

In accordance with World Bank OP 4.12 and the agreed Land Acquisition and Resettlement Framework dated May 2008 and updated February 2009, additional compensation or assistance shall be considered for 1) for vulnerable people who may have difficulty adapting to project-related changes, 2) for those required to relocate (in this case, commercial enterprises) who will have transitional expenses associated with moving, and 3) for those who will lose a significant part of their productive land (more than 10% and above). These modes of assistance are normally supplemental to standard Government compensation. It was also explained that in case of signing the loan agreement between the Republic of Kazakhstan and World Bank these requirements were to apply. The following section defines the requirements and present status. Initially the section “Almaty-Astana” was planned to be implemented by republican budget financing. However, because of the impossibility of financing it had to involve other sources. In this case, Akimats of relevant

regions of Almaty region is ready to pay all the additional types of assistance to persons who qualify, and to pay compensation and other assistance as per requirements of World Bank in case additional affected owners or land users are identified during project implementation.

11.1 Identification and additional payment to Vulnerable People

Vulnerable people - are people, whose income is less than living wage, or who have other sources of vulnerability to the difficulties in adapting of changes, caused by the Project. Such could include elderly people, low income groups, people with disabilities. On January 01, 2015 in the Republic of Kazakhstan the living wage according to the Statistic Department of Almaty Oblast is 21 364 KZT.

Operationally, this is defined as people eligible for State Targeted Assistance, on the basis of Information of living minimum received from Statistic Department of Almaty oblast. No vulnerable groups have been identified in the area.

After an agreement between the World Bank and the Committee for Roads, a letter was issued to all the Region Akimats of Almaty oblast, where they are asking the Akimats to use the list of “State Targeted Public Assistance Act”, No. 246-II of July 17, 2001 to define vulnerable people. This list defines all families requiring some form of public assistance. This is a special program for payment of lump-sum allowances to socially vulnerable and poor families in each community. It was agreed by the Akimats of relevant regions of Almaty region that all families on the vulnerable list who are affected by resettlement or land/building acquisition would be paid an additional single payment compensation.

11.2 Transitional Allowance for Relocation

Similarly, in accordance with the agreement between the Akimat of Almaty oblast and the World Bank all entities that are required to relocate because of the project will receive a transitional allowance sufficient to cover transport expenses or to assist help by transport. For households required to relocate, prior to displacement a lump sum allowance will be paid and as well as for shops or enterprises required to relocate or assist help in replacement.

The compensation process that has been conducted took into consideration not only the basic evaluation of the land and the property located on it, but also other parameters such as the presence of orchard –taking into account the age of the trees— and any other property of activity that could provide revenues to the affected people but that would be affected by the acquisition of the land, resulting in losses for the owner/lease holder.

11.3 Significantly Affected Families

As per the RPF dated May 2008 persons deemed significantly affected (e.g., those losing more than 10% of their productive land area), are to receive supplemental assistance of at least two times the annual agricultural output value of the acquired land area. This assistance is supplemental to land compensation normally provided in Kazakhstan. The following principles were used to assess whether the compensation already paid match the requirement of the RAP:

Regarding the leaseholders: For the leaseholders, the compensation for income loss is calculated based on the estimate profit associated with the usage of the land for the remaining time of their lease terms, up to a maximum of 49 years (which represents the maximum rental period in Kazakhstan). The evaluators will use the principle outlined above, resulting in lost profit being paid for some sections. This results in the requirements of the RAP being met.

Regarding the land owners: For those owners, out of the three standard evaluation methods detailed above, only the comparison method is considered appropriate by evaluators. This method resulted in the owners receiving compensations aligned with the market practice in the area. The evaluators conducted comparison with other plots (five similar quotes on average) for which the seller factored in the price for his/her land and all the expenses and the expected income from this land plot (mainly harvest). As a result, the Akimat of Almaty Oblast believes that significantly affected landowners have received compensation aligned with the RPF. The CR and Akimat of Almaty oblast and the World Bank will conduct review the compensation information. Based on the results of that review, CR and Akimat of Almaty oblast will take additional measures to comply with provisions of the Resettlement Action Plan, if deemed necessary, once the Project is approved.

12. MONITORING AND EVALUATION

Since land acquisition and resettlement work has not yet started, their monitoring will be conducted. Monitoring indicators are presented in the following table.

Table 12.1 Monitoring Indicators

Purpose	Activities	Monitoring indicators
Determination of compensation recipients	Checking of list of compensation recipients eligible for compensation	Number of people on the list of compensation recipients who are not eligible for compensation (inclusion by mistake)
	Identifying of persons who may claim to edibility compensation, but are not included in the list of compensation recipients. For each type of compensation should be carried out separate inspection.	The number of people who meet the criteria but are not included in the list of recipients of compensation (exclusion by mistake)
Controlling types of Compensation	Confirmation of the territories which are affected temporarily or permanently under the final RAP	The land for temporary acquisition, for which compensation will be paid
		The land subject to permanent acquisition for which compensation will be paid
Compensation control	Examination of financial documents	Number of people who receive compensation promptly and in full with the breakdown under type of compensation
		Number of people who receive compensation in a timely manner with the breakdown under type of compensation
	Identifying and analysis of the reasons for which compensation has not been paid in full and on time	The amount of funds allocated for compensation

Purpose	Activities	Monitoring indicators
Impact on households (income restoration)	Follow up socio-economic survey of affected households (year 3)	Changes in income / livelihood of households, comparison of the results of socio-economic census to follow up survey
Consultation and participation	Determining the level of involvement and identification of reasons for inadequate participation	Number of compensation recipients who participated in the consultation and coordination meetings at each stage of land acquisition
	The analysis of disputes and complaints content. Conflict resolution	Number of complaints
		Number of complaints granted.

13. IMPLEMENTATION OF THE COMPENSATION SCHEME

The CoR, Akimat of Almaty Oblast recommend that this report be accepted by all parties as the agreed approach for all remaining land acquisition and resettlement in connection with the construction of Kurty Burylbaital Road section Akimat of Almaty oblast will ensure that all APs will be paid compensation defined above. It is obvious that in the event of disagreement about whether payment was made in accordance with the legislation of Kazakhstan or resettlement policy of the World Bank, APs shall receive the compensation, which is higher. In particular, Akimat commits to the following:

- a) Vulnerable Persons: Persons whose interests are affected by the project will be subject to the operational definition of socially vulnerable persons, additional assistance (target social assistance) will be provided.
- b) Informal Users: all informal users (specifically livestock grazers) will continue to be allowed to use remaining adjacent State Land for grazing of livestock if such found
- c) Assistance to Significantly Affected Households: Following formal project agreement with the World Bank, Akimat of Almaty oblast will provide data regarding income factors incorporated into land compensation for all significantly affected households, and further have to pay supplemental assistance to any households that have received less than two years' agricultural output value as a factor in determining land compensation.
- d) Support to indirectly affected persons by the project: Akimat of Almaty oblast and CoR will give due consideration to measures intended to support existing communities along the original Almaty-Astana road, in order to enable them to benefit from the construction of a new road.
- e) Grievance Redress and TOR: The grievance mechanism outlined in this document is used as a means insuring the communities concerns and complaints are fairly dealt with from now and during construction stage. For the purposes to support the mechanism a separate specialist is included in the terms of reference of consultants for supervision.
- f) Monitoring and evaluation: to be carried out.

