

Draft

Approved by  
World Bank

Socio-Economic Resilience Strengthening Project  
Government of the Republic of Tajikistan

# RESETTLEMENT POLICY FRAMEWORK

March 2019

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## Abbreviations

ARAP	Abbreviated Resettlement Action Plan
CASA1000-CSP	CASA1000 Community Support Project
CDD	Community Driven Development
DMS	Detailed Measurement Survey
ECA	Europe and Central Asia
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standards
FP	NGO Facilitating Partner
GBAO	Gorno-Badakhshan Autonomous Oblast
GFP	Grievance Focal Point
GRM	Grievance Redress Mechanism
GRS	Grievance Redress System (WB)
IOL	Inventory of Losses
JPC	Jamoat Project Commission
LC	Land Code of the Republic of Tajikistan
LGS	Local self-government (jamoat)
MDTF	Multi Donor Trust Fund
MoF	Ministry of Finance of the Republic of Tajikistan
NEET	Not in education, employment or training
NGO	Non-Governmental Organization
NSIFT	National Social Investment Fund of Tajikistan
O&M	Operations and Maintenance
OP	Operational Policy
PAP	Project Affected Person
PMU	Project Management Unit under the NSIFT
POM	Project Operational Manual
QPR	Quarterly Progress Report
RAP	Resettlement Action Plan
REDP	WB-funded Rural Economic Development Project
REP	WB-funded Rural Electrification Project
RMR	Risk Mitigation Regime
RPF	Resettlement Policy Framework
SA	Social Assessment
SERSP	Social and Economic Resilience Strengthening Project
VPC	Village Project Committee
WB	World Bank

## Glossary of Terms

In this Resettlement Policy Framework, unless the context dictates otherwise, the following terms will have the following meanings:

**“Environmental and Social Standards”** (ESSs) set out the requirements for Borrowers/Clients relating to the identification and assessment of environmental and social risks and impacts associated with projects supported by the Bank through Investment Project Financing. Ten ESSs establish the standards that the Borrower/Client and the project should meet through the project life cycle.

**“Project affected persons”** (PAPs) means persons who are impacted by involuntary resettlement as defined below.

**“Involuntary resettlement”** means the involuntary taking of land resulting in direct economic and social impacts caused by:

- a) the involuntary taking of land resulting in:
  - i. relocation or loss of shelter;
  - ii. loss of assets or access to assets; or
  - iii. loss of income sources or means of livelihood, whether or not the PAP has moved to another location.
- b) The involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

**“Land acquisition”** refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible.

**“Land”** includes anything growing on or permanently affixed to land, such as crops, buildings and other improvements, and appurtenant water bodies.

**“Restrictions on land use”** refers to limitations or prohibitions on the use of agricultural, residential, commercial or other land that are directly introduced and put into effect as part of the project. These may include restrictions on access to legally designated parks and protected areas, restrictions on access to other common property resources, and restrictions on land use within utility easements or safety zones.

**“Livelihood”** refers to the full range of means that individuals, families and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade and bartering.

**“Cut-off date”** is the date by which PAPs and their affected assets, as relevant, have been identified and new entrants to the site cannot make claims to compensation or resettlement assistance. Persons whose ownership, use of occupancy prior to the cut-off date can be demonstrated remain eligible for assistance, regardless of their identification in the census.

**“Compensation”** means the payment in kind, cash or other assets given in exchange for the taking of land, loss of other types of assets (including fixed assets) or loss of livelihoods resulting from project activities.

**“Census”** is a complete count of the population affected by a project activity including collation of demographic and property information. This will identify and determine the number of Project Affected Persons (PAP) and the nature and levels of impact.

**“Resettlement Action Plan (RAP)”** is a resettlement instrument (document) to be prepared when subproject locations are identified. RAPs contain specific and legally binding requirements to be abided by to resettle and compensate the affected party before implementation of the project activities causing adverse impacts.

**“Resettlement Assistance”** means the measures to ensure that project affected persons who may require to be physically relocated are provided with assistance such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement during relocation.

**“Replacement cost for houses and other structures”** means the prevailing open market cost of replacing affected structures, in an area and of the quality similar to or better than that of the affected structures. Such costs will include: (a) the cost of the materials, (b) transporting building materials to the construction site; (c) any labor and contractors’ fees; and (d) any registration or transfer costs.

**“Economic Rehabilitation Assistance”** means the provision of development assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable PAPs to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-project levels.

**“The Resettlement Policy Framework (RPF)”** is an instrument to be used throughout project implementation. The RPF sets out the resettlement objectives and principles, organizational arrangements and funding mechanisms for any resettlement, that may be necessary during project implementation. The RPF guides the preparation of Resettlement Action Plans of individual sub projects in order to meet the needs of the people who may be affected by the project. The **Resettlement Action Plans (“RAPs”)** for the Project will therefore be prepared in conformity with the provisions of this RPF.

**“Replacement cost”** means replacement of assets with an amount sufficient to cover full cost of lost assets and related transaction costs. The cost is to be based on **Market rate (commercial rate)** according to the legislation of the Republic of Tajikistan. In terms of land, this may be categorized as follows; (a) **“Replacement cost for agricultural land”** means the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of: (b) preparing the land to levels similar to those of the affected land; and (c) any registration and transfer taxes.

**“Replacement cost”** is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.

**“Security of tenure”** means that resettled individuals or communities are resettled to a site that they can legally occupy, where they are protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate. In no event will resettled persons be provided tenure rights that are in effect weaker than the rights they had to the land or assets from which they have been displaced.

**“Voluntary Land Donation”** - means communities or individuals may agree to voluntarily provide land for sub-projects for desired community benefits. The operative principles in voluntary land donation are “informed consent and power of choice”. Informed consent means the people involved are fully knowledgeable about the project and its implications and consequences and freely agree to participate in the project. Power of choice refers to the people involved have option to agree or disagree, without adverse consequences imposed formally or informally by others.

## INTRODUCTION

Most cross-national indicators of fragility and conflict place Tajikistan in a category of elevated risk.<sup>1</sup> For this reason, Tajikistan is one of four beneficiary countries under the IDA18 Risk Mitigation Regime (RMR). The RMR pilots development interventions as a prevention tool, scaling up financial support to proactively target fragility, conflict and violence (FCV) risks and reinforce sources of resilience. FCV risks such as those Tajikistan is facing are complex and interrelated, and thus require tailored, multisectoral responses.

The proposed project, the Socio-Economic Resilience Strengthening Project (SERSP) has been included into the Resilience Strengthening Program (RSP) to assist the Government of Tajikistan in strengthening resilience, defined as a person's, community's and/or country's capacity to adjust or respond to, and recover from, difficulties, adverse impacts, and/or exogenous shocks, reducing perceptions of exclusion, and preventing fragility risks.

The project will target the Khatlon and Gorno-Badakhshan Autonomous Oblast (GBO) regions of Tajikistan, which have the highest levels of absolute and relative poverty measures, respectively, and which face fragility risks due to the proximity to unstable parts of Afghanistan, large youth populations, disparities in service delivery outcomes, and legacies of violent conflict.

The Bank is committed to supporting Borrowers/Clients in the development and implementation of projects that are environmentally and socially sustainable, and to enhancing the capacity of Borrowers' environmental and social frameworks to assess and manage the environmental and social risks and impacts of projects. To this end, the Bank has defined specific Environmental and Social Standards (ESSs), which are designed to avoid, minimize, reduce or mitigate the adverse environmental and social risks and impacts of projects. The Bank will assist Borrowers in their application of the ESSs to projects supported through Investment Project Financing in accordance with this Environmental and Social Policy for Investment Project Financing (Policy).

ESS5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. The proposed activities are not expected to generate serious adverse effects to human health and the social environment. Project-related land acquisition or restrictions on land use may cause physical and economic displacement. To prevent, avoid, mitigate and reduce those risks and to meet ESS5 requirements the present Resettlement Policy Framework (RPF) was developed.

Due to the nature and large number of proposed sub-activities, associated environmental and social risks, and limited capacity of NSIFT in the understanding and application of the Bank's new Environment and Social Framework (ESF), and relevant Standards, the project is classified as Substantial risk from environmental and social perspective and as defined under the Bank's ESF<sup>2</sup>.

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<sup>1</sup> Tajikistan is one of 56 countries that the OECD classifies as "fragile" or "extremely fragile" in its *States of Fragility 2018 Report*. The 2018 OECD State of Fragility Report includes a multidimensional (economic, environmental, political, security, and societal) fragility framework covering 58 fragile contexts, and identifies contexts that have improved or deteriorated relative to 2016. According to the 2018 report, "Tajikistan worsened in all five dimensions. However, deterioration was particularly apparent in the security, environmental and societal dimensions. The decline in the security dimension was the most obvious, with risks associated with terrorism and violent conflicts having increased."

<sup>2</sup> [www.worldbank.org/en/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards](http://www.worldbank.org/en/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards) and <http://projects-beta.vsemirnyjbank.org/ru/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards>



The present RPF document consists of nine chapters, which provide guidelines for the development of appropriate mitigation and compensation measures for adverse impacts caused by the project activities whose exact locations are not known.

Chapter One includes the Project Objectives and Brief Description of the project components. It also outlines the major project activities planned approaches merged from three distinct risks to be addressed: the socio-economic exclusion of young men and women; regional and cross-border challenges that result in heightened fragility risks; and cross-cutting governance challenges that constrain the implementation of participatory and accountable local governance practices.

Chapter Two underlines the rationale of Environmental and Social Standard 5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement and the scope of the present Resettlement Policy Framework, which lays bare the next steps on preparing and implementing resettlement instruments.

Chapter Three provides Objectives and Principles of Resettlement Planning to ensure that people adversely affected under the Project are adequately consulted with on project activities and receive compensation or assistance that will at least restore pre-project level of livelihoods.

Chapter Four describes Legal Frameworks and Policies Related to Land Acquisition and Resettlement. It informs about the existing relevant national and international legislation and regulatory documents related to land acquisition, resettlement, citizen engagement, and other social issues.

Chapter Five narrates the RAP Preparation, Approval and Disclosure Process. It indicates required steps towards resettlement action plan development through implementation of census, social and economic surveys, and inventory of losses.

Chapter Six includes Eligibility Criteria and Procedures for Various Categories of Project Affected People. It sets out eligibility criteria, which are necessary to determine who will be eligible for resettlement and benefits, and to discourage claims of ineligible people.

Chapter Seven describes the Methods of Valuating Affected Assets. It sets out the guidelines for determining the value of affected assets, including types of compensation payments, preparation of asset inventory and valuation methods.

Chapter Eight underlines the RPF and RAP Implementation Arrangements and Procedures. It describes the optimal arrangements and the process cycle by the components and at the sub-project level.

Chapter Nine narrates the Public Consultations conducted during the RPF preparation, RPF disclosure and consultations to be implemented during the project implementation. It also describes the project-based GRM structure and implementation.

Relevant Annexes are enclosed at end of this document to compliment the above-mentioned chapters.

## I. Project Description

The **Project Development Objective** is to improve socio-economic inclusion of targeted vulnerable communities, and young men and women.

**The Project areas** are 7 target districts, including Farkhor, Hamadoni, Panj, and Kulob districts in Khatlon region and Shughnon, Ishkashim and Vanj districts in GBAO region.

The GoT selected these districts on the basis of the following selection criteria: (a) a shared border with Afghanistan; (b) relatively large population sizes; (c) a combination of rural and urban areas; and (d) limited coverage by other donor interventions. The project is designed as a proof of concept for strengthening socio-economic resilience that can be replicated in other vulnerable districts of Tajikistan, if successful. As such, the Project concentrates resources in a limited number of districts to maximize efficiencies and impact.

### Project Components

**Component 1: Inclusive Local Development Initiatives.** The proposed component will provide subgrants to finance local-level climate-resilient socio-economic infrastructure, including youth-led initiatives, that address priorities identified through a participatory village needs assessment and decision-making process as part of a project cycle to be defined in the Project Operations Manual (POM). The component will also build the capacity of *jamoat* administrations and community-level institutions, including *mahalla* committees, to engage with citizens, and to deliver services efficiently, fairly and in response to citizens' needs, including those of youth and women. Finally, the component will build the capacity of community and local government institutions to identify, plan for, and take actions needed to mitigate the risks of natural disasters on local development investments, and to operate and maintain (O&M) local infrastructure assets, thereby ensuring the sustainability of investments. The component will consist of the following activities:

**Sub-component 1a: Subgrants for local development initiatives** would support investments in basic infrastructure and services in villages in targeted districts based on a participatory needs assessment at the village level, the results of which are prioritized and incorporated into Jamoat-level development plan. Where possible, local development initiatives will leverage opportunities created by the complementary investments in electricity access made under the RSP-EE project.

**Subgrant allocation.** The jamoat grant distribution formula (for each of the two cycles of CDD investment) will be based on two criteria: (i) district poverty levels; and (ii) jamoat population size. The distribution formula will also ensure that sufficient resources are allocated to ensure that the investments can have impact. Within jamoats, there will be a process for individual villages to apply for subgrants or to coalesce and apply for a larger subgrant for a joint project (e.g., inter-village roads) that benefits multiple villages.

**Scope of investments.** Village subprojects will be selected from an open menu of small-scale social and economic infrastructure and facilities. The investments will focus on the domains for which *jamoat* administrations are responsible, namely local roads improvement and maintenance, maintenance of water resources and water supply networks, waste disposal, and other investments that improve local living conditions, including those related to social infrastructure. The types of works may involve new construction, improvement/upgrading, rehabilitation, demolition, retrofitting, or maintenance of small scale infrastructure. Eligible sub-projects may include, but are not limited to, rehabilitation of village-

level water supply and sanitation systems,<sup>3</sup> rehabilitation of on-farm irrigation systems, rehabilitation of schools and local health clinics, expansion or construction of kindergartens on existing premises, and rehabilitation of tertiary roads. Where possible, energy efficiency measures will be financed to strengthen community resilience in the face of seasonal energy shortages. This will include: (i) insulated doors and windows of public facilities, and (ii) energy efficient water pumps for public buildings (e.g. schools, kindergartens, health units, community centers). The Project will not finance productive infrastructure, such as small-scale storage and processing facilities for horticultural products, as these will be financed under the RSP-REDP (Rural Energy Development Project). It is intended that 50 percent of subprojects demonstrate benefits for youth and 50 percent for women. The Project will encourage contractors to employ local youth in the infrastructure sub-projects. A negative list is included in the Environmental and Social Management Framework and in the Subgrants Operations Manual (SGM).

**Component 1b: Community (and youth) and local government mobilization and capacity building** will support the mobilization of communities, and youth, and local capacity building in the target districts. This will include the financing of activities that support participatory needs assessment, planning and prioritization, implementation and monitoring of communities, targeted support for youth engagement, innovative social accountability mechanisms as well as capacity building for good local governance. NSIFT will procure consulting services, a Facilitating Partner (FP), to implement the community-level outreach and capacity building. Subcomponent 1b will ensure that village investment decisions (funded under Subcomponent 1a) directly involve and are inclusive of all community members (women, youth, young and old) and are responsive to their needs. This subcomponent will follow very similar participatory steps as laid out in CASA-1000 CSP.

**Scope of activity.** The annual cycle of activities financed by this subcomponent will include participatory needs assessment, participatory planning and prioritization/selection of village investments, participatory management, oversight and monitoring, and participatory O&M. Communities will be engaged in all stages of the subproject cycle, structured around the seven steps below, particular attention will be paid to empowering women to play an active role, and roles will be created for youth

**Operations, maintenance and sustainability.** Component 1 will be designed and implemented with measures to ensure that subgrant-financed investments deliver sustainable benefits to communities and local governments. Subproject designs and implementation arrangements will build on existing local institutions (e.g. water users associations) and apply appropriate technical designs that are disaster resilient. Communities and *jamoat* administrations will receive capacity building support to prepare appropriately designed and funded operations and maintenance (O&M) plans as a precondition for subproject approval. The O&M plans will clearly describe: (i) the activities and measures envisaged for O&M of the subproject, (ii) roles and responsibilities for carrying out each measure, (iii) the frequency of the activities, and (iv) the proposed mechanism for covering O&M costs.

**Component 2: Youth Inclusion and Livelihoods.** This component will offer two sets of inter-related activities for disadvantaged and inactive young men and women aged 16 to 30 years old, to increase their overall resilience to risks of exclusion, inactivity, and disaffection. It will finance youth inclusive services and the refurbishment of youth and communal spaces (Sub-Component 2A), as well as livelihoods trainings and tools and equipment for livelihood activities (Sub-Component 2B) in the seven target districts in GBAO and Khatlon.

Specifically, it will finance trainings (i.e. consulting services), tools and equipment (i.e. goods) and small rehabilitation of existing buildings (i.e. works). Activities will encourage a shift in mindsets through psychology-based training, for which there is growing positive evidence. The activities under the Youth Inclusion and Livelihoods component build upon evidence from impact evaluations (IEs) as well as

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<sup>3</sup> The proposed project will seek to collaborate closely with the Rural Water Supply and Sanitation Project (P162637) that is currently under discussion with government, to align technical approaches to design, and operations and maintenance.

lessons from previous operations that the World Bank has successfully supported to foster youth inclusion and micro-entrepreneurship in ECA, the Middle East and North Africa, and other countries.

