

**Roads Department of the Ministry of Regional Development and
Infrastructure of Georgia**



**Detailed Design and Bidding Documents
for Rehabilitation of local road Zomleti-Khikhadziri
Section (5 - 11 km)**

Abbreviated Resettlement Action Plan

**Local road Section Zomleti-Khikhadziri
(5 - 11 km)**

Prepared by RDMRDI

10 November 2014

CURRENCY EQUIVALENTS

(Official exchange rate – established by the Georgian National Bank on 10th november 2014 year)

Currency Unit	–	lari (GEL)
\$1.00	=	1,7561 GEL

ACS	–	acquisition and compensation scheme
ADB	–	Asian Development Bank
CSC	–	construction supervision consultant
PAH	–	Project Affected Household
PAP	–	Project Affected Person
CBO	–	community based organization
DMS	–	detailed measurement survey
GoG	–	Government of Georgia
GRC	–	grievance redress committee
IA	–	implementing agency
IFI	-	International Financial Institution
IP	–	indigenous peoples
EMA	–	external monitoring agency
km	–	Kilometre
LAR	–	land acquisition and resettlement
LARC	–	land acquisition and resettlement commission
LARF	–	land acquisition and resettlement framework
RAP	–	Resettlement action plan
M&E	–	monitoring and evaluation
MFF	–	multitranches financing facility
MOF	–	Ministry of Finance
MPR	–	monthly progress report
MRDI	–	Ministry of Regional Development and Infrastructure
NAPR	–	National Agency of Public Registry
ARP	–	Abbreviated Resettlement Action Plan
PFR	–	periodic financing request
PPR	–	project progress report
PPTA	–	project preparatory technical assistance
PRRC	–	Property Rights Recognition Commission
R&R	–	resettlement and rehabilitation
RD	–	Roads Department
RDMRDI	–	Roads Department of the Ministry of Regional Development and Infrastructure of Georgia
RoW	–	right of way
TRRC	–	Transport Reform and Rehabilitation Centre
WB	-	World Bank

NOTE

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

Contents

GLOSSARY	5
I. INTRODUCTION	6
1.1 Project Background	6
II. CENSUS SURVEY OF DISPLACED PERSONS AND VALUATION OF ASSETS	6
2.1 Introduction	6
2.2 Affected Population	7
2.2.1 Demography	7
2.2.2 PAH Ethnicity	7
2.3 Impact on Land, Other Assets and Income	7
2.3.1. General Classification of affected land	7
2.3.2. Impact on Crops	8
2.3.3 Impact on Trees	8
2.3.4 Impact on Buildings/Structures	8
2.3.5. Relocation Needs and Strategy	8
2.3.6. Business Impacts	8
2.4 PAPs and Communities	8
2.4.1 Impact on Employment and Agricultural Tenants	9
2.4.2 Impact on Common Property Resources	9
2.4.3 Severely Affected and Vulnerable Households	9
2.5 Impact on Indigenous People	9
2.6 Gender and Resettlement Impacts	9
2.7 Summary of Impacts	10
III. DESCRIPTION OF COMPENSATION AND OTHER RESETTLEMENT ASSISTANCE TO BE PROVIDED	11
4. 1 Compensation Eligibility	11
4.2 Definition of Entitlements	11
4.3 Compensation Entitlement Matrix	12
4.4 Assistance for Severely Affected PAHs	15
IV. CONSULTATIONS WITH DISPLACED PEOPLE	16
V. INSTITUTIONAL RESPONSIBILITY FOR IMPLEMENTATION AND PROCEDURES FOR GRIEVANCE REDRESS	17

5.1 Institutional Arrangements	17
5.1.1 Land Registration Organizations	17
5.1.2 Land Acquisition and Resettlement Organization	18
5.1.3 Other Organizations and Agencies	20
5.1.4 Capacity Building on LAR	21
5.2 Grievance Redress Mechanism	23
5.2.1 Grievance Resolution Process	23
5.2.2 GRC Records and Documentation	23
VI. ARRANGEMENTS FOR MONITORING AND IMPLEMENTATION	25
6.1 Monitoring	25
6.1.1 Monitoring and Evaluation Indicators	25
6.1.2 Level of Monitoring	25
6.1.3 Internal Monitoring	25
6.1.4 External Monitoring	26
6.1.5 SSC tasks	26
6.1.6 Post-Implementation Evaluation	26
6.1.7 Monitoring Indicators for Task 2	27
VII. TIMETABLE AND BUDGET	29
7.1 ARP Implementation Time Schedule	29
7.2 Budget	29
7.2.1 Itemized Budgets	30
7.2.2 Compensation for Land	30
7.2.3 Compensation for Structures	30
7.2.4 Compensation for Crops	30
7.2.5 Compensation of Trees	30
7.2.6 Resettlement Allowances	31
7.2.7 ARP Management Cost	31
7.2.8 Summary LAR Cost and Flow of Funds	32
7.2.9 Justification of Cost Estimates and Updating ARP Budget	32
7.2.10 Source of Financing	32
ANNEX 1	33
ANNEX 2	36
ANNEX 3	37