**Sub-component 2a: Youth Inclusive Services** will finance a training package to give the target youth access to experiential learning, such as the development of soft skills (i.e. teamwork, communication, critical thinking, decision making, conflict resolution, and problem solving); psycho-social support, gender-based violence prevention training; and digital literacy skills. Overall, these extra-curricular activities aim to: increase the time young men and women spend in interactive activities; help them to gain new soft and digital literacy skills complementary to those learned through formal school curricula; and increase their resilience.

Service providers will also offer trainings to secondary school teachers, parents, and staff of local public facilities, such as Centers for Additional Education or youth spaces (i.e., physical facilities with dedicated space for extra-curricular activities and trainings for youth), on violence prevention. These trainings are meant to raise awareness among teachers, parents and community leaders about preventive approaches to reducing risks related to radicalization and gender-based violence. The NSIFT/PMU will procure consultancy services, Implementing Partners (IPs), to deliver these youth inclusive services during the project implementation period. This component will also finance the refurbishment of youth and communal jamoat spaces, and mobile (i.e., retrofitted) vans, as needed, and the purchase of equipment, such as furniture, computer and printers, for these spaces. The NSIFT/PMU will directly procure the works (i.e., the refurbishment of youth and communal jamoat spaces) and goods (furniture and equipment) for these spaces.

**Sub-component 2b: Youth Livelihoods** aims to increase basic livelihoods opportunities for disadvantaged young women and men who would not otherwise qualify for more capital-intensive entrepreneurship support. This component will finance trainings and provide in kind tools and equipment for youth to start basic economic activities. While the FPs will focus its outreach for the livelihood activities on youth who are participating in the inclusive services (Sub-Component 2A), completing youth inclusive services is not a prerequisite for participating in the livelihood activities. The IPs will deliver the business development and entrepreneurial trainings at the youth inclusive and communal spaces in jamoats. The IPs will then: encourage youth to form groups and submit business development proposals; carry out market analyses to ensure that demand for products/services exists and that sufficient net income is possible for the participating beneficiaries; evaluate the business development proposals based on criteria established in the POM; deliver livelihood tools and equipment to the successful youth livelihood groups; and provide continued support to the groups through mentors. The central PIU will procure the livelihood tools and equipment. This sub-component will not finance matching grants for entrepreneurship as most young beneficiaries in the pre-identified vulnerable categories will not be able to provide matching contributions due to lack of savings or cash, particularly in Khatlon region. By providing tools and equipment, the project will ensure that vulnerable youth not only receive access to training but also actual livelihood opportunities. By ensuring coverage of excluded youth, this sub-component complements the private sector development activities supported by the RSP-REDP which is targeting entrepreneurs who have higher amounts of capital.

**Sub-component 2b aims to increase basic livelihoods opportunities for disadvantaged young women and men who would not otherwise qualify for more capital-intensive entrepreneurship support.** Specifically, the subcomponent will include the following:

**Livelihoods development training** will provide tailored outreach and boot camp training (i.e. basic, short-duration training) for vulnerable young men and women, as well as tailored livelihood support services (i.e. entrepreneurial mindset training, local market analysis, basic accounting, support for business plan preparation, follow up mentoring, and training on how to include climate change mitigation in livelihoods activities). The IPs will be responsible for delivering this training;

**In-kind tools and equipment** will be provided for promising youth to facilitate their access to small in-kind capital. Following successful completion of the livelihoods trainings, participants with viable proposals will be offered tools and/or equipment. The IPs will submit a detailed inventory of the requested tools and equipment that the central PIU will procure and deliver to the IPs, who will then distribute the tools to the livelihood groups.

**Component 3: Project Management and Capacity Building** will finance the incremental costs, including contracting staff, technical assistance, and training, of the implementing agency for overall project coordination, management and supervision of implementation, procurement, financial management, including project audits, monitoring evaluation and the Management Information System (MIS), and climate change mitigation and adaptation training. This component will fund a dedicated project management team (which will include experts in community driven development, youth inclusion and livelihoods, citizen engagement and social accountability, civil engineering, project management, communication, procurement, financial management, and monitoring and evaluation), that will prepare annual workplans and budgets, and ensure the design and implementation of the Project Operations Manual (POM), including terms of reference (ToR) for all staff and consultants, and training manuals.

The proposed Project will also support the implementation capacity of the National Social Investment Fund of Tajikistan (NSIFT) and that of Regional Governors' offices with respect to their strategic planning, donor coordination, and results monitoring functions. This component will also ensure the regular coordination with a number of national stakeholders, namely, the Ministry of Finance (MoF), Ministry of Economic Development and Trade, and the regional administrations of Khatlon and GBAO, as well as with the implementation structures of the RMR-RE and RMR-REDP projects. The component will finance a Beneficiary Feedback Mechanism (BFM), which will include a Grievance Redress Mechanism (GRM). The BFM will provide a formal channel for feedback from communities on any matter concerning the Project, and specifically collect, process and address safeguards complaints.<sup>4</sup> Regular meetings will be held to ensure responsiveness and accountability regarding beneficiary feedback. The staffing and the operationalization of the BFM will be covered and clearly allocated under this Component.

This Component will support Monitoring and Evaluation (M&E) activities to track, document, and communicate the progress and results of the project. An M&E team within NSIFT will be responsible for overall compilation of progress and results. This Component will finance NSIFT to prepare project reporting—semi-annual reports and quarterly unaudited IFRs—that will be submitted to the World Bank. This Component will also finance an MIS, which NSIFT will establish and utilize for project monitoring, automatic generation of project reports, project transparency (sub-project information will be publicized on maps), and citizen feedback.

While community monitoring will be supported under Subcomponent 1B, the NSIFT M&E team will quality of the community mobilization and other inclusion, voice, and agency activities with communities will be measured through community scorecards, which will be discussed and verified, along with financial records and project implementation records, in social audit meetings. Feedback and grievances received through the BFM will also be included in the semi-annual reporting. NSIFT's M&E team will collate and analyze these semi-annual assessments of outcomes and perception-based results and enter them into the MIS and include them in semi-annual reports.

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<sup>4</sup> The Beneficiary Feedback Mechanism will build on the system deployed under the CASA-1000 Community Support Project.

## II. Rationale for ESS 5 and RPF Scope

The newly adopted Environmental and Social Standards (October, 2018) set out the requirements for Borrowers relating to the identification and assessment of environmental and social risks and impacts associated with projects supported by the Bank through Investment Project Financing. The Bank believes that the application of these standards, by focusing on the identification and management of environmental and social risks, will support Borrowers in their goal to reduce poverty and increase prosperity in a sustainable manner for the benefit of the environment and their citizens. The standards will: (a) support Borrowers in achieving good international practice relating to environmental and social sustainability; (b) assist Borrowers in fulfilling their national and international environmental and social obligations; (c) enhance nondiscrimination, transparency, participation, accountability and governance; and (d) enhance the sustainable development outcomes of projects through ongoing stakeholder engagement.

Ten Environmental and Social Standards establish the standards that the Borrower and the project will meet through the project life cycle. ESS5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. The proposed activities are not expected to generate serious adverse effects to human health and the social environment. However, the project-related land acquisition or restrictions on land use may cause physical and economic displacement. To prevent, avoid, mitigate and reduce those risks and to meet ESS5 requirements the present Resettlement Policy Framework (RPF) was developed.

The Social and Economic Resilience Strengthening Project by design will avoid activities that may involve physical/ economic displacement and/ or loss of structures. Being small scale activities driven by community, flexible in terms of design and location shall be available and hence no resettlement is envisaged. However, there could be some isolated instances wherein lands need to be acquired involuntarily. Towards addressing such a situation, the client has prepared a Resettlement Policy Framework, approved by the Bank and disclosed the same.

RPF lays bare the next steps on preparing and implementing resettlement action plans (RAP). The framework clarifies resettlement principles, organizational arrangements, and design criteria to be applied to subprojects or project components to be prepared during project implementation. Once the subproject or individual project components are defined and the necessary information becomes available, such a framework will be expanded into a specific resettlement action plan. Project activities that will cause physical and/or economic displacement will not commence until such specific plans have been finalized and approved by the Bank.

### ***Potential Impacts on Assets, People and Livelihood***

Given the planned work under Components 1, the impact on involuntary resettlement will be limited by small scale land acquisition, temporary land acquisition, restriction of access and economic impact. Physical relocation of households is not expected. It is expected that the construction will be carried out within the footprint of existing infrastructure or on available lands that are publicly owned. However, land may be required for small scale infrastructure sub-projects in settlements where no infrastructure currently exist, as well as for expansion of water supply systems, placing mini-shops for fruit processing, dairy products, placement of health points, schools, hospitals, etc. that may be selected by beneficiary communities. The presence of informal users or structures and associated economic impacts covered under ESS5 also cannot be ruled out. While public land is expected to be made available in case of expansion of new infrastructure, the project allows for voluntary land donations by the community or individuals and this process will have to be closely managed during implementation. Individual land donation will be subject to strict scrutiny and approved by the World Bank, prior to accepting donation. Land donation cannot result in a person or household being worse off than pre-project levels and must

receive benefits from the project. As the investments will be determined by the communities, the impact will not be known until the investments are selected in each cycle.

Given the planned activities under Component 2, no involuntary impacts are anticipated, as the project will rehabilitate and equip existing youth houses and women centers and provides equipment and tools to support livelihood development initiatives in the target districts.

Although the detailed impacts under Component 1 will only be known once detailed designs are prepared, the Government of the Republic of Tajikistan intended to develop a RPF to address possible impacts related to land acquisition and access restrictions and risks involving potential links to some of the subproject interventions that might considered as ‘associated facilities’ under the ESS5. The RPF identifies the possible impacts from project activities, describe the range of potential impacts (temporary and permanent) to land use/access and structures and describes how compensation rates will be determined and procedures for the same.

Where there is a gap between national and World Bank procedures, the latter will prevail for all activities financed under this project due to the project risk category classified as “Substantial”. The RPF will serve as a screening device to ascertain if there will be any impacts resulting from project activities. The RPF is intended as a practical tool to guide the preparation of safeguards instruments such as Resettlement Action Plans (RAPs) and necessary due diligence for activities during implementation of the comprehensive project. If any impacts are identified, the Government of the Republic of Tajikistan will develop safeguards instruments for each sub project based on the guidelines and procedures highlighted in the RPF document.

This RPF will be approved by the Government of the Republic of Tajikistan and cleared with the World Bank (WB). Once the document has been approved, it will be uploaded to WB’s external web-site and be available locally through the development centre/Infoshop, in compliance with the WB’s policy. The RPF will be translated into Russian and/or Tajik and further will be distributed in such a way as to be available to central and local government agencies and potential PAPs. Implementation of the planned project investments will only take place following these approvals and information sharing/consultation.

### III. Objectives and Principles of Resettlement Planning

The Resettlement Policy Framework (RPF) aims at describing policies and procedures to ensure that people adversely affected under the Project are adequately consulted with on project activities and receive compensation or assistance that will at least restore pre-project level of livelihoods.

The RPF provides policies and procedures to determine requirements of the World Bank's ESS on Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement (ESS5), to assess potential expected risks and impacts, to identify detailed steps to develop appropriate mitigation measures, including mitigation and compensation for the impact caused under the project including:

- involuntary land acquisition (temporary or permanent);
- loss of, or impact on, assets or access thereto;
- loss of standing crops, trees income source or livelihoods, regardless of whether the project affected persons (PAPs) will be resettled, or not;
- restricted access to natural resources, public places and services ,
- legal framework, eligibility criteria of displaced population, valuation methodology, compensation provision, entitlement matrix, implementation process, consultation procedures,
- due diligence procedures in case of project interventions linked to other development activities supported by the Government and other funding agencies
- grievance redress mechanisms, entitlement payment procedures, and monitoring and evaluation procedures for land acquisition and resettlement under this project.

The basic objectives of the RPF are to: (i) guide NSIFT, the national and local self-government (Provincial, District, Jamoat) in properly identifying, compensating, and restoring the livelihoods of Project Affected Persons (PAPs), (ii) serve as a binding document to ensure payment of compensation and assistance to PAPs, and (iii) provide direction in preparing, updating, implementing and monitoring subproject Abbreviated RAPs and RAPs. The RPF includes measures to ensure that PAPs are (i) informed about their options and rights pertaining to resettlement; (ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and (iii) provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the Project.

The RPF is based on the following principles:

- Involuntary resettlement is to be avoided or at least minimized.
- PAPs are to be suitably assisted in their efforts to improve, or at least restore, incomes and living standards.
- PAPs are fully informed and consulted on compensation options.
- Lack of formal legal land title is not a barrier to compensation or alternative forms of rehabilitation assistance.
- Particular attention is paid to socially vulnerable groups, such as ethnic minorities, female headed households, elderly households, etc. and appropriate assistance is provided to help them adapt to project-related changes.
- Land acquisition and resettlement is conceived and executed as a part of the project, and the full costs of compensation are included in project costs and benefits.
- Compensation/rehabilitation assistance will be paid prior to displacement and prior to ground leveling, demolition, and in any case, before an impact occurs.
- Compensation is to be paid at full replacement cost to PAPs, without deductions for depreciation or any other purpose.



It should be noted that according to World Bank's ESS5, the term "involuntary resettlement" encompasses more than the 'physical relocation or resettlement' of affected people. It is defined as the direct social and economic impacts of a project that are permanent or temporary and are caused by the involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or (iv) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons. The ESS5 also applies in case any subproject activities found as 'linked' or 'associated facility'. This ESS requirements and provisions apply to all components of the project that result in involuntary resettlement, regardless of the source of financing. It also applies to other activities resulting in involuntary resettlement, i.e. in the judgment of the Bank, are (a) directly and significantly related to the Bank-assisted project, (b) necessary to achieve its objectives as set forth in the project documents; and (c) carried out, or planned to be carried out, contemporaneously with the project.

It should be further noted that no changes to the RPF entitlement matrix, eligibility criteria, compensation rates or other entitlements to assistance can be made without prior approval of the World Bank. Any RAPs prepared on the basis of the RPF will also be subject to prior approval of the World Bank.

## IV. Legal Frameworks and Policies Related to Land Acquisition and Resettlement

### 4.1 Relevant Legislation of the Republic of Tajikistan on Land Administration

The Constitution of the Republic of Tajikistan establishes exclusive state property on land whereas the state ensures its effective use in the best interests of the people. The amendments to the Land Code, that took place in August 2012 allow alienating land use rights and land use rights became subject to buying/selling, gift, exchange, pledge and other transactions. Amendments to the Mortgage Law, allow the individual land user to pledge his/her user rights to the land plot to another individual, bank or institution at the current market price. The implementing mechanisms for these amendments are being developed, although this right provides greater scope and flexibility to the land user. Cost of realty, constructions and assets should be compensated to physical persons.

The Land Code of the Republic of Tajikistan is the most systematized code of rules regulating the complex of legal relations arising during the process of exercising the land use rights. Matters related to suspension of land use rights, in case of their acquisition, and compensation of losses to land users and losses connected to withdrawal of land from the turnover are considered in two chapters and nine articles of the Land Code. These articles contain basic provisions on land acquisition for public and state purposes. The Code allows the state to seize the land from land users for the needs of projects implemented in the interests of state and at the state scale, and describes methods, system and order of protection of rights and interests of persons whose land is subject for withdrawal for the purposes of the project, and provides for the complex of compensatory measures to cover the land users' losses. The Regulation about an order of compensation of the land users' losses and losses of agricultural production, approved by the Resolution of the Government of the Republic of Tajikistan # 641, dd. 30<sup>th</sup> December, 2011, establishes concrete and detailed order of reimbursement of the land users' losses.

Following are main provisions regarding the problem of involuntary resettlement indicated in the Land Code:

- Acquisition of the land plots for the purposes of the state and public needs have to be done after provision of the equivalent land plot;
- New dwelling, production and other buildings, similar to those seized, have to be constructed on the new plot in established order;
- Losses occurred during the land plot acquisition have to be compensated in full amount, including missed profit, and losses should be calculated at market cost;
- Construction of buildings and compensation of losses will be made by the institutions and organizations in whose favor the land is seized (project beneficiaries);
- Provision of the new land plot, construction of buildings, compensation of all types of losses, including lost incomes, have to be done before the official land acquisition from the land users.

According to the Articles 41 and 43 of the Land Code the land plot could be seized for the purposes of state or public needs but only upon equal compensation of realty, constructions and crops located on this plot. This compensation couldn't be less than the current market cost of such realty as the law states about the principle of compensation at the market price.

The Land Code requires that the institution which is interested in the land acquisition should justify the necessity of such acquisition and demonstrate that the plot of land should be seized and there is no alternative for the project implementation. The land plot could be seized in cases of need of construction of buildings and constructions or implementation of works of the state interest. If the project presents the interest of the state, the beneficiary of the project has to prepare a proposal on land acquisition required for the purposes of commencement of such acquisition. In accordance with the Law, the process of

acquisition has to be completed and all people and households which were included into the project zone provided with the compensation before permission is granted to commence construction.

The *Law on Land Administration* (2008, last amendment 2016) obliges the authorities to map and monitor the quality of land, including soil contamination, erosion and logging.

The *Law on Sanitary and Epidemiological Safety of the Population* (2003, amended in 2011) introduced the concept of sanitary and epidemiological expertise that establishes the compliance of project documentation and economic activities with the state sanitary and epidemiological norms and rules, as well as strengthened provisions on sanitary-hygienic, anti-epidemic and information measures.

The *Law on Pastures* (2013) defines the basic principles of pasture use, including protection of pastures and the environment, and attraction of investments for more effective use and protection of pastures. The Law specifies the powers of local administrations to control environmental safety and pasture use in accordance with state regulations and standards. The law prohibits the implementation of a number of activities in pastures, such as cutting down trees or bushes, building roads, misuse of grazing land, pollution of the environment with waste, and grazing of livestock beyond the established rate. The law requires users to ensure effective use of pastures, including protection of pastures against degradation and pollution. It provides geobotanical research on pastures to assess the potential productivity of natural forage land.

*Table 1. Laws and Regulations on Land Administration in Tajikistan*

- The Constitution of the Republic of Tajikistan establishes land as an exclusive property of the state.
- The Land Code, Civil Code, rules on land allocation for individuals and legal entities.
- The Land Code of the Republic of Tajikistan is a systematized code of rules regulating complex of relations arising in the process of possession and use of land.
- The Civil Code of the Republic of Tajikistan is regulating the legal status of participants of civil circulation, grounds for arising of rights and order of their implementation, contractual obligations, property and non-property relations.
- The Law of the Republic of Tajikistan “On Land Valuation” establishes legal grounds for normative land valuation (12 May, 2001)
- The Law of the Republic of Tajikistan “On Local Bodies of the State Authority” establishes normative grounds for allocation and reallocation of land (14 May, 2004)
- The Law of the Republic of Tajikistan “On Land Management” regulates relations connected to legal grounds of activities in the sphere of land management (5 January, 2008).
- The State Land Cadastre is a system of information and documentation on natural, economic and legal status of lands, their categories, qualitative characteristics and economic value.
- Regulation on the order of compensation for losses of land users and damage of the agricultural production process, approved by the Resolution of the Government of the Republic of Tajikistan # 641, establishes an order of compensation of losses of land users (30 December, 2011).
- The Civil Procedural Code of the Republic of Tajikistan establishes an order, rules and terms of judicial protection in case of legal proceedings on matters related to involuntary resettlement.
- The Economical Procedural Code of the Republic of Tajikistan also establishes an order, rules and terms of judicial protection in case of legal proceedings on matters related to involuntary resettlement.

## 4.2 National Legal Provisions on Social Safeguards and Citizen Engagement

*Law on Freedom of Information* is underpinned by Article 25 of the Constitution, which states that governmental agencies, social associations and officials are required to provide each person with the possibility of receiving and becoming acquainted with documents that affect her or his rights and interests, except in cases anticipated by law.

According to the *Decree ‘Approval of the Order of costs reimbursements related to provision of information’* adopted on January 1, 2010, all state institutions are enabled to charge fees for providing any kind of information to journalists and public officials. The decree states that one page of information provided should cost up to 35 Somoni (US\$8).

The decree enables state officials to charge for photocopying official documents or extracts of official documents and for obtaining information from government officials in writing. Payment can be collected not only for the supply of printed information, but also for verbal information and clarification of legislative acts, decrees and regulations<sup>5</sup>.

Per the *Law on Public Associations*, a public association may be formed in one of the following organizational and legal forms: public organization, public movement, or a body of public initiative. Article 4 of this law establishes the right of citizens to found associations for the protection of common interests and the achievement of common goals. It outlines the voluntary nature of associations and defines citizens’ rights to restrain from joining and withdrawing from an organization. August 2015 amendments to this legislation require NGOs to notify the Ministry of Justice about all funds received from international sources prior to using the funds.

The 2014 *Law on Public Meetings, Demonstrations and Rallies* (Article 10) bans persons with a record of administrative offenses (i.e. non-criminal infractions) under Articles 106, 460, 479 and 480 of the Code for Administrative Offences from organizing gatherings<sup>6</sup>. Article 12 of the Law establishes that the gathering organizers must obtain permission from local administration fifteen days prior to organizing a mass gathering.

The 1994 *Law “On Self-Government Bodies in Towns and Villages”* assigns to jamoats a broad range of competencies and the mandate to support community efforts to address local socioeconomic needs. The 2009 amendment aims to strengthen local self-governance and accountability by delegating budget authority to jamoat councils, and introducing a system of direct election for jamoat councilors. The 2017 amendment allows jamoat councils to retain non-tax revenues earned through the provision of administrative services and a percentage of local property taxes. The 2017 amendment suggests a seriousness on the part of national government to enact policies that empower jamoat councils with authorities and resources needed to support local development and problem-solving.

*Law of Republic of Tajikistan on Appeals of Individuals and Legal Entities* (from July 23, 2016, № 1339), contains legal provisions on established information channels for citizens to file their complaints, requests and grievances. Article 14 of the Law sets the timeframes for handling grievances, which is 15 days from the date of receipt that do not require additional study and research, and 30 days for the appeals that need additional study. These legal provisions will be taken into account by the project-based Grievance Redress Mechanism.

*Labour Code* prohibits forced child (Article 8). The Labor Code also sets the minimum age at which a child can be employed as well as the conditions under which children can work (Articles 113, 67, and 174). The minimum employment age is 15, however, in certain cases of vocational training, mild work may be allowed for 14 year olds (Article 174 of the Labor Code). In addition, there are some labour restrictions on what type of work can be done, and what hours of work are permissible by workers under the age of 18. Examples of labor restrictions include: those between 14 and 15 cannot work more than 24 hours per week while those under 18 cannot work more than 35 hours per week; during the academic

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<sup>5</sup> ‘Commercial Laws of Tajikistan: An Assessment by the EBRD’. Office of the General Counsel. April 2012. European Bank for Reconstruction and Development.

<sup>6</sup> These provisions concern the hampering of gatherings (Article 106); disorderly conduct (Article 460); disobedience to police (Article 479); and violation of rules of conducting gatherings (Article 480).

year, the maximum number of hours is half of this, 12 and 17.5 hours, respectively. These limitations are consistent with the ILO Convention on Minimum Age. In addition, Law on Parents Responsibility for Children's Upbringing and Education, makes parents responsible for ensuring their children not involved in heavy and hazardous work and that they are attending school.

### 4.3 The World Bank Environmental and Social Standard on Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement (ESS5)

The WB's ESS5 recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. Project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood), or both. The term "involuntary resettlement" refers to these impacts. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement.

#### **ESS5 Objectives**

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives;
- To avoid forced eviction;
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

This ESS applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use undertaken or imposed in connection with project implementation:

- (a) Land rights or land use rights acquired or restricted through expropriation or other compulsory procedures in accordance with national law;
- (b) Land rights or land use rights acquired or restricted through negotiated settlements with property owners or those with legal rights to the land, if failure to reach settlement would have resulted in expropriation or other compulsory procedures;
- (c) Restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights. This may include situations where legally designated protected areas, forests, biodiversity areas or buffer zones are established in connection with the project;
- (d) Relocation of people without formal, traditional, or recognizable usage rights, who are occupying or utilizing land prior to a project specific cut-off date;

- (e) Displacement of people as a result of project impacts that render their land unusable or inaccessible;
- (f) Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, fresh water, medicinal plants, hunting and gathering grounds and grazing and cropping areas;
- (g) Land rights or claims to land or resources relinquished by individuals or communities without full payment of compensation; and
- (h) Land acquisition or land use restrictions occurring prior to the project, but which were undertaken or initiated in anticipation of, or in preparation for, the project.

This ESS does not apply to impacts on incomes or livelihoods that are not a direct result of land acquisition or land use restrictions imposed by the project. Such impacts will be addressed in accordance with ESS1.

This ESS does not apply to voluntary, legally recorded market transactions in which the seller is given a genuine opportunity to retain the land and to refuse to sell it, and is fully informed about available choices and their implications. However, where such voluntary land transactions may result in the displacement of persons, other than the seller, who occupy, use or claim rights to the land in question, this ESS will apply.

Where a project supports land titling or other activities intended to confirm, regularize or determine land rights, a social, legal and institutional assessment will be required under ESS1. The assessment aims to identify potential risks and impacts, as well as appropriate design measures to minimize and mitigate adverse economic and social impacts, especially those that affect poor and vulnerable groups. This ESS does not apply to disputes between private parties in land titling or related contexts. However, where persons are required to vacate land as a direct result of a project-supported determination that the land in question is state land, this ESS will apply (in addition to the relevant provisions of ESS1).

This ESS does not apply to land use planning or the regulation of natural resources to promote their sustainability on a regional, national or subnational level (including watershed management, groundwater management, fisheries management, and coastal zone management). Where a project supports such activities, the Borrower will be required to conduct a social, legal and institutional assessment under ESS1, in order to identify potential economic and social risks and impacts of the planning or regulation, and appropriate measures to minimize and mitigate them, in particular those that affect poor and vulnerable groups.

This ESS does not apply to management of refugees from, or persons internally displaced by, natural disasters, conflict, crime or violence.

## **ESS5 Requirements**

### *Project design*

The Borrower will demonstrate that involuntary land acquisition or restrictions on land use are limited to direct project requirements for clearly specified project purposes within a clearly specified period of time. The Borrower will consider feasible alternative project designs to avoid or minimize land acquisition or restrictions on land use, especially where this would result in physical or economic displacement, while balancing environmental, social, and financial costs and benefits, and paying particular attention to gender impacts and impacts on the poor and vulnerable.

### *Compensation and benefits for affected persons*

When land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, the Borrower will offer affected persons compensation at replacement cost, and other assistance as may

be necessary to help them improve or at least restore their standards of living or livelihoods. Compensation standards for categories of land and fixed assets will be disclosed and applied consistently. Compensation rates may be subject to upward adjustment where negotiation strategies are employed. In all cases, a clear basis for calculation of compensation will be documented, and compensation distributed in accordance with transparent procedures.

### *Community engagement*

The Borrower will engage with affected communities, including host communities, through the process of stakeholder engagement described in ESS10 on Stakeholder Engagement and Information Disclosure. Decision-making processes related to resettlement and livelihood restoration will include options and alternatives from which affected persons may choose. Disclosure of relevant information and meaningful participation of affected communities and persons will take place during the consideration of alternative project designs, and thereafter throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and relocation process.

### *Grievance mechanism*

The Borrower will ensure that a grievance mechanism for the project is in place, in accordance with ESS10 as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. Where possible, such grievance mechanisms will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes in an impartial manner.

### *Planning and implementation*

Where land acquisition or restrictions on land use are unavoidable, the Borrower will, as part of the environmental and social assessment, conduct a census to identify the persons who will be affected by the project, to establish an inventory of land and assets to be affected, to determine who will be eligible for compensation and assistance, and to discourage ineligible persons, such as opportunistic settlers, from claiming benefits. The social assessment will also address the claims of communities or groups who, for valid reasons, may not be present in the project area during the time of the census, such as seasonal resource users. In conjunction with the census, the Borrower will establish a cutoff date for eligibility. Information regarding the cut-off date will be well documented and will be disseminated throughout the project area at regular intervals in written and (as appropriate) non-written forms and in relevant local languages. This will include posted warnings that persons settling in the project area after the cutoff date may be subject to removal.

To address the resettlement impact, this ESS requires preparation of a RAP for the land acquisition process, once the extent of the direct impact is known. Where an impact is minor (less than 200 people, no person is physically displaced, and less than 10 percent of their productive assets are lost), an Abbreviated RAP can be prepared. For projects with significant impacts, a full RAP is required. The ESS5 requires that special attention is to be paid to the needs of vulnerable groups of the impacted population, especially to the residents living below the poverty line, the residents without land rights, the elderly, women, children, and ethnic minorities.

In principle, the Land Code of the Republic of Tajikistan and the World Bank ESS5 both adhere to the objective of compensation at replacement cost, but Tajikistan legislation does not provide for rehabilitation and in practice this has been left to ad hoc arrangements made by the Government of the Republic of Tajikistan.

To clarify these issues and reconcile eventual gaps between Tajikistan legislation and World Bank Policy, this RPF has been drafted for the Project, ensuring compensation at replacement cost of all items, the rehabilitation of non-titled people and informal settlers, and the provision of subsidies or allowances for PAPs who may be relocated, suffer business losses, or may be severely affected.

The main provisions affording reconciliation of the differences between Land Code of Tajikistan and World Bank's ESS5 include:

- Any PAPs, regardless of title or not, will be entitled to compensation (for structures, crops and trees) and rehabilitation measures under the project. This includes land-less people using land and squatters.
- PAPs and affected communities will be consulted on options and any impacts of land acquisition and resettlement.
- A social screening will be conducted to identify the level of potential impacts and appropriate mitigation measures.
- If land for land compensation is not technically feasible or socially viable, compensation will be in cash at full replacement cost at current market value.
- Compensation for any other assets affected (structures, crops and trees, as well as business/income loss) will be in cash or kind at full replacement cost at current market value. Vulnerable and poor PAPs will be entitled to additional measures as relevant, and gender issues will be addressed.
- Maintenance works will avoid or minimize, as far as possible, the need for land acquisition and resettlement.
- Compensation for temporary loss of land or assets, or for temporary disruption of income will be provided.

It must be especially noted that under the WB ESS5, status of those without legal title is clearly defined. In accordance with this policy, those people who do not possess official legal title or judicial rights for the land use, but still use the state land are entitled to receive compensation, taking into account the investments they made into the state land, their labor and lost assets, but not for land ownership as in the case of a titled owner. Instead, alternative sites are allocated for their use, or other forms of assistance in lieu of land compensation, are provided to those informally using or occupying land to the project cut-off date.

In case of disparity of the laws of the Tajikistan with the requirements of the WB ESS5 provisions on involuntary resettlement, the principles and procedures of ESS5 should be applied. This priority of WB norms over the national legislation is required for World Bank financed projects and provided by the national legislation.

## V. RAP Preparation, Approval and Disclosure Process

The first step in the process of preparing a RAP is the assessment to identify land plots and assets that may be affected by the Project. This assessment of land plots affected will be carried out by the NSIFT Safeguards Specialists in conjunction with the representatives of local self-government bodies, and will be used to identify the types and nature of potential impacts associated with the activities proposed for implementation under the Project, to adopt respective impact mitigation measures. This assessment also shows that the prevention or minimization of resettlement is a key criterion in preparation of the RAP prior to implementation of the SERSP.

The assessment will be carried out according to the established criteria detailed in Annex 1, and will be documented in the form of a report on screening (see Annex 1-3) of the expected social impacts, following the adoption of main technical solutions or detailed sub-projects.



The design will not be completed until it is clearly established that all attempts have been made to minimize the impacts of resettlement. If the assessment indicates the need for physical displacement, land acquisition, impact on assets or negative impact on economic resources, whether or not there is physical displacement, the next step will be a social and economic census and inventory of the land resources and assets in order to determine the extent of the need for resettlement. This will be followed by the development of the RAP for the Project, following the steps outlined below.

## 5.1 Census, Social and Economic Surveys, Inventory of Losses

The census and socio economic survey shall be carried out using a structured questionnaire to record the details of the present occupants of land being acquired, their tenure status (primary land user or secondary land user), the extent of land required for the proposed improvements, in order to: (i) assess the magnitude of impact to private assets; and (ii) to assess the extent of physical and/or economic displacement, as well as standard of living, inventory of assets, sources of income, level of indebtedness, profile of household members, health and sanitation, perceived benefits and impacts of the sub-project and resettlement preferences of those who require to relocate. This information would facilitate the preparation of a resettlement action plan to mitigate adverse impact.

The purpose of the baseline socio-economic survey of affected persons is to capture the socio-economic characteristics of the affected persons and to establish monitoring and evaluation parameters. The key socio-economic indicators will be used as a benchmark for monitoring the socio-economic status of project affected persons. The survey shall cover all PAPs and the survey shall also collect gender-disaggregated data to address gender issues in resettlement. As part of socio-economic survey, a wide range of consultations with different impacted groups as well as other stakeholders will be conducted to ascertain their views and preferences. Based on the outcome of these consultations the design changes, if required, and mitigation measures will be incorporated. Consultations will include women and their concerns and reactions, in particular to land tenure, livelihood impacts, delivery of compensation, and resettlement planning, will be addressed through appropriate mitigation.

A cut-off date will be established during the census and will be the date of the population census and enumeration of impacted assets. Following the census, a RAP will be developed based on the collected data of impacts and impacted persons.

## 5.2 Preparation of Resettlement Action Plans

RAP will be prepared after the social and economic census and the identification of project affected parties. The RAP will be drafted in consultation with the project affected parties. In particular, consultations will be held on compensation entitlement, as well as on emerging obstacles to economic and livelihood activities, on assessment methods, compensation, possible assistance, PAPs' inspirations, grievance mechanisms, as well as on the timeline for implementation. The final version of the RAP will incorporate PAP's remarks/comments. The key RAP elements indicated in ESS5 are listed below. More detailed guidance on RAP preparation is available on the World Bank website or in the World Bank's Involuntary Resettlement Sourcebook.<sup>7</sup> The RAP contents are also outlined in the Annex 5. The level of Project impact on individual affected people is not expected to be significant (i.e., the PAPs are not likely to be physically displaced or lose their productive assets). It is expected that the number of affected people under any single subproject will be less than 200 people. In such cases, an abbreviated RAP can be prepared. If the number of affected people exceeds 200, a full RAP will be developed. However, given the community driven village level subprojects under the project, no interventions will lead to physical or economic displacement of 200 or more persons.