GLOSSARY

Beneficiary Community: All persons and households situated within the government-owned or private property who voluntarily seek to avail and be part of the Project and represented by a community association that is duly recognized by the community residents, accredited by the local government, and legally registered with the appropriate institutions.

Compensation: Payment in cash or in kind of the replacement cost of the acquired assets.

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

Improvements: Structures constructed (dwelling unit, fence, waiting sheds, animal pens, utilities, community facilities, stores, warehouses, etc.) and crops/plants planted by the person, household, institution, or organization.

Land Acquisition: The process whereby a person is compelled by a government agency to alienate all or part of the land a person owns or possesses to the ownership and possession of the government agency for public purpose in return for a consideration.

Affected People (PAP): Individuals affected by Project-related impacts – losing the usage capacity on land, water, natural resources or income.

Project Affected Household (PAH): All members of a household residing under one roof and operating as a single economic unit, who are adversely affected by the Project. It may consist of a single nuclear family or an extended family group.

Rehabilitation: Compensatory measures provided under the Policy Framework on involuntary resettlement other than payment of the replacement cost of acquired assets.

Relocation: The physical relocation of a PAP/PAH from her/his pre-Project place of residence.

Replacement Cost: The value determined to be fair compensation for land based on its productive potential and location.. The replacement cost of houses and structures is current fair market price of building materials and labour without depreciation or deductions for salvaged building material,

Resettlement: All measures taken to mitigate any and all adverse impacts of the Project on AP's property and/or livelihood, including compensation, relocation (where relevant), and rehabilitation of the damaged/removed infrastructure and installations.

Sakrebulo: This is the representative body of local self-government. Local government consists of 67 rayons (districts) and 12 self governing cities in Georgia: Tbilisi, Kutaisi, Rustavi, Poti, Batumi and Telavi, Ozurgeti, Zugdidi, Gori, Ambrolauri, Mtskheta and Akhaltsikhe. The representative branch of rayon level is the rayon level Local Councils (Rayon Sakrebulo) and the executive branch is represented by Rayon Gamgeoba (Gamgebeli). The self-government level consists of settlements (self-governed cities) or groups of settlements (municipalities). Settlements could be villages, small towns (minimum 3,000 inhabitants) and cities (minimum 5,000 inhabitants). The representative and executive branches of self-government are represented accordingly by Local Council (Sakrebulo) and the Gamgebeli of municipal level. The exclusive responsibilities of self-government include land-use and territorial planning, zoning, construction permits and supervision, housing, and communal infrastructure development.

I. INTRODUCTION

1.1 Project Background

Due to its geographical position Georgia has gained the status of an important transport corridor connecting Europe and Asia and the development of the transport infrastructure has become a national priority. Besides due to Georgia's geographical and climatic conditions it has become one of the quickest developing touristic country in the region. There is serious accents regarding to development of highland regions and improvement of living conditions of the people living there, to do this one of the most important issues are to improve road infrastructure. Georgian government asked the World Bank to assist on one of such projects, on rehabilitation of the local road Zomleti-Khikhadziri km5-km11 section, and it gained corresponding assistance. So requirements of World Banks operational policies must be fulfilled, namely requirements of OP 4.12 (involuntary resettlement).

During the civil works on the subsection 5 – 11 km the landslide occurred, which slowed the construction works and emergence of the need for additional assessment. Geological study shown unfeasibility of rehabilitation of the subsection and need for redesign of the ROW. The new design impacted 4 agricultural land plots (three private and one State owned, illegally used by private user) of 2 677.9 sq.m.