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<sup>7</sup> The sourcebook is available through the following link:  
<http://documents.worldbank.org/curated/en/206671468782373680/pdf/301180v110PAPE1ettlement0sourcebook.pdf>.

The abbreviated RAP will include several standard sections, such as: description of project impact and valuation of affected assets, description of affected people and of their basic socioeconomic and demographic characteristics, institutional arrangement and implementation procedures, compensation and assistance to be provided to affected people; results of consultations, monitoring and evaluation procedures, timeline and budget, at minimum. The data on the project-affected households are considered as an important component of the RAP; however, due to respect for privacy, the information relating to particular individuals and households shall not be subject to public disclosure. Data collected at the beginning of the RAP process can then be used as a baseline to ensure affected persons and households are able to maintain, or preferably improve, their standard of living to pre-project levels.

Where a full RAP needs to be developed, it should include the following at minimum: (i) baseline census and socioeconomic survey information; (ii) specific compensation rates and standards; (iii) policy entitlements related to any additional impacts which are not identified in this RPF but which are identified through the census or survey during implementation; (iv) programs for improvement or restoration of livelihoods and standards of living; (v) implementation schedule for resettlement activities; (vi) and detailed cost estimate.

### 5.3 Disclosure and approval

The following steps should be followed after full/ abbreviated RAP preparation:

- The draft RAP shall be subject to discussion with PAPs who will receive a copy of the RAP a week before the discussion. Public consultations shall be attended by PAPs, LSG representatives, NSIFT representatives, and NGO representatives.
- After the discussion, comments and proposals shall be reflected in the RAP.
- The RAP shall include a section of the consultation process with the matrix of comments and proposals for the inclusion and implementation thereof.
- The Safeguards Specialists shall submit the RAP to the Project Coordinator for approval.
- After inclusion of the comments received as a result of disclosure of the RAP and after approval thereof by the Project Coordinator, the RAP shall be officially sent to the WB for review and confirmation on the compliance with ESS5 and other applicable policies/procedures.
- Once the World Bank confirms the acceptability of the quality of each RAP, it shall be disclosed on the WB website, published as a final RAP on the NSIFT website and re-shared with all stakeholders. Private information about PAPs shall not be made publicly available.

No changes shall be made to the compensation entitlement matrix, eligibility criteria, compensation rates, or provisions for assistance without the prior World Bank's consent.

## VI. Eligibility Criteria and Procedures for Various Categories of Project Affected People

This section sets out eligibility criteria, which are necessary to determine who will be eligible for resettlement and benefits, and to discourage claims of ineligible people.

### 6.1 Principles

The involuntary taking of land results in relocation or loss of shelter; and loss of assets or access to assets or loss of income sources or means of livelihood, whether or not the PAPs must move to another location. Meaningful consultations with the affected persons, local authorities and community leaders will therefore allow for establishment of criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance.

### *ESS5 Eligibility Classification*

Affected persons may be classified as persons:

- (a) Who have formal legal rights to land or assets;
- (b) Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or
- (c) Who have no recognizable legal right or claim to the land or assets they occupy or use.

Those covered under (a) and (b) above are to be provided compensation for the land they lose, and other assistance in accordance with this RPF.

Persons covered under (c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this RPF, if they occupy the project area prior to a cut-off date established by the project authorities in close consultation with the potential PAPs, local community leaders and the respective local authorities and acceptable to the World Bank.

Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in (a), (b) or (c) above are to be provided with compensation for loss of assets other than land. It is therefore clear that all project affected persons irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the land or had use of it, before the entitlement cut-off date.

Eligibility for assistance under World Bank ESS5 also applies for project affected persons even if it is deemed that Tajikistan legal provisions provide for temporary or permanent acquisition of private land immediately adjacent to existing public roads without compensation.

## 6.2 Eligibility Criteria and Entitlements

The RPF stipulates eligibility and provisions for compensating all types of losses (land, crops/trees, structures, business/employment, and workdays/wages). All PAPs including non-titled or informal dwellers will be compensated for lost assets (crops, structures, trees and/or business losses) and will receive (i) compensation (as required, to match replacement value), and/or (ii) replacement land, structures, seedlings, other resettlement assistance such as shifting allowance, assistance with rebuilding structures, compensation for loss of workdays/income.

The criteria for eligibility is based on PAPs belonging to one of three groups: (a) those who have title or formal legal rights to land; (b) those who do not have formal legal rights to land at the time of the Inventory of Losses (IOL)/Detailed Measurement Survey (DMS) or census begins but have a claim to such land or assets—provided that such claims are recognized under the laws of the country or become recognized through a process identified in the RAP;<sup>8</sup> and, (c) those who have no recognizable legal right or claim to the land they are occupying (i.e. non-titled users or informal settlers).

The PAPs who are entitled to compensation under the Project include:

- Persons whose structures are in part, or in total, affected temporarily or permanently by the Project;

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<sup>8</sup> This includes people who have not yet completed registration and who are considered as "legalizable" users (this will be identified as a form of land tenure in the IOL), they will be entitled to compensation as if they are legal/titled owners of land. The RAPs prepared will establish that continued facilitation of the registration process will be undertaken as part of livelihoods/wellbeing restoration under the Project's resettlement process.

- Persons whose residential or commercial premises and/or agricultural land (or other productive land) is in part, or in total, affected (permanently or temporarily) by the Project;
- Persons whose businesses are affected in part, or in total, (temporarily or permanently) by the Project;
- Persons whose employment or hired labor or share-cropping agreement is affected, temporarily or permanently, by the Project;
- Persons whose crops (annual and perennial) and/or trees are affected in part, or in total, by the Project;
- Persons whose access to community resources or property is affected in part, or in total, by the Project.

Where land is to be acquired, titled or legalizable PAPs will receive compensation for land acquired by the Project at replacement cost. This will be in cash at replacement value or land-for-land with a combination of productive potential, location advantages, and other factors of which is at least equivalent to the advantages of the land taken to the satisfaction of the PAP (of equal size and/or productive value and be satisfactory to the PAP). Non-titled PAPs are not eligible for compensation for land but will receive compensation for assets attached to land and other assistance as required, in lieu of land compensation.

Households headed by single women with dependents and other vulnerable households will be eligible for further assistance to fully mitigate project impacts. Table below presents the Project’s entitlement matrix, based on potential losses.

Compensation eligibility will be limited by a cut-off date to be set for each subproject and PAPs who settle in the affected areas after the cut-off date will not be eligible for compensation. They, however will be given sufficient advance notice, requested to vacate premises and dismantle affected structures prior to project implementation. Their dismantled structures will not be confiscated and they will not pay any fine or sanction. Forced eviction will only be considered after all other efforts are exhausted.

### 6.3 Entitlement Matrix: Eligible PAPs, Assets and Compensation Guidelines

*Table 2. Entitlement Matrix*

<b>Project Impact</b>	<b>PAP Category</b>	<b>Asset Affected</b>	<b>Compensation Guide</b>
Permanent acquisition of land for works such as construction of small infrastructure facilities (schools, water pipelines, energy sub-stations etc.)	Primary land user	Land	Replacement land of equivalent market value as priority option within 3 km radius. Failing availability of land, cash compensation at replacement cost. If over 10% of land is acquired, an additional 5% of replacement value will be paid (increasing to 10% if over 20%) as a severe impact subsidy. If the remainder of the plot is not economically viable the entire plot will be purchased/compensated
Temporary acquisition of land for works, or construction.	Primary land user	Land	Rental estimated value of land based on market rates and restoration of land and all assets thereon to former status. In the case of loss of income, disturbance allowance set on the basis of minimum wage for each week (7 days) of disturbance calculated on a pro rata basis.

Temporary acquisition of land for works, or construction	User/occupier without certificate	Land	Restoration, replacement or compensation of all assets damaged or removed. In the case of loss of income, disturbance allowance set on the basis of minimum wage for each week (7 days) of disturbance calculated on a pro rata basis.
Permanent acquisition of land for works such as construction of small infrastructure facilities.	Land renter or share-cropper	Land	In addition to land user compensation. Re-imbusement of rent for remainder of contract period, plus 3 months of rent or 3 months of market price of share-cropping produce as disturbance allowance.
Permanent acquisition of land for works associated with the construction of small scale infrastructure.	User/occupier without certificate	Land	Compensation equal to 3 months of rent/share-cropping benefit as disturbance allowance.
Permanent acquisition of land for works associated with the construction of small scale infrastructure.	Primary land user	Crops	In addition to land compensation, will be allowed to take standing crop and cash compensation for 2 seasons or annual crop yield depending on the crop.
Permanent acquisition of land for works associated with the construction of small scale infrastructure facilities.	Tenant farmer, share-cropper or informal user/occupier	Crops	In addition to land compensation, allowed to take standing crop and cash compensation for 2 seasons or annual crop yield depending on the crop.

Permanent acquisition of land for works associated with the construction of small scale infrastructure facilities.	Owner	Business	In addition to land compensation, owner will be paid for the lost income during the transition period, calculated on the basis of average daily /monthly income. Further, an additional payment equivalent to three month's income will be paid to restart the business in the new location
Permanent acquisition of land for works associated with the construction of small scale infrastructure.	Renter	Business	The renter will be reimbursed the rent for the remainder of the contract. Further, an additional payment equivalent to three month's income will be paid to restart the business in the new location.
Temporary acquisition of land for works, or construction.	Owner	Business	Rental value of land based on market rates and restoration of land and all assets thereon to former status. In addition, owner will be paid for the lost income during the transition period, calculated on the basis of average daily / monthly income.
Temporary acquisition of land for works, or construction.	Renter	Business	In addition to the reimbursement of rent during the transition period, the renter will be paid for the lost income during the transition period, calculated on the basis of average daily /monthly income.
Common Property uses such as Grazing	User	Grazing land	Grazing can continue. No expected impacts on grazing land.
Destruction of fruit tree (mature)	Owner	Fruit tree	Allowed to take standing crop. Price of a sapling and associated cost (fertilizer, water, labor) and cash compensation for the value of a mature tree harvest multiplied by number of years it will take for the sapling to reach maturity
Commercial tree owner	Owner	Commercial trees	Price of a sapling and cash compensation for the market value of the commercial tree. Any costs associated with planting of saplings in the new plot.
Permanent acquisition of legal structure.	Owner of structure	Any structure including house, fence, or sanitation structure etc.	Replacement structure or cash compensation at replacement value of a new structure plus full compensation for all fees needed to make replacement structure legal. Affected buildings/ structures should be compensated in their entirety.

Permanent acquisition of illegal structure	Owner of structure	Any structure including house, fence, or sanitation structure etc.	Replacement structure or cash compensation at replacement cost. Affected buildings/ structures should be compensated in their entirety.
Temporary acquisition of legal structure	Owner of structure	Any structure including house, fence, or sanitation structure etc.	Structure restored to original condition. If inconvenienced then build a temporary replacement structure to service the affected person.
Temporary acquisition of illegal structure	Owner of structure	Any structure including house, fence, or sanitation structure etc.	Structure restored to original condition with alternatives for legalization. If inconvenienced then build a temporary replacement structure to service the affected person.
Vulnerable people	Identified on the basis of the socio-economic survey and criteria developed such as income level, disability, household size, etc. Vulnerable people may include the disabled, pensioners, widows, female-headed households, and impoverished households) and only if project renders them vulnerable.		In addition to compensation for assets lost, a lump-sum equivalent to 3 month of average salary payments could be paid depending on the impacts. Any additional impacts to be identified and compensated, for example logistical support may be required for moving, and assistance in the restoration of livelihoods may be required.

In none of these cases, the PAPs will be liable for any taxes and eventual transaction fees; these will be paid by the implementing agency from the resettlement budget to be contributed by the Government of Tajikistan. Besides, the amount to cover bank service fees will be added on top of the amount of cash compensation to be received by PAPs at the banks.

## 6.4 Voluntary Land Donation

In case of small sections of land required for micro level subproject activities, the project may seek support from the community to donate lands. However, the community members have the right to make a contribution of their land or other assets without seeking or being given compensation at full replacement value. Voluntary contribution is an act of informed consent. Local Authorities must assure that voluntary contributions are made with the affected person's full and prior knowledge of the availability of other options (including compensation at replacement cost) and are obtained without coercion or duress. Also, voluntary donations are allowed only if the affected people are direct beneficiaries of the investments that cause such impact. Proposals including voluntary contributions will not be submitted for approval where they would significantly harm incomes or living standards of individual owners or users (the size of land contributed on a voluntary basis should not exceed 5% of that individual's total land holding).

Specifically, the following protocol will govern voluntary contributions under the project:

- Voluntary contributions are an act of informed consent and affected people are not forced to donate land or other assets with coercion or under duress, or misled to believe that they are obliged to do so, without regard to the legal status of their land occupancy.

- Land alienation should not result in physical or economic displacement.
- The impacts must be minor. the households contributing land or other assets are direct beneficiaries of the sub-project; the impact is less than 5% of the total productive assets owned by said household.
- The facilities requiring land should not be site specific.
- The land in question must be free of squatters, encroachers, or other claims or encumbrances.
- The land must be identified by the Mahalla Committee, and not by NGO or NSIFT or other line agencies or project authorities. However, the project technical authorities should ensure that the land is appropriate for sub-project purposes and that the sub-project will not have any adverse health or environmental safety hazards.
- Voluntariness will be ascertained by NSIFT with due signing by a higher level official. A process to this effect will be formulated by NSIFT and shared with the Bank for approval.
- Verification of the voluntary nature of land donations must be obtained from each of the persons/ household donating land. This should be in the form of signed statements.
- NSIFT/ NGO will also create awareness among the community to devise mechanisms to express a sense of gratitude to those households donating lands. These will find a place in the statements.
- Other things being equal, land donations will not be accepted by FHHs and elderly people.

The affected people are fully informed that they have the right to refuse to donate land or other private assets, and instead receive compensation at replacement cost, and that a grievance handling mechanism is available to them through which they can express their unwillingness to donate. Furthermore, people are encouraged to use the grievance handling mechanism if they have questions or inquiries, either in writing or verbally.

## 6.5 Methods to Determine Cut-Off Dates

Once the design of an activity has been finalized and legal procedures completed, a RAP will be prepared for the activity. As part of the RAP, a census will be undertaken to identify all the PAPs and the related levels of impact. The date when the census begins is the cut-off date for eligibility for resettlement and compensation. Hence, it is important that this date is fully communicated to all potential PAPs, including through local and national mass-media in the project affected area with sufficient time for these people to ensure their availability for the census.

This communication will be done through NSIFT, and in line with the consultation procedures outlined in this document. The potential PAPs will be informed through both formal notification including through local and national mass-media, in writing and by verbal notification delivered in the presence of the community leaders or their representatives.



## VII. Methods of Valuating Affected Assets

This section sets out the guidelines for determining the value of affected assets.

### 7.1 Type of Compensation Payments

Compensation for all land use and assets in kind or cash as guided by the entitlement matrix will be required for the following:

- Land;
- Residential buildings, structures and fixtures;
- Cultivated crops (both cash and food crops) and trees; and
- Business houses like shops and restaurants.

In addition, disturbance allowance, storage of goods, replacement of lost services and other assistance will be given, as outlined in the Entitlement Matrix above. However this is *for guidance only and it is essential that at the time of detailed RAP preparation current market values and replacement cost values are used to establish actual compensation*. All cash amounts will be adjusted to reflect any economic changes and buying power of currency since the preparation of this RPF. The NSIFT will evaluate the compensation amounts recommended in the RAP and ensure that they reflect market reality and that it is consistent with Republic of Tajikistan laws as long as it meets the requirements of WB ESS5.

### 7.2 Preparation of Asset Inventory

During the survey, each asset will be enumerated and inscribed on an inventory and a valuation of the asset carried out using the principles and guidance of the RPF. The total list of affected assets and their assigned values including any additional compensatory measures will be recorded in a register and shown to the affected person for agreement. The register will be signed and a copy given on the spot to the affected person. The document will indicate when the affected person will be notified, and that the inventory will not be official until a second signed copy, verified by project supervisory staff, is returned to the affected person. At this time, a copy of the grievance procedure will also be given to the affected person as stated in the grievance redress mechanism.

### 7.3 Valuation Method

#### 7.3.1. Compensation for Land

In the event of permanent land acquisition of titled land, the first premise is provision of replacement land. In the case where no alternative land is available within a reasonable distance such as to minimize disruption to other aspects of socio-economic life, cash compensation at full replacement value should be provided. This should be valued based on the prevailing market value in the locality to purchase an equally productive plot of land in the same locality. In addition, any associated costs of purchasing the land i.e., taxes, registration fees will need to be included in the compensation.

In addition, the PAP will be compensated for any permanent improvements made to the land (for instance irrigation structures). This will be calculated based on the price of making the permanent improvement at current prevailing market rates for labor, equipment and materials.

Where land lost is only a small proportion of total land owned by the PAP (as per discussion with the Government officials in Dushanbe, this will be likely the case with most of the land users), but renders the

remaining land as unusable, the compensation provided should be calculated based on the total land affected (i.e., the actual land lost plus the remaining unusable land).

Where land is temporarily acquired, standing crop will be compensated at fully matured market rate or government rate, whichever is higher. The compensation will be paid to the tiller rather than the owner, where the tiller is not the owner (e.g. tenant or share cropper). There will hence be no adjustment in the terms of the rent of share cropping agreement. Aside from the payment for standing crop, the project will ensure that the land is returned to its original form so it is suitable to resume its former use.

### 7.3.2 Calculation of Crops and Fruit Trees Compensation Rate

The current prices for the crops will be determined taking into account the Government recommended rate and the highest market price, whichever is higher. Where land is rented, 2 seasons or annual crop estimate, depending on the crop will be compensated. Where land is owned, aside from the replacement land or cash compensation for land, the owner will also get compensation for 2 seasons or annual crop estimates depending on the crop. The crops used will be the ones that are currently or have most recently been cultivated on that land. In addition, PAPs will be encouraged to harvest their produce before loss of land. In order to ensure that this is possible, and that appropriate market prices are received for yields, there needs to be sufficient consultation beforehand so that harvesting can be properly planned.

The value of the labour invested in preparing agricultural land will be compensated at the average wage in the community for the same period of time. The rate used for land compensation should be updated to reflect values at the time compensation is paid.

Fruit trees will be compensated to the owner based on the price of a replacement sapling along with the annual value of the fruit produced by that tree for the number of years it will take the sapling to reach full maturity, using Government or highest market price, whichever is higher.

### 7.3.3. Compensation for Structures

The preferred option is to provide alternate structures (latrines, storage facilities, fences etc.) of at least equal quality and of improved quality where possible. The second option is provision of cash compensation at full replacement value.

Replacement values will be based on:

- Measurements of structures and detail of materials used.
- Average replacement costs of different types of household buildings.
- Structures based on collection of information on the numbers and types of materials used to construct different types of structures (e.g. poles, bricks, rafters, bundles of straw, corrugated iron sheets, doors etc.).
- Prices of these items collected in different local markets.
- Costs for transportation and delivery of these items to the acquired/ replacement land or building site.
- Estimates of construction of new buildings including labor required.
- Compensation will be made for structures that are (i) abandoned because of relocation or resettlement of an individual or household, or (ii) directly damaged by subproject activities.

### 7.3.4. Compensation for Community Assets

Compensation will be provided for community assets identified through the socio-economic survey. In all cases these will be provided in kind and new facilities will be provided even if there are existing facilities at the new location.

### 7.3.5. Compensation for Sacred Sites

This policy does not permit the use of land that is defined to be cultural property by the Bank's Environmental and Social Standard 8. Sacred and genocide war memorial sites include but not restricted only to museums, altars, initiation centres ritual sites, tombs and cemeteries. It includes other such sites or places/features that are accepted by the legislation of the Republic of Tajikistan (including customary), practice, tradition and culture as sacred. To avoid any possible conflicts between individuals and/or communities, the use of sacred sites for any project activity, is not permitted under this project. Relevant clauses will also be inserted in the civil works contracts.

### 7.3.6. Compensation for Loss of Businesses

Any structures will be replaced in an appropriate location as outlined above. In addition, compensation will be paid for the lost income and production during the transition period (time lag between losing the business and re-establishment). This will be estimated based on the daily or monthly income of the affected parties.

## VIII. RPF and RAP Implementation Arrangements and Procedures

### 8.1 Overview of the process flow

Overall, activities for the SERSP will be predicated on the principles of transparency, inclusiveness and responsive citizen engagement throughout the Process cycle. Citizen engagement values the right of citizens to have an informed say in the decisions that affect their lives. It is based on a two-way interaction and dialogue with government and emphasizes the sharing of power, information, and a mutual respect between government and citizens.

With regards to RPF implementation, NSIFT will be supporting Jamoat Project Commissions (i) to implement social screening and evaluation of subproject eligibility from the safeguards point of view; (ii) to communicate and coordinate with relevant government authorities (Land Administration Agency and its branches); (iii) to ensure proper implementation of the RPF, requirements as well as social due diligence tasks during the subprojects' realization; (iv) to address complaints and feedback from project stakeholders and the public, including grievances regarding environmental/social impacts of subprojects; (v) to supervise mitigation measures stipulated in the RAP implementation; (vi) to monitor social impacts as part of overall monitoring of the subproject implementation; and (vii) to report on social impacts originated during implementation of sub-projects and analyzing the efficiency of mitigation measures applied to minimize negative consequences. Together with subproject implementors and beneficiaries, NSIFT and the JPCs are responsible for the implementation of above safeguards activities.

For successful implementation of the RPF, the following project staff and structures will be required:

- NSIFT/PMU project team – 1 engineer, 1 social development specialist, 1 M&E Specialist
- NSIFT/Branches in Kulob, Bortar and Khorog - 1 engineer, 1 social development specialist in each branch
- NGO Facilitating Partners - 1 engineer, 1 social development specialist, 1 M&E Specialist
- JPC and VPC – 1-2 social screening experts assigned, GRM committee established and a focal point assigned in each target jamoat and villiage
- Khukumat (district administration) – 1 GRM focal point and the GRM Committee established.

To implement the RPF the project team will follow the below described Process Cycles by the components and at the subproject level.

*Table 3. Process Cycle for Component 1*

<b>PROCESS CYCLE FOR COMPONENT 1</b>				
1.	<b>Activity</b>	<b>Primary</b>	<b>Secondary</b>	<b>Associates</b>
2.	Selection of villages in the target jamoats and districts based on the specific criteria	NSIFT	NGO	Focal points at jamoat and district levels
3.	Clearance and approval of the list of selected villages in target districts	WB SERSP TTLs	District Chairmen	
4.	Outreach and orientation at the village, jamoat, and district levels	Focal points at village, jamoat and district levels	NSIFT	NGO
5.	Establishment of Village Project Committees and Jamoat Project Commissions	NGO	NSIFT	Jamoat and mahalla committees

6.	Establishing GRM at the village, jamoat, district and project levels	NSIFT	VPC, JPC, District Focal point	
7.	Participatory village needs assessment and subproject prioritization	NGO	NSIFT	Village Project Committees
8.	Subproject screening for environmental and social risks	Jamoat Project Commissions	NSIFT	
9.	Subprojects screening report review and approval	WB ES Specialists	WB local consultants	
10.	Gender Action Plan (GAP) development	NSIFT	NGO	
11.	GAP review and approval	WB Social Specialists		
12.	Subproject development	JPC, VPC	NSIFT	
13.	Development of ESS instruments (ESIA/ESMP, RAP if needed)	NSIFT	External experts/firm	
14.	Review and approval of ESS instruments	WB ES Specialists	WB local consultants	
15.	Subproject design approval	NSIFT	WB	
16.	Participatory implementation of subprojects	JPC, VPC	NGO	
17.	Implementation of ESMPs	Contractors	NSIFT	WB
18.	Monitoring of ESMP implementation	JPC	NSIFT	WB
19.	Subproject procurement prior review	WB	NSIFT	
20.	Subproject procurement	JPC and NSIFT		
21.	Subproject management (including financial management)	JPC	NSIFT/NGO	VPC certifies the payments
22.	Subproject participatory monitoring	Mahalla committees	NGO	
23.	Participatory Operations and Maintenance	Mahalla-associated VPCs	Jamoat	District administration
24.	Semiannual social audits	VPC and JPC	NSIFT/NGO	Mahalla committees
25.	Semi-annual community scorecards	VPC and JPC	NSIFT/NGO/Firm	Mahalla committees
26.	Monitoring and Evaluation of the project	NGO	NSIFT	WB
27.				

Table 4. Process Cycle for Component 2

<b>PROCESS CYCLE FOR COMPONENT 2</b>				
	<b>Activity</b>	<b>Primary</b>	<b>Secondary</b>	<b>Associates</b>
1.	Inventory of youth and women spaces and their conditions in target villages, jamoats, districts	Local consultant/expert/engineer	NSIFT	khukumat, jamoat, women and youth committees
2.	Selection of youth and women spaces in the target jamoats and districts based on the specific criteria or Participatory jamoat and district needs assessment and subproject prioritization	NSIFT	Community members	Focal points at jamoat and district levels

3.	Procurement of NGO services for youth component implementation in 2 regions	NSIFT	Governors' offices	
4.	Prior review and approval of the procurement of NGO services for youth component implementation in 2 regions	WB		
5.	Review and approval of the list of selected youth spaces	WB SERSP TTLs	District Chairmen	
6.	Outreach and orientation at the village, jamoat, and district levels for components 1&2	Regional NGO	NSIFT	
7.	Following GRM at the village, jamoat, district and project levels under component 1	NSIFT	VPC, JPC, District Focal point	
8.	Subproject screening for environmental and social risks	NSIFT regional engineers and Social specialists	NGO	Jamoat Project Commissions
9.	Subprojects screening report review and approval	WB ES Specialists	WB local consultants	
10.	Subproject technical design procurement	NSIFT	JPC	Contractors
11.	Development of site specific ESMP or RAP, if needed	NSIFT	External experts/firm	
12.	Review and approval of ESS instruments	WB ES Specialists	WB local consultants	
13.	Subproject design approval	NSIFT	WB	
14.	Participatory implementation of subprojects	JPC, VPC	NGO	
15.	Implementation of ESMPs, RAPs	Contractors	NSIFT	WB local consultants
16.	Monitoring of ESMP implementation	JPC	NSIFT	WB local consultants
17.	Subproject procurement prior review and approval	WB	NSIFT	
18.	Subproject procurement	NSIFT	JPC	Contractors
19.	Training package development and implementation to give the target youth access to experiential learning	NGO	NSIFT	WB
20.	Business development and entrepreneurial trainings at the youth inclusive and communal spaces in jamoats	NGO	NSIFT	WB
21.	Livelihoods development training (outreach and boot camp training)	NGO	VPC, JPC	
22.	Subproject management (including financial management)	NSIFT/NGO	JPC	VPC certifies the payments
23.	Subproject participatory monitoring	Mahalla committees	NGO	VPC
24.	Participatory Operations and Maintenance	District administration	Jamoat	Mahalla-associated VPCs
25.	Semiannual social audits	VPC and JPC	NSIFT/NGO	Mahalla committees
26.	Semi-annual community scorecards	VPC and JPC	NSIFT/NGO/Firm	Mahalla committees
27.	Monitoring and Evaluation of the project	NGO	NSIFT	WB

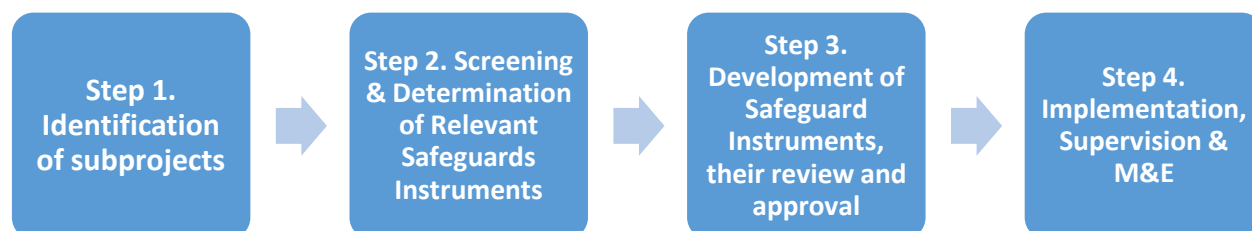


Figure 1. The RPF Process Cycle at the Subproject Level

## 8.2 Screening of Project Activities

### 8.2.1 List of Non-Eligible Activities for SERSP Subprojects

The initial screening for the eligibility of the subproject will be based on the list of excluded activities that will be not be permitted by the WB. Therefore, subproject proposals that include these activities will not be considered for financing.

Non-eligible activities for Component 1& 2 subprojects are listed in Table 5 below.

Table 5. List of Non-Eligible Activities for SERSP Subprojects

Require physical relocation or displacement
Will cause negative impact on income/livelihood resources
Involve any kind of forceful evictions of people
Negatively impact assets of individual(s) or household(s)
Do not meet the required technical and quality specifications
Have negative environmental or social impacts that are irreversible, create cumulative impacts and/or cannot be adequately mitigated;
Exclude the poor/marginalized population or otherwise vulnerable groups;
Do not provide equal pay for equal work for women and men;
Are financed, or scheduled to be financed, by the government or other development partners;
Include the payment of compensation for land or asset loss from the proceeds of the World Bank financing or other government sources;
Finance the construction of any new dams or the rehabilitation of existing dams including structural and or operational changes;
Finance private goods, government offices or religious buildings;
Involve activities that use forced /child labor
Involve activities that cause or lead to child abuse, child labor exploitation or human trafficking; No child under the age of 15 should work on the construction, rehabilitation or maintenance of a sub-project.
Entail the purchase or use of drugs, military equipment or other potentially dangerous materials and equipment, including chain saws, pesticides; insecticides; herbicides; asbestos (including asbestos-containing materials); or other investments detrimental livelihoods including cultural resources;
Involve development of new settlements or expansion of existing settlements in critical habitats, protected areas or areas proposed for certain levels of national protection (e.g., reserved forests).

The first step in the process of preparing individual RAPs is the screening process to identify the land/ areas that may result in resettlement impacts. This screening is used to identify the types and nature of potential impacts related to the activities proposed under this project, and to provide adequate measures to address them. It also ensures that the avoidance or minimization of resettlement is a key criterion when designing project activities.

Screening will be undertaken in accordance with established screening criteria and procedures by NSIFT which is given the responsibility to manage and oversee the construction process under both Components. Completed screening forms will be verified by the NSIFT Social Development Specialists based in the branch offices in Bokhtar, Kulob and Khorog. No design will be finalized unless it is clearly determined that every effort has been made to minimize resettlement impacts.

*Table 6. Screening Steps for Community-led Social and Economic Infrastructure Investments*

- a) NSIFT or FP (engineers and social specialists) supported by JPC conduct screening of the subproject with regard to prohibited/excluded activities;
- b) If the subproject passes the screening for the list of prohibited/excluded activities, NSIFT specialists assisted by Jamoat Project Commissions will complete the Social Screening table;
- c) Based on the Social Checklist, the subproject risk category and the type of SA to be conducted is determined– either a RAP or an ARAP;
- d) The results of the screening, including potential negative impacts and possible measures to mitigate impacts, are presented to community representatives during subproject prioritization meetings held at the Jamoat level by Jamoat Project Commission (JPC).

### 8.3 Socio-Economic Profiling and Inventory of Losses

Should the screening process show that land acquisition will be required, the next step will be the socio-economic identification and profiling of Project Affected Persons (e.g. their age, asset dependence, income, family status etc.). This is the equivalent of a census conducted for large-scale resettlement. Similar to a census, 100% of PAPs will be profiled. This step should take place at the same time as the inventory and valuation of all assets affected for each individual PAP.

Once these steps are completed and there is evidence of resettlement issues, a Resettlement Action Plan (RAP) will be developed on the basis of the data collected. This RPF provides a framework for the preparation of RAPs to address resettlement associated with the activities of this project.

The screening process will involve direct consultation with the PAP(s) who will work with the NSIFT representatives and officials from the Jamoat (sub-district), mahalla (village) and District Administration (or Mayor / Municipal Structures in case of cities and towns) on-site to verify the affected assets and discuss their socio-economic situation. Before the process begins, the PAP(s) will be advised in writing and verbally of their rights and will be consulted throughout the resettlement process. This will include sharing a copy of the grievance redress procedure and the entitlement matrix.

### 8.4 Due Diligence Review of Linked Activities

The local community driven interventions and socioeconomic infrastructures supported by the project may or may not be part of the Government and local government development activities. The initial review of some of the proposed interventions revealed that there might be some potential links to other development activities which need due diligence reviews. Therefore, in addition to above mitigation measures, some protocol should be established to review any infrastructure activities planned and/or implemented by other donors and/or government institutions, which may be associated or linked to the



sub-projects to be supported under the SERSP Project will be reviewed by the NSIFT and the WB social safeguards team members. Due diligence review report will be prepared to assess the associated social and reputation risks and to propose mitigation measures.

## 8.5 Estimates of affected population and assets in the project affected areas

Cases of temporary or permanent acquisition of individual land plots cannot always be avoided as suitable public land may not be available for the construction of infrastructure projects to be identified through CDD approach. The extent to which any temporary or permanent land acquisition will be necessary or whether the access and use of land will be constrained on a temporary or permanent basis is not yet known and can only be fully determined after each sub-project design is completed. NSIFT does not expect any demolition of capital structures during implementation of the Project, though the destruction of smaller-scale structures (fences etc.) cannot be fully precluded at this stage. Given that the impact on affected populations and/or assets are not yet clear, estimates will be produced when the project commences.