Based on Paragraph 5 of OP4.12, when the impact of the entire displaced population are minor (if the affected population are not physically displaced and less than 10 percent of their productive assets are lost), or fewer than 200 people are displaced, an Abbreviated Resettlement Plan (ARP) is prepared.

In order to mitigate the impact on land owners/users, the present ARP was developed based on the principles described in the RPF.

Present final ARP covers section 5 – 11 km of the local road Zomleti-Khikhadziri, this road passes through Khulo municipality. This road connects listed and nearby villages with local road Khulo – Shuakhevi, which creates connections with other districts and other regions.

II. CENSUS SURVEY OF DISPLACED PERSONS AND VALUATION OF ASSETS

2.1 Introduction

This impacts assessment details loss of land, structures and other assets in the 6-km section of the local road Zomleti-Khikhadziri in Khulo municipality of Georgia. Compensation and rehabilitation measures have been worked out based on these impacts. A detailed inventory of all the impacts has been done following the final alignment of the centerline as per detailed engineering design of 6 km section of Zomleti-Khikhadziri local road.

Digitized cadastral maps were collected from the Khulo municipality Registration Offices of NAPR. The final road alignment was superimposed on the digitized cadastral maps and land survey using DGPS was conducted on site to identify the affected land parcels, demarcation of land parcels including correction in geometric details and quantification of land parcels including affected part. With the cadastral details from land survey, detail measurement survey (DMS) and 100% PAP Census were undertaken. These surveys were conducted started on 10 October 2014 and was terminated on 15 October 2014. Additionally, a socioeconomic survey (SES) of 100% sample households was carried out in the project affected areas in order to understand the socio-economic condition of the affected population. The start date of the DMS and the PAP census survey is considered as the compensation eligibility cut-off date for the project which is therefore 15 October 2014.

2.2 Affected Population

2.2.1 Demography

The project road is in Khulo municipality, as per detail measurement survey, will be displacing (physically and economically) 4 (non of them totally losing land and assets and losing jobs) households comprising of 18 persons. Census of 4 PAHs identifies that 10 male and 8 females. The average household size is 4.5 members per household (Table 2.1).

Table 2.1: Demographic Profile of PAPs

Age Group	Male		Female		Total		Average/ Household
	No.	%	No.	%	No.	%	
Children (Below 6 Years)	0	0	0	0	0	0	0
Children (6–18 Years)	0	0	0	0	0	0	0
Adult (19–65 Years male and 19 – 60 years for female)	6	60	6	75	12	66,7	3
Pension age (65 Years and Over males and 60 years and over - female)	4	40	2	25	6	33,3	1,5
Total	10	100	8	100	18	100	4,5
%	55,6		44.4		100		

Note: Calculation is made on the 100% of PAH

2.2.2 PAH Ethnicity

PAHs are all Georgian (100%). No Armenians, Azeri, Greeks, Jews or Ukrainian are affected in the project. Ethnic diversity does not mark any difference in overall national development in Georgia and the minorities are mainstreamed as a common nation.

2.3 Impact on Land, Other Assets and Income

2.3.1. General Classification of affected land

All land impacts amount to some 2 677.9 sq.m of land from 4 plots (see table 2.1 for details). In terms of tenure the affected land plots are distributed in accordance with the following legal categories:

Category 1. Three titled private land plots with full registration in NAPR with 1 577.9 sq.m total area;

Category 3. One State owned land plots of 1 100 sq.m are illegally used by private user. This land plot is not legalizable according to Georgian legislation.

The aggregated figures according to land tenure categories are provided in a table 2.2.

Table 2.2: Type of Land Ownership

Tenure Categories	Total: 5 - 11 KM		
	Plots No.	Area (sqm)	No of PAH
Compensable land			
1. Private Registered	3	1 577.9	3
2. Private (rightfully owned) Legalizable through NAPR	0	-	
Subtotal Compensable	3	1 577.9	
Non-Compensable land			
3. State Owned, Used by Private Users – Non Legalizable	1	1 100	1
4. State Owned, Not Used by Private Users	0	-	
Subtotal Non-legalizable	1	1 100	
TOTAL	4	2 677.9	4

2.3.2. Impact on Crops

There are no Affected crops identified on the acquired agricultural land.

2.3.3 Impact on Trees

51 fruit trees will be lost on 4 land plots. On major part of the land plots there is more than one type of trees.