However, discussions with the officials from the Governors' administrations, NSIFT and Department of Land Code reveals that the impacts on the entire displaced population will be minor (i.e. affected people are **not** likely to be physically displaced and less than 10% of their productive assets will be lost) and fewer than 200 people would be affected in any activity.

## 8.6. Roles and Responsibilities

This section describes the roles and responsibilities to implement resettlement plans addressing physical and/or economic displacement described ESS5. The scope of requirements and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about (a) the proposed project and its potential impacts on the displaced persons and other adversely affected groups, (b) appropriate and feasible mitigation measures, and (c) the legal and institutional arrangements required for effective implementation of resettlement measures. The outline of the resettlement plans are enclosed in Annex 6.

A site specific assessment will be conducted in accordance with the WB ESS5, and site-specific resettlement plan will be prepared as a result of such evaluation. These will be the responsibility of NSIFT or FPs, however they will be supported by JPCs or VPCs. Table 7 indicates the process flow for the resettlement plans development:

*Table 7: Resettlement Plans Development Process Flow for Community-led Social and Economic Infrastructure Investments*

Step 1	<ul style="list-style-type: none"> <li>a) NSIFT or FPs (engineers or technical specialists) conduct screening of the subproject with regard to prohibited/excluded activities;</li> <li>b) If the subproject passes the screening for the list of prohibited/excluded activities, NSIFT specialists assist Jamoat Project Commissions (JPCs) and/or Village Project Committees (VPCs) to complete Social Screening Checklist;</li> <li>c) Based on the Social Checklist to determine the risk category;</li> <li>d) The results of the screening, including potential negative impacts and possible measures to mitigate impacts, are presented to community representatives during subproject prioritization meetings held by JPC at the Jamoat level.</li> </ul>
Step 2	<ul style="list-style-type: none"> <li>a) If the subproject requires a complete socio-economic profiling of Project Affected People (PAPs) and inventory of losses, it should be referred to NSIFT or FPs for further action.</li> <li>b) For <i>Substantial and Moderate Risk subprojects</i>, NSIFT or FPs specialist notes potential social risks and indicates how they will be prevented/mitigated in the Social Screening Table</li> </ul>
Step 3	If the subproject is selected for funding, NSIFT or FPs supported by JPCs or VPCs will prepare resettlement plans

Step 4	NSIFT or FPs assist JPCs or VPCs to organize its disclosure of the draft resettlement plans and organizes a public consultation, involving NGOs, community representatives, affected groups, etc. Formal minutes will be prepared to record inputs provided by the participants.
Step 5	JPCs or VPCs can proceed to implementation once the final resettlement plans is completed, updated based on community consultations, approved and disclosed before subproject appraisal.
Step 6	a. The subproject applicant will submit the full set of resettlement documents for consideration and further decision on funding; b. Upon approval of sub-projects, NSIFT or FPs will complete subproject appraisal and proceed with signing of the financing agreement with respective sub-project beneficiaries.
Step 7	The jamoat/mahalla conducts periodical supervision, monitoring and reporting, as per agreed monitoring plan.

The implementation arrangements of the RPF build on implementation arrangements for resettlement and compensation activities in line with the WB's ESS 5 outlined in this document. Distribution of the responsibilities of all parties involved in the resettlement plans implementation is given in Table 8.

Table 8: Roles and Responsibilities during Resettlement Plans Implementation

Responsible Party	Responsibilities
NSIFT	<ul style="list-style-type: none"> <li>• Approve the resettlement plans with the WB and disclose them at the NSIFT website</li> <li>• Arrange for the government funding approval and disbursements for the resettlement plans implementation                             <ul style="list-style-type: none"> <li>• Implement resettlement plans on site and provide regular reporting on implementation to the WB</li> <li>• Summarize the resettlement issues related to project implementation to WB in regular progress reports.</li> <li>• Be open to comments from affected groups and local authorities regarding resettlement issues of project implementation. Meet with these groups during site visits, as necessary.</li> </ul> </li> <li>• Provide guidance to the construction contractor and engineering supervision firm to follow the resettlement plans requirements on site together with JPCs/VPCs.</li> <li>• Coordinate and liaise with WB supervision missions regarding environmental and social safeguard aspects of project implementation.</li> <li>• Conduct regular monitoring activities for the implementation of site specific resettlement plans;</li> <li>• Manage GRM database and provide regular reporting on the number and substance of grievances</li> </ul>
NGO Facilitating Partner	<ul style="list-style-type: none"> <li>• Hold consultation meetings, and prepare and distribute leaflets or other informative documents to inform communities, and its impacts and construction schedule as well as rights and entitlements of PAPs</li> <li>• Set up a multi-level GRM, monitor and address grievances related to the project under specified timelines</li> <li>• Design and implement training and tools for building capacity of JPC an VPCs in social screening and community monitoring</li> <li>• Manage the grievance mechanism at the district level and communicate grievances to NSIFT regularly through RPF/Resettlement Plans monitoring reports.</li> <li>• Monitor site activities on a regular basis (daily, weekly monthly etc.)</li> <li>• Prepare the resettlement plans progress reports for the review of NSIFT.</li> </ul>
JPC an VPCs	<ul style="list-style-type: none"> <li>• Organize its disclosure of the final resettlement plans and organizes a public meetings, involving NGOs, community representatives, affected groups, etc. Formal minutes will be prepared to record inputs provided by the participants.</li> <li>• Manage the grievance mechanism at the jamoat and village levels;</li> <li>• Implement social screening of project sites during project implementation; and</li> <li>• Facilitate community monitoring;</li> </ul>
Contractors	<ul style="list-style-type: none"> <li>• Comply with the resettlement plans requirements;</li> <li>• Compensate or fix all damages occurred during construction (i.e. damages to crops, infrastructure) as set out in Resettlement plan/RPF and cleared with NSIFT or FP.</li> <li>• Manage GRM at the contractor's level</li> </ul>

World Bank	<ul style="list-style-type: none"> <li>• Review the site-specific Resettlement Plans and provide no objections to NSIFT.</li> <li>• Disclose final Resettlement plans on WB’s official website</li> <li>• Conduct implementation support and supervision missions in order to ensure that the Project is in compliance with WB ESS5.</li> </ul>
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The above table describes the optimal arrangements that build on responsibilities already in place to ensure that the requirements of this RPF are met for each project activity. These are based on the institutional structure at the time of writing the RPF. Should these institutional structures change, this will need to be reflected in the arrangements outlined.

## 8.7 Monitoring and Evaluation Arrangements

Component 3 will support Monitoring and Evaluation (M&E) activities to track, document, and communicate the progress and results of the project. An M&E team within NSIFT will be responsible for overall compilation of progress and results. This Component will finance NSIFT to prepare project reporting—semi-annual reports and quarterly unaudited IFRs—that will be submitted to the World Bank. This Component will also finance an MIS, which NSIFT will establish and utilize for project monitoring, automatic generation of project reports, project transparency (sub-project information will be publicized on maps), and citizen feedback.

While community monitoring will be supported under Subcomponent 1B, the NSIFT M&E team will quality of the community mobilization and other inclusion, voice, and agency activities with communities will be measured through community scorecards, which will be discussed and verified, along with financial records and project implementation records, in social audit meetings. Feedback and grievances received through the Beneficiary Feedback Mechanism will also be included in the semi-annual reporting. NSIFT’s M&E team will collate and analyze these semi-annual assessments of outcomes and perception-based results and enter them into the MIS and include them in semi-annual reports.

Results measurements will focus primarily on the outcomes defined in the results framework and the set of output indicators defined in the POM. This Component will also finance midline and endline project monitoring surveys to assess the PDO-level results indicators. NSIFT will be responsible for producing a completion report which draws on the MIS data and surveys prior to project completion.

### 8.7.1 Monitoring Plans

The social issues included within the mitigation measures are monitored and supervised by the local specialists appointed by the NSIFT. Although the social impacts are expected to be low, the potential negative social impacts are planned to be prevented or mitigated during the construction and operation stages.

Environmental and social monitoring system starts from the implementation phase of the project through the operation phase in order to prevent negative impacts of the project and observe the effectiveness of mitigation measures. This system helps the WB and the Client to evaluate the success of mitigation as part of project supervision and allows taking an action when needed. The monitoring system provides technical assistance and supervision when needed, early detection of conditions related to mitigation measures, follows up on mitigation results, and provides information of the project progress.

Environmental and social monitoring to be implemented by the NSIFT/PMU has to provide information about key environmental and social aspects of the subprojects, particularly the project environmental and social impacts and the effectiveness of taken mitigation measures. Such information enables to evaluate the success of mitigation as part of project supervision, and allows corrective action(s) to be implemented, when needed. In this regard the Monitoring Plan identifies monitoring objectives and specifies the type of

monitoring, and their link to impacts and mitigation measures. Specifically, the monitoring section of the RAP provides: (a) a specific description and details of monitoring measures, including the parameters to be measured, methods to be used, sampling locations, frequency of measurements; and, (b) monitoring and reporting procedures.

### 8.7.2 Monitoring and Reporting Responsibilities

Through its Safeguards Officers in branch offices in Kulob, Bokhtar and Khorog, the NSIFT/PMU will monitor all sub-projects that it finances to ensure conformity to safeguard requirements during construction, operation and maintenance. They will ensure full compliance with the contract conditions to the RPF/Resettlement Plans. Final payment to the contractor should be contingent on the final inspection, with particular attention to the requirement to restore the site to its original condition upon completion of rehabilitation activities.

PMU's Social Development Officers will visit to sub-project sites as and when necessary. Based on safeguard performance of different sub-projects, the PMU's Social Development Officers will advise on the subsequent disbursements that should be done for the contractors awarded a contract to implement sub-projects under the SERSP. If it is found that there is no RPF and/or Safeguards compliance, further disbursements will be stopped until safeguards compliance is ensured.

In addition, in the project areas the PMU will be responsible for the environmental and social monitoring activities identified above as part of the preventive actions and mitigation measures proposed to address potential adverse impacts. This monitoring will be incorporated into the overall project monitoring plan required by the World Bank as part of project performance.

As part of its environmental and social monitoring activities, the NSIFT/NGO will conduct random inspections of project sites to determine the effectiveness of measures taken and the impacts of sub project activities on the surrounding environment. The NSIFT/NGO are also responsible for processing, addressing and monitoring complaints and other feedback, including that on environmental and social issues.

The NSIFT will be responsible for RPF/Resettlement Plans reporting and will:

- Record and maintain the results of project supervision and monitoring throughout the life of the project. It will present summary progress reports on RPF/Resettlement Plans implementation and the safeguards aspects of subprojects on a semi-annual basis to the World Bank,
- Prepare biannual reports on the progress of implementation of measures proposed by the RPF/Resettlement Plans for selected sub-projects, and as part of this reporting, provide updates on any SERSP related as grievances/feedback that was received, that has been addressed and that may be pending;
- Prepare biannual reports on the social impacts originated during implementation of sub-projects and analyze the efficiency of mitigation measures applied to minimize negative consequences;
- Prepare outlines and requirements for Contractors' reports on resettlement mitigation measures, and review Contractor's monitoring plan and reports
- Present the impact of mitigation and environmental and social protection measures for general public via specific publications or/and by annual public seminars.

### 8.7.3 Community Monitoring

Communities will continue to be engaged throughout the construction and/or procurement process through active monitoring and oversight roles. A separate arrangement for community monitoring and

social accountability will be developed to ensure there is no conflict of interest between implementers and monitors. Community monitoring will focus on (i) verifying compliance with requirements on environmental and social safeguards and (ii) evaluating beneficiary satisfaction with project implementation and the quality of service provision. It will also serve as a useful approach to capture experiences and lessons learned from completed subproject cycles and make recommendations for the next subproject cycle, if applicable.

*Social Audits.* Social audits will be conducted in the form of a ‘community audit meeting’. It will serve as a public forum for the NSIFT/the facilitating partner to present progress, challenges and the financial management (subgrant and expenditure on subproject). Communities will have the opportunity to ask questions, air grievances or discuss issues about the subproject. All communities will conduct this annual social audit process to ensure that decisions are inclusive and poverty-focused, and are genuinely bottom-up. This will also serve as a check that there is continuity in the chain of decisions made by focus groups, jamoats, mahallas and operationalized by NSIFT/FPs. The social audit meetings will provide a “report back” to the target communities on sub-project decision-making, progress on sub-project implementation, as well as procurement and financial management. A list of information and documents to be presented at the social audit meetings will be set out in the POM. Social audit meetings will be held at the village level, to encourage participation, and ensure broad attendance by community/village members and community representatives, community facilitators, representatives of the jamoats and mahalla leaders. The project will fund the support needed to prepare, organize and document community audit meetings.

*Community scorecards.* Communities will also engage in annual community scorecards which will provide opportunity for quick and simple feedback on project implementation. NSIFT with facilitating NGO partners will conduct the scorecard process. The annual scorecard will be conducted prior to the social audit meeting, and provide structured feedback for discussion.

## 8.8 Implementation Schedule, Linking Resettlement Implementation to Civil Works

Before site-specific civil works for sub projects begin implementation, PAPs will need to be compensated in accordance with the provisions of a disclosed and approved Resettlement Action Plan which is based on this Resettlement Policy Framework. For activities involving land acquisition or loss, denial or restriction to access, it is further required that these measures include provision of compensation and of other assistance required for relocation prior to displacement. Taking of land and related assets may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to displaced persons. PAPs who need to be physically relocated should be able to either complete construction of their houses at the replacement land plots or the rental fees for temporarily placing them in an alternative housing/apartment to be covered by the compensation budget. A written agreement regulating the specific terms and conditions should be signed between the parties.

The measures to ensure compliance with this RPF will be included in the RAPs that will be prepared for each activity involving resettlement or compensation. The schedule for the implementation of activities must be agreed by the NSIFT, Jamoat Project Commission/Village Project Committees and the PAPs. These include the target dates for start and completion of civil works, timetables for transfers of completed civil works to PAPs, and dates of possession of land/structures/services that PAPs are using. The dates must be after transfer date for completed civil works to PAPs and payments of all compensation. How these activities are linked to the implementation of the overall subproject must also be agreed between the parties. The screening process must ensure that RAPs contain acceptable measures that link resettlement activity to civil works in compliance with this policy.

The timing mechanism of these measures would ensure that no individual or affected household would be displaced (economically or physically) due to civil works activity before compensation is paid and resettlement sites with adequate facilities are prepared and provided for to the individual or homestead affected. Once the RAP is approved by the designated authority, the RAP should be sent to the World Bank for final review and approval.

Compensation will be paid to individual PAPs only after a written consent of the PAPs, including both husband and wife.

## 8.9 Implementation Budget

At this stage, it is not possible to estimate the exact number of people who may be affected since the technical designs and details have not yet been developed. It is therefore not possible to provide an estimated budget for the total cost of resettlement that may be associated with implementation of this project. However, when these locations are known, and after the conclusion of the site specific socio-economic study, information on specific impacts, individual and household incomes and numbers of affected people and other demographic data will be available, a detailed and accurate budgets for each RAP will be prepared. Each RAP will include a detailed budget, which will provide costs of the following:

- Compensation may include, for example: costs for land, structures, crops; restoring structures; community structures and services.
- Relocation costs may include, for example: costs of resettling PAPs, administrative costs of resettling PAPs.
- Income restoration costs may include, for example: temporary income support for PAPs.
- Administrative costs may include, for example: staff costs, training and capacity building costs, monitoring and evaluation.

NSIFT is responsible for implementing the Resettlement Policy Framework and RAP, including payment of compensation, provision of other types of assistance, implementation of the grievance redress mechanism to be covered through the resettlement budget to be contributed by the Government of Tajikistan.

## IX. PUBLIC CONSULTATIONS AND DISCLOSURE

### 9.1 RPF Disclosure

The draft RPF was posted on the NSIFT website on **April 3**, 2019 ([www.nsift.tj](http://www.nsift.tj)). The final version of the RPF will be officially submitted to the World Bank for disclosure in English on the WB external webpage by **April 15**, 2019. The English and Russian versions will be also posted on the web page of the NSIFT. The final version of this document will be used by respective government agencies and other Project stakeholders during the project implementation.

### 9.2 Public Consultations

NSIFT conducted local public consultations on this draft RPF and invited all interested stakeholder organizations including local representatives of the other Government bodies, such as local branches CEP, health & labour departments, local khukumats, jamoats, mahalla leaders and local NGOs from target sites in two locations (Kulob, Panj.) during 13-14 March 2019. During the consultations, the NSIFT presented a summary of draft ESMF and RPF. In particular, the audience was informed about screening of the projects, the Environmental and Social Assessment for Substantial Risk sub-projects, potential impacts which may be generated as well as measures to be taken to prevent/mitigate potential impacts. Note that these consultations included resettlement aspects and as such this section only focuses on relevant environmental and social questions that were asked during the consultations.

The consultations facilitated active discussions among the participants. Annex 8 presents details of public consultations, lists of participants and pictures. Based on the feedback obtained, the RPF was revised /updated.

*Consultation on sub-project social assessments.* The disclosure of resettlement documents for Substantial Risk projects is mandatory, and these are to be made accessible to project-affected groups and local NGOs. There will be a round of consultations after preparation of the RAP (including disclosed of the draft RAPs on the NSIFT website and by presenting their hard copies to the local structures/ VPC/JPCs).

Local development planning meetings facilitated by NSIFT/FPs with jamoats and mahallas will provide a forum for project-affected groups and local NGO participants to engage and provide feedback during the environmental assessment process, and their views will be taken into account before finalizing project design and submission of the project to the NSIFT/FPs for further processing. Prior to such consultations, the NSIFT/FPs will provide relevant materials (process descriptions, maps, building plans, etc.) to participants in a timely manner and in a form and languages that are understandable to the group being consulted and records.

*Consultation on simple subprojects.* In the case of new small construction, insignificant reconstruction, change of machinery and equipment etc., which will not have a significant affect on the society, public consultations can be conducted virtually or in key sites in local public administration offices. For construction/reconstruction activities a notice plate will be installed at the project site.

### 9.3 Grievance Redress Mechanism

There are two options for Project stakeholders and citizens to submit complaints regarding the SERSP, i.e. the Project Grievance Redress Mechanism (GRM) and the World Bank Grievance Redress Service (GRS).

### 9.3.1 Objectives of the project-based GRM

The GRM in SESRP is incorporated into a broader beneficiary feedback mechanism to be established by NSIFT at the central and local levels of the institution. The project-based GRM is intended to serve as a mechanism to:

- Allow for the identification and impartial, timely and effective resolution of issues affecting the project;
- Strengthen accountability to beneficiaries, including project affected people, and provide channels for project stakeholders and citizens at all levels to provide feedback and raise concerns.

Having an effective GRM in place will also serve the objectives of: reducing conflicts and risks such as external interference, corruption, social exclusion or mismanagement; improving the quality of project activities and results; and serving as an important feedback and learning mechanism for project management regarding the strengths and weaknesses of project procedures and implementation processes.

### 9.3.2 GRM Overview and Structure

*Who can communicate grievances and provide feedback?* The GRM will be accessible to a broad range of Project stakeholders who are likely to be affected directly or indirectly by the project. These will include beneficiaries, community members, project implementers/contractors, civil society, media—all of who will be encouraged to refer their grievances and feedback to the GRM.

*What types of grievance/feedback will this GRM address?* The GRM can be used to submit complaints, feedback, queries, suggestions or compliments related to the overall management and implementation of the SERSP, as well as issues pertaining to sub projects that are being financed and supported by the SERSP, including:

- Mismanagement, misuse of Project Funds or corrupt practices.
- Violation of Project policies, guidelines, or procedures, including those related to child labor, health and safety of community/contract workers and gender violence.
- Disputes relating to resource use restrictions that may arise between or among affected communities.
- Grievances that may arise from members of communities who are dissatisfied with the eligibility criteria, community planning measures, or actual implementation of community energy investments or socio-economic infrastructure.
- Issues with land donations, asset acquisition or resettlement specifically for SERSP supported sub projects.

The GRM for the SERSP will be based on the Laws of the Republic of Tajikistan “On Citizens’ Appeals” and “On Civil Service” as well as the Instructions of the Government of the Republic of Tajikistan “On the Procedures of Records Management on the Appeals of Citizens”.

The GRM’s functions will be based on the principles of transparency, accessibility, inclusiveness, fairness and impartiality and responsiveness.

*Standards.* The SERSP GRM will establish clearly defined timelines for acknowledgment, update and final feedback to the complainant. To enhance accountability, these timelines will be disseminated widely to Project stakeholders. The timeframe for acknowledging receipt of a feedback will not exceed 7 days from the time that it was originally received; if an issue is still pending by the end of 30 days the complainant will be provided with an update regarding the status of the grievance and the estimated time by which it will be resolved; and all grievances will be resolved within 45 days of receipt.



*Structure.* The structure of the Feedback system/GRM for the SERSP will be comprised of four levels, from the level of the mahalla through the central PMU level.

Village Level. To ensure that the GRM is accessible to people at the community level, they will have the option to report their complaint/feedback to VPC designated member who will also serve as the *grievance focal point (GFP) at the village level*. Community members are entitled to contact JPC directly to file a complaint.

Jamoat Level. The JPC *Grievance Management Committee* will be established to address complaint/feedback within 15 days of being apprised of the issue. JPC GMC will be responsible for maintaining logs of the feedback received, as well as issues that have been resolved and those which are pending. If the issue cannot be resolved at the jamoat level, then the JPC GMC will immediately escalate it to a higher level, i.e. either to the GMP at the district level and/or to the NSIFT branch office and or directly to the NSIFT central office.

District Level. *Grievance Management Committee* will be established in each district administration (khukumat) to address and resolve complaints in collaboration with JPC GMC and NSIFT regional offices within 30 days of receiving complaints. NSIFT regional GFPs will be responsible for maintaining feedback logs, and if needed, for liaising with other local government structures. If the issue cannot be resolved by GFPs at the NSIFT regional offices, then it will be escalated to the central NSIFT GFP.

Central/PMU Level. If there is a situation in which there is no response from the jamoat/district level GFPs, or the NSIFT GFPs at the branch offices, or if the response is not satisfactory then complainants and feedback providers have the option to contact the NSIFT/PMU directly to follow up on the issue. The NSIFT/PMU GFP will be responsible for complaints and issues related to all districts and components. The NSIFT Director will make a final decision after a thorough review of the investigation and verification findings.

The timeline for complaint resolution at the central NSIFT level will be 15 days upon receipt of the complaint. The complainant will be informed of the outcome immediately and at the latest within **5 days** of the decision.

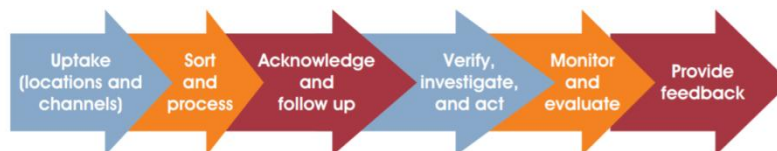
*Appeal Mechanism.* If the complaint is still not resolved to the satisfaction of the complainant, then s/he can submit his/her complaint to the appropriate court of law.

### 9.3.3 GRM Communication & Process

*Communication.* Information about the SESRP's GRM will be publicized as part of the initial feedback consultations in the participating jamoats and villages. Brochures will be distributed during consultations and public meetings, and posters will be displayed in public places such as in government offices, project offices, village notice boards, community centers, etc. Information about the GRM will also be posted online on the NSIFT website (<http://www.nsift.tj>).

*Process.* The overall process for the GRM will be comprised of 6 steps: (1) uptake (2) sorting and processing (3) acknowledgment and follow up (4) verification, investigation and action (5) monitoring and evaluation and (6) feedback (see figure 2).

Figure 2. Feedback and GRM Process



*Source: Agarwal, Sanjay and Post, David. 2009. Feedback Matters: Designing Effective Grievance Redress Mechanisms for Bank-Financed Projects – Part I. SDV. World Bank.*

**Step 1: Uptake.** Project stakeholders will have the opportunity to provide feedback and report complaints through several channels (in-person, mail, telephone, project website) at different levels (jamoat, district, NSIFT branch offices and the NSIFT/PMU).

**Step 2: Sorting and Processing.** To consolidate, monitor and report on information related to grievances, complaints and feedback related to the SESRP will be documented upon receipt/communication at each level of the GRM, and will be classified and prioritized in order to manage the grievance redress process more effectively. Feedback/complaints regarding environmental or social issues related to the SERSP activities will be logged and documented.

**Step 3: Acknowledgement and Follow-Up.** Within 15 days of receiving complaint/feedback, the GFP will inform the complainant about the timeframe and the likely course of action. At the 30-day mark, if a complaint/question is still pending, the GFP in charge of the complaint at that point should provide an update about the status of complaint/question to the person who submitted it and provide an estimate of how long it will take to resolve the grievance or respond to the query.

**Step 4: Verification, Investigation & Action.** Verification and investigation involves gathering information about the grievance to determine its validity and to generate a clear picture of the circumstances surrounding the issue under consideration. This process normally includes site visits, document reviews, a meeting with the complainant (if known and willing to engage) and meetings with individuals and/or entities who can assist with resolving the issue. Potential actions include responding to a query or comment, providing users with a status update, imposing sanctions, or referring the grievance to another level of the system for further action.

**Step 5: Monitoring & Evaluation.** Monitoring refers to the process of tracking grievances and assessing the extent to which progress is being made to resolve them. Ultimately, the NSIFT PMU will be responsible for consolidating, monitoring and reporting on the total number of complaints, enquiries and other feedback for the SERSP that has been received, resolved and that is pending at the jamoat and district levels, as well as feedback pertaining to the NSIFT. Information compiled by the NSIFT will be essential for reporting on progress on grievance indicators included in the Project Results Framework, and to compile information for semi-annual reporting.

**Step 6: Providing Feedback.** This step entails informing GRM users and the public at large about the results of investigations and the actions taken. GFPs will provide feedback by contacting the complainant directly within a 45-day period of receiving the feedback/complaint. The NSIFT will make quarterly reports available to the World Bank team on the implementation of the Project GRM. In addition, data on grievances and/or original grievance logs will be made available to World Bank missions upon request.

### 9.3.4 Grievance Logs

The Grievance Focal Points will maintain local grievance logs to ensure that each complaint has an individual reference number and is appropriately tracked and recorded actions are completed. When receiving feedback, including grievances, the following is defined:

- Type of appeal
- Category of appeal
- People responsible for the study and execution of the appeal
- Deadline of resolving the appeal.
- Agreed action plan

The Project Social Development Specialists (one in each NSIFT branches in Kulob, Bokhtar and Khorog) will ensure that each complaint has an individual reference number and is appropriately tracked and recorded actions are completed. The log should contain the following information:

- Name of the PAP, his/her location and details of his / her complaint.
- Date of reporting by the complainant.
- Date when the Grievance Log was uploaded onto the project database.
- Details of corrective action proposed, name of the approval authority.
- Date when the proposed corrective action was sent to the complainant (if appropriate).
- Details of the Grievance Committee meeting (if appropriate).
- Date when the complaint was closed out.
- Date when the response was sent to the complainant.

### 9.3.5 Monitoring and Reporting on Grievances

The NSIFT social development specialists will be responsible for:

- Collecting and analyzing the qualitative data from GFPs on the number, substance and status of complaints and uploading them into the single project database;
- Monitoring outstanding issues and proposing measures to resolve them;
- Submitting quarterly reports on GRM mechanisms to the NSIFT M&E Specialist at PMU.

Quarterly reports to be submitted by NSIFT shall include Section related to GRM which provides updated information on the following:

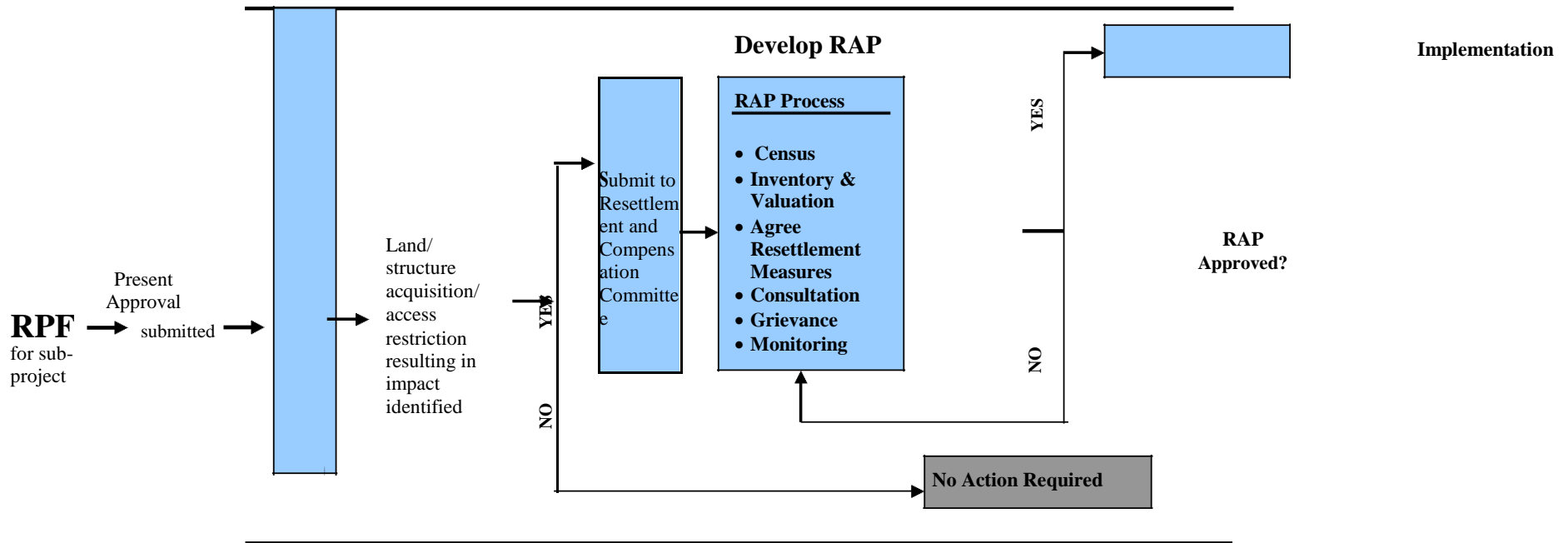
- Status of GRM implementation (procedures, training, public awareness campaigns, budgeting etc.);
- Qualitative data on number of received grievances \ (applications, suggestions, complaints, requests, positive feedback), highlighting those grievances related to the WB ESS 5 and number of resolved grievances;
- Quantitative data on the type of grievances and responses, issues provided and grievances that remain unresolved;
- Level of satisfaction by the measures (response) taken;
- Any correction measures taken.

### 9.3.6 World Bank Grievance Redress System

Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. For information on how to submit complaints to the World Bank Inspection Panel, please visit [www.inspectionpanel.org](http://www.inspectionpanel.org).

## ANNEXES

### Annex 1. Outline of the RAP process.



## Annex 2: Screening report form of expected social impacts

(The report should be brief)

Sub-project \_\_\_\_\_

Sub-project implementation location \_\_\_\_\_

(Indicate location of implementation with the designation on the map-scheme with photos)

Kind of activity: \_\_\_\_\_

(new construction, reconstruction, rehabilitation, maintenance)

Estimated cost \_\_\_\_\_

Estimated start date: \_\_\_\_\_

Technical drawings / specifications discussed: \_\_\_\_\_

Checklist:

№	Possible impact factor	Availability (Yes/ No)
1.	Does the sub-project fall into private land?	
2.	Is it necessary to physically or economically relocation of residents or businesses? Will there be involuntary acquisition of land? Will there be impact on assets?	
3.	Are social impacts potentially significant?	
4.	Is it required to determine the level of assessment of institutional resources necessary for protection measures?	
5.	Are there any third party assets at the project site?	
6.	Are there any disputed territories?	
7.	Will there be access roads and pedestrian paths to residential buildings and commercial structures during construction?	
8.	Will the construction lead to changes in social environment, will the incomes of commercial structures and the population decrease?	
9.	Will the planned construction affect the health of the population and harm somebody?	
10.	Will the sub-project cause protests and concerns among residents?	
11.	Will activities cause unfavorable impact on the living conditions of the population, its values, and way of life?	
12.	Will the sub-project cause inequality between population groups?	
13.	Is the degree of public interest in the sub-project high?	
14.	Are there any facts of the past impact of involuntary resettlement in a given territory, which require corrective actions for not mitigated past relocations?	
15.	Is this subproject linked with any other infrastructure development project	

Based on the above checklist it will be determined if a RAP is required.

*Recommendations:*

Taking into account responses to monitoring questions, it will be determined whether further actions are required or not to apply procedures of the WB ESS5 \_\_\_\_\_

Completed by (full name and contacts): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Annex 3: PAP census form and inventory of the land fund

Household interviews

	Name	gender		age	Marital status and educational level	supporter		employment		family income level	Rented or own housing	Does the family receive social assistance?
		m	f			yes	no	yes	no			
1.												
2.												
3.												

Consultant's full name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Annex 4: Inventory of PAP's land assets**

Location \_\_\_\_\_ Date: \_\_\_\_\_

# of interview	Full name of household head	Number of household members	Total land area owned by the family, incl. with the right of ownership, irrigated or bogharic	Land area to be seized m2 / ha	Total loss %	% Loss of assets, (m <sup>2</sup> , m, pcs, etc.) (specify type and number of assets: structures, fences, wells, etc.)		Loss of housing stock, (m <sup>2</sup> )	Loss of harvest			Other losses, (specify type of loss: rented housing, building, etc.)
						Permanent	Temporary		Fruit trees, species and quantity, (pcs.)	Loss of crops	Other (specify)	
1.												
2.												