Table 2.3: Type and number of trees affected

Type	No of trees	PAHs
Apple	14	2
Pear	1	1
Walnut	13	3
Nut	3	2
Wild Plum	7	4
Plum	10	1
Mulberry	2	2
Persimmon	1	1
Total	51	

2.3.4 Impact on Buildings/Structures

No auxiliary buildings are affected by the project.

The road construction will not affect any operational commercial buildings/structures.

Fencing (consisting of planks or metal chain-links) of 4 land plots fall under the affection zone. All of these fencing will be restored by the construction company.

2.3.5. Relocation Needs and Strategy

Relocation doesn't concern residential buildings, it concerns only fencing. Residual construction materials after demolition of the constructions will be deemed as a property of PAH and they will be only required to remove these materials after completion of dismantling works. PAHs will be compensated at full replacement cost. Cost of compensation has been calculated without the depreciation costs.

2.3.6. Business Impacts

There is no any impact on business in the road corridor.

2.4 PAPs and Communities

Overall, the number of PAH is 4 (18 PAPs), who are losing land plots fully or partially. 3 PAHs will lose part of registered land plots (3 registered plots) and 1 PAHs will lose legalizable land plots (1 plot).

Table 2.4 provides more details about the impacts categories in terms of loss of land, loss of structure, and loss of crops and trees etc.

Table 2.4: Project Affected Households by Impact Category

Impact Category	No. of PAHs		Net No. Of PAPs	Remarks
	No. in Category	Absolute (without double counting)		
A. Land				
A1. Agricultural Land	4	4	18	
B. Crops /Trees				
B3. There is no loss of agricultural crops	4	4	n.a.	
B3. Loss of trees	4	4	18	
C. Permanent constructions				
C1. Fence	4	4	15	
Total		4	18	

2.4.1 Impact on Employment and Agricultural Tenants

Road construction will not impact on employment and agricultural tenants.

2.4.2 Impact on Common Property Resources

Road construction will not affect any community or public property.

2.4.3 Severely Affected and Vulnerable Households

There will be all four severely affected PAH because of the lose of more than 10% of fertile agricultural land.

Poor (receiving government subsistence subsidies) and women headed households, are considered as vulnerable households. Households with members with disabilities or people in pension age will receive the allowance only if they are registered as poor . In Georgia, the poverty line is determined as a result of sophisticated calculations including production, consumption, cash income and assets valuation. The households with rating less than 57000 are considered as extremely poor and receive subsistence allowance, and PAH with rating between 57000 and 70000 are considered as poor and they receive insurance policy allowances. The estimations (rating calculations) are conducted by the Social Services Agency and the rating data is registered.

The PAHs in ARP section of the project road constitute none vulnerable PAHs

2.5 Impact on Indigenous People

Assessment of impact on indigenous people was undertaken in accordance with WB OP 4.12 and with Safeguard Requirements. The project will affect only people of Georgian nationality. No Ethnic Minority groups will be affected.

2.6 Gender and Resettlement Impacts

The project impact extends to 18 people comprising 10 male and 8 females. None of the 4 PAHs are headed by women. Special attention will be given to the impact of resettlement on women and other vulnerable groups during monitoring and evaluation of the ARP. women headed households have been considered as vulnerable and special assistance was provided in the ARP entitlements in amount equivalent to 3 months of minimum subsistence income. Women will be encouraged to establish NGOs or other informal organizations to monitor gender-sensitive issues related to project. The RDMRDI is requested to include women representatives in Grievance Redress Commission.

2.7 Summary of Impacts

A summary of Project impacts is included in Table 2.5 below.

Table 2.5 Summary Impact on Land Acquisition and Resettlement

No.	Impacts	Unit	
Land Tenure Patterns			
1	Total Land parcels affected	No.	4
2	Total land Area Owned/Used	Sqm	12 656
3	Total land Area Registered	Sqm	3 840
4	Total land Area Not Registered	Sqm	8 816
5	Total land Area to be impacted	Sqm	2 677.9
6	Category 1. Private Registered Plots in NAPR	No.	3
		sq.m	1 577.9
7	Category 2. Private (Rightfully owned) Legalizable through NAPR (1 stage legalization)	No.	-
		sq.m	-
8	Category 3. State Owned , Used by Private Users – Non Legalizable	No.	1
		sq.m	1 100
9	Category 4. State Owned, Not Used by Private Users	No.	-
		Sqm	-
Land Use and Compensation Categories			
10	Type 1 and Type 2; Private agricultural (Along the existing section of the road) (1.53 Gel/sq.m)	No.	3
		sq.m	1 577.9
11	Type 3; State owned agricultural land (illegally used by private users). Non legalizable	No.	1
		sq.m	1 100
Agricultural Patterns			
12	Affected Trees	No.	51
Affected Structures			
13	Fencing	No.	4
Affected Households			
14	Severely affected Households	No.	4
15	Vulnerable Households	No.	-
16	Resettled households	No.	-
17	PAH with registered plots	No.	3
18	PAH with legalizable plots (rightful owners, 1 stage registration through NAPR)	No.	-
19	PAH s using State Owned , Non Legalizable Land	No.	1
20	PAH losing crops	No.	-
21	PAH losing trees	No.	4
22	PAH losing Jobs	No.	-
23	Total PAH		4
24	Total Project Affected Persons	No.	18

III. DESCRIPTION OF COMPENSATION AND OTHER RESETTLEMENT ASSISTANCE TO BE PROVIDED

4. 1 Compensation Eligibility

PAPs entitled for compensation or at least rehabilitation provisions under the Project are:

- (i) All PAPs losing land either covered by legal title/traditional land rights, Legalizable, or without legal status;
- (ii) Tenants and sharecroppers whether registered or not;
- (iii) Owners of buildings, crops, plants, or other objects attached to the land; and
- (iv) PAPs losing business, income, and salaries.

In particular for concerns land assets the eligibility to land compensation for this project has been elaborated as follows:

- Titled PAPs will be fully compensated
- Untitled PAPs who were legitimate leasers under the old Soviet system and have either plots with a house or adjacent to a plot with a house will be legalized and then compensated.
- Untitled PAPs who were not legitimate leasers under the old Soviet system and who use or cultivate the land they occupy only extemporaneously will not be legalized nor compensated. They however, are still eligible for crop or income compensation.

Compensation eligibility will be limited by a cut-off date to be set for each subproject on the day of the beginning of the PAP Census and DMS. 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 materials will not be confiscated and they will not pay any fine or suffer any sanction.

4.2 Definition of Entitlements

Entitlement provisions for PAPs losing land, houses, and income and rehabilitation subsidies will include provisions for permanent or temporary land losses, buildings losses, crops and trees losses, a relocation subsidy, and a business losses allowance based on tax declarations and/or existing minimum market rates. These entitlements are detailed below:

Entitlement provisions for PAPs losing land, houses, and income and rehabilitation subsidies will include provisions for permanent or temporary land losses, buildings losses, crops and trees losses, a relocation subsidy, and a business losses allowance based on tax declarations and/or lump sums. These entitlements are detailed below:

- Agricultural land impacts will be compensated at replacement value either with replacement plots of the same value of the land lost and at location acceptable to PAPs where feasible, or in cash free of transaction costs at current market rates or (if no land markets are active) based on the reproduction cost of the affected land. The cash at market rates option has been selected for the Program. When >10% of an PAP agricultural land is affected, PAP (owners, leaseholders and sharecroppers) will get an additional allowance for severe impacts equal to the market value of a 2 year's gross yield of the land lost. In case of severe impact on other income, the PAPs will be paid additional compensation corresponding to 3 months of minimum subsistence income. Transaction taxes/fees will be paid by the EA or waived. Legalizable PAPs will be legalized and paid as titled owners. Non-legalizable PAPs losing agricultural land plot, which is the only land plot owned by PAH and provides main source of income for PAH, will be compensated with one time self-relocation allowances in cash equal to 1 year of minimum subsistence income. Residual nonaffected sections of a plot that becomes inaccessible or unviable to use after acquisition will also be compensated.
- Non agricultural land (Residential/commercial land). Legal settlers will be compensated at replacement rate either with replacement plots of same value as plots affected and at location acceptable to PAPs where feasible, or in cash at current market rates, free of transaction cost. The cash at market rates option has been selected for the Program. Renters/leaseholders will receive a 3 months' rent allowance. Non-legalizable PAPs losing land plot, which is the only land plot used for residence or

providing main source of income for PAH, will be compensated with one time self-relocation allowances in cash equal to 1 year of minimum subsistence income. This allowance is to be calculated based on a 5 people household and the monthly-updated benchmarks indicated by the National Statistics Office of Georgia at time of ARP approval

- Houses, buildings, and structures. In order to address potential damages of vibrations or discomfort caused by road traffic, these items will be compensated in full for the whole building irrespective of the specific degree of impact. Compensation will be provided in cash at replacement cost free of deductions for depreciation,

transaction costs or salvaged materials. All relevant PAPs are entitled to this provision by default irrespective of the registration status of the affected item. Salvaged materials after demolition of the building are deemed to be owned by the PAH.