INTERVIEWER NAME \_\_\_\_\_ Signature \_\_\_\_\_ / Date \_\_\_\_\_ /

**Annex 5: PAP rights for compensation**

# Of interview	Full name of household head	Compensation for land			Compensation for construction			Compensation for crop and trees			Compensation for other assets and losses (wells, business, etc.)		
		amount (m <sup>2</sup> or hectares)	Unit price per (m <sup>2</sup> or ha)	Land Title (Yes/ No)	Number (m <sup>2</sup> or ha)	Unit price per (m <sup>2</sup> or ha)	Title (Yes/ No)	Number (m <sup>2</sup> or ha)	Unit price per (m <sup>2</sup> or ha)	Title (Yes/ No)	Number (m <sup>2</sup> or ha)	Unit price per (m <sup>2</sup> or ha)	Title (Yes/ No)

INTERVIEWER NAME \_\_\_\_\_ Signature \_\_\_\_\_ / Date \_\_\_\_\_ /

## Annex 6: Outline of the Resettlement Action Plan and Abbreviated Resettlement Action Plan

**Table of content Resettlement Action Plan** The scope and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about (a) the proposed resettlement and its impacts on the displaced persons and other adversely affected groups, and (b) the legal issues involved in resettlement. The resettlement plan covers the elements below, as relevant. When any element is not relevant to project circumstances, it should be noted in the resettlement plan.

1. *Description of the project.* General description of the project and identification of the project area.
2. *Potential impacts.* Identification of
  - (a) the project component or activities that give rise to resettlement;
  - (b) the zone of impact of such component or activities;
  - (c) the alternatives considered to avoid or minimize resettlement; and
  - (d) the mechanisms established to minimize resettlement, to the extent possible, during project implementation.
3. *Objectives.* The main objectives of the resettlement program.
4. *Socioeconomic studies.* The findings of socioeconomic studies to be conducted in the early stages of project preparation and with the involvement of potentially displaced people, including
  - (a) the results of a census survey covering
    - (i) current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
    - (ii) standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
    - (iii) the magnitude of the expected loss--total or partial--of assets, and the extent of displacement, physical or economic;
    - (iv) information on vulnerable groups or persons as provided for whom special provisions may have to be made; and
    - (v) provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.
  - (b) Other studies describing the following:
    - (i) land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
    - (ii) the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;
    - (iii) public infrastructure and social services that will be affected; and
    - (iv) social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.



5. *Legal framework.* The findings of an analysis of the legal framework, covering

- (a) the scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
- (b) the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available alternative dispute resolution mechanisms that may be relevant to resettlement under the project;
- (c) relevant law (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights; customary personal law related to displacement; and environmental laws and social welfare legislation;
- (d) laws and regulations relating to the agencies responsible for implementing resettlement activities;
- (e) gaps, if any, between local laws covering eminent domain and resettlement and the Bank's resettlement policy, and the mechanisms to bridge such gaps; and
- (f) any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including, as appropriate, a process for recognizing claims to legal rights to land--including claims that derive from customary law and traditional usage .

6. *Institutional Framework.* The findings of an analysis of the institutional framework covering

- (a) the identification of agencies responsible for resettlement activities and NGOs that may have a role in project implementation;
- (b) an assessment of the institutional capacity of such agencies and NGOs; and
- (c) any steps that are proposed to enhance the institutional capacity of agencies and NGOs responsible for resettlement implementation.

7. *Eligibility.* Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

8. *Valuation of and compensation for losses.* The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.

9. *Resettlement measures.* A description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy (see ESS5). In addition to being technically and economically feasible, the resettlement packages should be compatible with the cultural preferences of the displaced persons, and prepared in consultation with them.

10. *Site selection, site preparation, and relocation.* Alternative relocation sites considered and explanation of those selected, covering

- (a) institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
- (b) any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites;
- (c) procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- (d) legal arrangements for regularizing tenure and transferring titles to resettlers.

11. *Housing, infrastructure, and social services.* Plans to provide (or to finance resettlers' provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services);<sup>2</sup> plans to ensure comparable services to host populations; any necessary site development, engineering, and architectural designs for these facilities.

12. *Environmental protection and management.* A description of the boundaries of the relocation area; and an assessment of the environmental impacts of the proposed resettlement<sup>3</sup> and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

13. *Community participation.* Involvement of resettlers and host communities,

(a) a description of the strategy for consultation with and participation of resettlers and hosts in the design and implementation of the resettlement activities;

(b) a summary of the views expressed and how these views were taken into account in preparing the resettlement plan;

(c) a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individuals families or as parts of preexisting communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries); and

(d) institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented.

14. *Integration with host populations.* Measures to mitigate the impact of resettlement on any host communities, including

(a) consultations with host communities and local governments;

(b) arrangements for prompt tendering of any payment due the hosts for land or other assets provided to resettlers;

(c) arrangements for addressing any conflict that may arise between resettlers and host communities; and

(d) any measures necessary to augment services (e.g., education, water, health, and production services) in host communities to make them at least comparable to services available to resettlers.

15. *Grievance procedures.* Affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

16. *Organizational responsibilities.* The organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

17. *Implementation schedule.* An implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

18. *Costs and budget.* Tables showing itemized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

19. *Monitoring and evaluation.* Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

## **Table of Content for Abbreviated RAP**

An abbreviated plan covers the following minimum elements<sup>9</sup>:

- (a) a census survey of displaced persons and valuation of assets;
- (b) description of compensation and other resettlement assistance to be provided;
- (c) consultations with displaced people about acceptable alternatives;
- (d) institutional responsibility for implementation and procedures for grievance redress;
- (e) arrangements for monitoring and implementation; and
- (f) a timetable and budget.

---

<sup>9</sup> In case some of the displaced persons lose more than 10% of their productive assets or require physical relocation, the plan also covers a socioeconomic survey and income restoration measures.

## Annex 7: Voluntary Land Donation Criteria and Form

Province:				
Local Authority :				
Village/Jamoat:				
Sub-project name:				
Date of Village/Public Meeting				
Name of land title owner:	Land Title Number:	Beneficiary of the sub-project: Y/N		
Sex:	Age:	Occupation:		
Address:				
Description of land that will be taken by the sub-project:	Area affected:	Total landholding area:	Ratio of land affected to total land held:	Map code, if available:
Description of annual crops growing on the land now and project impact:				
	Details	Number		
Trees that will be destroyed				
Fruit trees				
Trees used for other economic or household purposes				
Mature forest trees				
...				
Describe any other assets that will be lost or must be moved to implement the project:				
Value of donated assets:				
Will the donated land/asset is less than 5% of the land/property owned?				
Gratitude by the Mahalla:				

By signing this form, NSIFT representative here by affirm that land donations are voluntary and that it confirms to the protocol agreed with the World Bank.

By Signing this form, Mohalla committee (representative) hereby affirm that land donations are acknowledged and agreed on extending the gratitude as described above.

By signing this form, the land user or owner agrees to contribute assets to the project. The contribution is voluntary. If the land user or owner does not want to contribute his/ her assets to the project, he or she should refuse to sign or provide thumb print, and ask for compensation instead.

Date:.....

NSIFT representative's signature

Date:.....

Affected persons' signatures (both husband and wife)

Date:.....

Mahalla representative's signature

## Annex 8. Minutes of Public Consultations with Stakeholders on draft RPF

### **A. Minutes of Public Consultations on two documents: draft Environmental and Social Management Framework and Resettlement Policy Framework for SERSP in Khatlon Province**

Kulob city,  
Khatlon region

March 13, 2019

**Objective:** Present to the community and stakeholders the environmental and social safeguards and resettlement policy under the Socio-Economic Resilience Strengthening Project.

**Place and Date:** **Small conference hall of the Kulob city government (Hukumat), 10:00AM**

**Participants:** 38 people, including the representatives of the district government, chairmen of jamoats, villages, mahallas, representatives of environment protection, health and social protection, education, architecture and building, district engineering services, housing and communal services department, electricity networks, water and sanitation, as well as other responsible persons of the active public organizations.

**Facilitators:** Representatives of the National Social Investment Fund of Tajikistan: Hasan Karimov (Manager, Community Projects Department), Abdulkosim Kotibov (Manager, Information and Analytical Department), Nodir Raupov (Chief specialist, Information and Analytical Department), Mirzomurod Odinaev (NSIFT branch manager in Kulob city).

#### **Agenda of the Consultation Workshop:**

1. General information on the Socio-Economic Resilience Strengthening Project.
2. Presentation and discussion of the draft Environmental and Social Management Framework and draft Resettlement Policy Framework.
3. Analysis and discussions, findings of the consultation workshop.

The consultation workshop was opened by Ismoilzoda Saimurod, deputy chairman of Kulob city, who briefed on the objectives of workshop and introduced the participants. Later, a detailed information was presented on the Socio-Economic Resilience Strengthening Project.

Further, Abdulkosim Kotibov, Manager of the Information and Analytical Department spoke about the Project, its goals and objectives, components, directions and its potential environmental and social impact in the process of project implementation and also provided information on the citizens' involvement in project implementation. He also presented the agenda of the consultation workshop to the participants and noted that the goal of consultation workshop was to review the two important project documents: 1. Environmental and Social Management Framework and 2. Resettlement Policy Framework, which needed to be discussed and participants' feedback to be received on these two documents.

Gulru Azamova, the World Bank consultant made a presentation on the Environmental and Social Management Framework document and via Power Point slides provided a step by step explanation of the details of this document along with proposed measures on prevention and mitigation of impacts and compensation methods.

Gulru Azamova, the World Bank consultant also introduced the Resettlement Policy Framework document and noted that it had its own principles implemented in compliance of the legislation of the Republic of Tajikistan, as well as the World Bank policies and procedures. It was noted that during project

implementation the main social risk that may potentially result in land acquisition for the project needs, or restrictions on access to collective property and natural resources, which would include temporary loss of income source and livelihoods, such as fruit trees.

If individuals/legal entities do not have legally acknowledged title or association to the occupied land, it was informed that according to the legislation of the Republic of Tajikistan, such individuals or legal entities are not eligible for compensation.

During the consultation workshop Hasan Karimov, Manager of the NSIFT Community Projects Department expressed his views and commented on the aspects of procedures and rules of the environmental impact assessment and on the criteria and rights of project affected persons. In addition, he commented on environment protection that the impacts resulting from projects implementation include air and earth layer pollution that are caused by construction activities. Earth works during construction activities may also have adverse impact on plants that result in cutting trees.

During the discussion of these two documents participants also expressed their views and noted that during construction activities people may feel different impacts, such as noise of machinery (during transportation of construction materials and work of construction equipment), dust, construction waste (example, during dismantling of old windows, doors or the building roof), which may have adverse impact on health of workers, local residents and on their safety. In addition, there are many other aspects, even if temporary, that may have serious impacts on the environment and people's health. It will be necessary to take necessary measures to mitigate such adverse impacts.

During the presentations, discussion of environmental protection and resettlement policies other environmental issues were also discussed, namely:

- ❖ World Bank policies on involuntary resettlement, which provide for the safeguards to address and mitigate the risks of involuntary resettlement under the Project;
- ❖ Requirements of the laws of the Republic of Tajikistan on environmental protection and involuntary resettlement;
- ❖ Key requirements of the Resettlement Policy Framework;
- ❖ Environmental impact mitigation measures proposed in the Environmental and Social Management Framework document and in the Resettlement Policy Framework.

During the consultation workshop participants asked many questions, including:

- Will the project be able to support the private business of individual persons or public organizations?; Does the project provide for new construction of infrastructure buildings?; Will the market rates or those established by the government be considered in case of resettlement or compensation? Detailed responses were provided to all these questions.

The documents were reviewed using the slides, computer equipment and projector, which allowed the participants to receive more information during the consultation workshop.

Finally, participants expressed their satisfaction with the outcomes of the consultation workshop.



## **B. Minutes of the consultation workshop to discuss Environmental and Social Management Framework and Resettlement Policy Framework**

Panj district,  
Khatlon region

March 14, 2019

**Objective:** Present to the community and stakeholders the environmental and social safeguards and resettlement policy under the Socio-Economic Resilience Strengthening Project.

**Place and Date:** Small conference hall of the local government (Hukumat) of Panj district, 10:00AM

**Participants:** 43 people, including the representatives of the district local government, chairmen of jamoats, villages, mahallas, representatives of environment protection, health and social protection, education, architecture and building, district engineering services, as well as other responsible persons of the active public organizations.

**Facilitators:** Gulru Azamova and Savriniso Kurbonbekova, the World Bank consultants, representatives of the National Social Investment Fund of Tajikistan: Hasan Karimov (Manager, Community Projects Department), Abdulkosim Kotibov (Manager, Information and Analytical Department), Ilhom Hasanov (Procurement Department Manager), Nodir Raupov (Chief specialist, Information and Analytical Department), Guljahon Berdieva (Chief Specialist, NSIFT in Bokhtar city).

### **Agenda of the Consultation Workshop:**

1. General information on the Socio-Economic Resilience Strengthening Project.
2. Presentation and discussion of the draft Environmental and Social Management Framework and draft Resettlement Policy Framework.
3. Analysis and discussions, findings of the consultation workshop.

The consultation workshop was opened by Khairniso Kenjaeva, deputy chairman of Panj district, who briefed on the objectives of workshop and introduced the participants. Later, a detailed information was presented on the Socio-Economic Resilience Strengthening Project.

Further, Abdulkosim Kotibov, Manager of the Information and Analytical Department spoke about the Project, its goals and objectives, components, directions and its potential environmental and social impact in the process of project implementation and also provided information on the citizens' involvement in project implementation. He also presented the agenda of the consultation workshop to the participants and noted that the goal of consultation workshop was to review the two important project documents: 1. Environmental and Social Management Framework and 2. Resettlement Policy Framework, which needed to be discussed and participants' feedback to be received on these two documents.

Gulru Azamova, the World Bank consultant made a presentation on the Environmental and Social Management Framework document and via Power Point slides provided a step by step explanation of the details of this document along with proposed measures on prevention and mitigation of impacts and compensation methods.

Abdulkosim Kotibov, Manager of the Information and Analytical Department spoke about the Resettlement Policy Framework document and with clear examples presented to the participants the information on resettlement policy framework and guidelines, which are implemented in compliance of the legislation of the Republic of Tajikistan, as well as the World Bank policies and procedures. It was noted that all project affected persons, regardless of their legal status should be compensated. The project affected persons should be involved in the planning implementation of resettlement process.

If individuals/legal entities do not have legally acknowledged title or association to the occupied land, it was informed that according to the legislation of the Republic of Tajikistan, such individuals or legal entities are not eligible for compensation.

During the consultation workshop Hasan Karimov, Manager of the NSIFT Community Projects Department added that the key social risk during the project implementation is land acquisition for the





Project needs, which will be compensated by the Government in accordance with the applicable laws of the Republic of Tajikistan. Compensation for the loss of land will be made in the form of provision of a land of equal replacement cost or in other form in coordination with land user. The structure, crops, other types of resettlement assistance to the owners, such as shifting allowance, assistance with rebuilding structures/buildings, compensation for loss of workdays/income.

During the discussion of the indicated documents, the participants expressed their views on the aspects of environmental impact assessment procedures and rules, criteria and rights of project affected persons and proposed their additions. In addition, it was noted on environment protection that the impacts resulting from projects implementation, such as air and water pollution, are temporary impacts that are caused by construction activities. There are traditional measures used to eliminate or mitigate such adverse impacts. Efforts will be made to avoid adverse impact on people during construction activities.

During the presentations, discussion of environmental protection and resettlement policies other environmental issues were also discussed, namely:

- ❖ World Bank policies on involuntary resettlement, which provide for the safeguards to address and mitigate the risks of involuntary resettlement under the Project;
- ❖ Requirements of the laws of the Republic of Tajikistan on environmental protection and involuntary resettlement;
- ❖ Key requirements of the Resettlement Policy Framework;
- ❖ Environmental impact mitigation measures proposed in the Environmental and Social Management Framework document and in the Resettlement Policy Framework.



During the consultation workshop participants asked many questions, including:

- Does the project provide funds for large size construction? For example, would the project funds allow to perform maintenance (major repair) of the culture center in Kabut Saifiddinov jamoat? Would the public organizations and local construction enterprise be given advantage? Who should be referred to in case of resettlement and who would compensate personal assets and how? Detailed responses were provided to all these questions.

The documents were reviewed using the slides, computer equipment and projector, which allowed the participants to receive more information during the consultation workshop.

Finally, participants expressed their satisfaction with the outcomes of the consultation workshop.



«ЛОИҲАИ ТАҲКИМИ ПОЙДОРИИ ИҶТИМОЙ-ИҚТИСОДӢ  
 ДАР ТОҶИКИСТОН»  
 «Socio-Economic Resilience Strengthening Project in TAJIKISTAN»

Семинари машваратӣ / Public consultations workshop

дар мавзӯи «ХУҶҶАТИ ҚОЛАБИИ ИДОРАКУНИИ  
 ЧОРАҶОИ ЭКОЛОГӢ ВА ИҶТИМОӢ»  
 Environmental and Social Management Framework (ESMF)  
 «АСОСҶОИ СИЁСАТИ МУҶОҶИРАТ»  
 Resettlement Policy Framework (RPF)

Шаҳр/ноҳия Панҷ Сана 14.03.2019 2019  
 Город/район \_\_\_\_\_ Дата \_\_\_\_\_ 2019  
 \_\_\_\_\_ city/district Date \_\_\_\_\_ 2019  
 Чои гузаронидани маҷлис маҷлиси Бинои Ҷуҷуағи ноҳияи Панҷ  
 Место проведения \_\_\_\_\_  
 Location \_\_\_\_\_

Рӯйхати иштирокчиён / СПИСОК УЧАСТНИКОВ/  
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