- Crops: Cash compensation at current market rates for the gross value of 1 year’s harvest by default. Crop compensation will be paid both to landowners and tenants based on their specific sharecropping agreements.

- Trees: Cash compensation at market rate based on type, age and productivity of trees.

- Vulnerable Peoples Allowance: Vulnerable people (PAPs below poverty line and women or elder headed households without any other bread-winner member of household) will be given an allowance corresponding to 3 months of minimum subsistence income and priority in employment in project-related jobs. The allowance is to be calculated based on a 5 people household and the monthly-updated benchmarks indicated by the National Statistics Office of Georgia at time of ARP approval;

- Severe Impacts Allowance; PAPs losing >10% of agricultural land or >10% of nonagricultural income will receive a severe impacts allowance. When >10% of an PAP agricultural land is affected, PAP (owners, leaseholders and sharecroppers) will get an additional allowance for severe impacts equal to the market value of a 2 year’s gross yield of the land lost. In case if this value is less than 3 months subsistence minimum, than the severely affected PAPs will receive allowance equal to 3 months minimum subsistence. For cases of severe impact on non-agricultural income, the PAPs will be paid additional compensation corresponding to 3 months of minimum subsistence income. This allowance is to be calculated based on a minimum subsistence income for 5 people household and the monthly-updated benchmarks indicated by the National Statistics Office of Georgia at time of ARP approval

- Community Structures and Public Utilities: Will be fully replaced or rehabilitated so as to satisfy their pre-project functions.

- Temporary impact during construction: All land required for temporary use is to be obtained by the civil works Contractor through voluntary negotiations (e.g., willing buyer-willing seller basis). The maximum period for temporary use is defined as 2 years. Compensation rates to be paid should not be less than compensation at current market rates for the gross value of 4 year’s harvest of crops on the affected lands. It is also required that lands (or other assets) be fully cleared and restored following use

4.3 Compensation Entitlement Matrix

Tasks under the Project will be implemented according to a compensation eligibility and entitlements framework in line with both Georgia laws and regulation, WB OP 4.12. A summary entitlements matrix specific for this project is included in Table 4.1 below.

Table 4.1: Compensation Entitlement Matrix

Type of Loss	Application	Definition of PAPs	Compensation Entitlements
Land			
Permanent loss of agricultural land	AF losing agricultural land regardless of impact severity	Owner with full registration	Cash compensation in cash at full replacement cost or replacement land of same value of land lost and at location acceptable to PAPs

			where feasible. The option selected for the Program is cash compensation. If residual plots become unusable the project will acquire it in full if so the PAP desires.
		Legalizable Owner	These PAP will be legalized and provided with cash compensation at full replacement cost.
		Non-legalizable owners (squatters/encroachers)	Non-legalizable PAPs losing agricultural land plot, which is the only land plot owned by PAH and provides main source of income for PAH, will be compensated with one time self-relocation allowances in cash equal to 1 year of minimum subsistence income.
Non-Agricultural Land			
	AF losing their commercial/residential land	Owner with full registration	Cash compensation at full replacement cost or replacement land of same value of land lost and at location acceptable to PAPs where feasible.
		Legalizable Owner	PAPs will be legalized and provided with cash compensation at full replacement cost.
		Non-legalizable owners (squatters/encroachers)	Non-legalizable PAPs losing land plot, which is the only land plot used for residence or providing main source of income for PAH, will be compensated with one time self-relocation allowances in cash equal to 1 year of minimum subsistence income.
Buildings and Structures			
Residential and non residential structures/assets		All AFs regardless of legal ownership/ registration status (including legalizable and Informal Settlers)	All impacts will be considered as full impacts disregarding the actual impact percentage. Impacts will be compensated in cash at full replacement costs free of depreciation and transaction costs.
Loss Of Community Infrastructure/Common Property Resources			
Loss of common property resources	Community/Public Assets	Community/Government	Reconstruction of the lost structure in consultation with community and restoration of their functions

Loss of Income and Livelihood			
Crops	Standing crops affected or loss of planned crop incomes**	All AFs regardless of legal status (including legalizable and Informal Settlers)	Crop compensation in cash at gross market value of actual or expected harvest. Compensation for this item will be provided even in case if the crops were harvested
Trees	Trees affected	All AFs regardless of legal status (including legalizable and Informal Settlers)	Cash compensation at market rate on the basis of type, age market price of product o and the productive life of the trees.
Business/Employment	Business/employment loss	All AFs regardless of legal status (including legalizable and Informal Settlers)	Owner: (i). (permanent impact) cash indemnity of 1 year net income; (ii) (temporary impact) cash indemnity of net income for months of business stoppage. Assessment to be based on tax declaration or, in its absence, minimum subsistence income. Permanent worker/employees: indemnity for lost wages equal to 3 months of minimum subsistence income and trainings on computer literacy.
Allowances			
Severe Impacts	>10%income loss	All severely affected AFs losing more than 10% of affected agricultural land plot (including informal settlers)	two-year yield from affected land Other income: minimum 3 month minimum subsistence income. 320 GEL per month x 3 months=960 GEL per PAH) Other income 1 additional compensation minimum subsistence income x 3 months * 320 Gel = 960 GEL per PAH
Vulnerable People Allowances		AFs below poverty line, headed by Women, disabled or elderly	Allowance equivalent to 3 months of minimum subsistence income* and employment priority in project-related jobs 320 GEL as minimum subsistence income per month for 3months= 960 GEL per PAH)
Temporary Loss			
Temporary impact during construction		All AFs	Due compensation will be assessed and paid based on their approved RPF during

			construction. All land required for temporary use is to be obtained by the civil works Contractor through voluntary negotiations (e.g., willing buyer willing seller basis). The maximum period for temporary use is defined as 2 years. Compensation rates to be paid should not be less than compensation at current market rates for the gross value of 4 year's harvest of crops on the affected lands. It is also required that lands (or other assets) be fully cleared and restored following use
Unforeseen resettlement impacts, if any		All impacts related to temporary or permanent land take, the need for which is not envisaged within DD and ARP and is related to activities of Contractor.	Road Department and the construction contractor will address and mitigate/compensate unforeseen resettlement impact during project

* Minimum subsistence income to be calculated based on a 5 people household and the monthly-updated benchmarks indicated by the National Statistics Office of Georgia at time of ARP approval

** Income expected from crops on affected agricultural land permanently used for crop cultivation during the recent years. In case if the land was permanently used for crop cultivation, but for the year, when the inventory of losses was conducted, no crops have been planted (due to need of rest to this land or illness of the farmer or any justifiable reason), the land parcel still will be considered as designed for crop cultivation and relevant compensations will be paid

4.4 Assistance for Severely Affected PAHs

Severely affected PAH will receive an additional crop compensation covering two-year yield from affected land or an allowance equal to 3 months of minimum subsistence income, in case the PAH is not subject for crop compensation (or when crop compensation value is less than 960 GEL).

All impacted PAHs (4) will receive Assistance for Severely Affected PAHs because of the lose of more than 10% of agricultural land. A summary of lands owed/used and size of lands impacted is included in Table 4.2 below.

Table 4.2: Lands owed/used and Size of lands impacted

PAH	Land Area Owed/Used	Land Area Impacted	%
1	920,0	182,6	19,8
2	4616,0	1100,0	23,8
3	1820,0	295,3	16,2
4	5300,0	1100,0	20,8

Average % of Land Area Impacted: 20.2%

The above PAH will receive an allowance of 320 GEL x month x 3 months or 960 GEL in all. (These figures are taken from the National Statistics Office of Georgia Department data on minimum subsistence income for a household of 5 persons in October 2014 year.

IV. CONSULTATIONS WITH DISPLACED PEOPLE

The public consultation meeting has been conducted with PAPs representing the community of village Cheri (Khulo Municipality). Details are given in the Annex 1.

V. INSTITUTIONAL RESPONSIBILITY FOR IMPLEMENTATION AND PROCEDURES FOR GRIEVANCE REDRESS

5.1 Institutional Arrangements

Ministry of Regional Development and Infrastructure (MRDI) is the executing agency (EA) of the Project on behalf of the Government of Georgia and the Roads Department of the MRDI (RDMRDI) is the implementing agency (IA). The World Bank (WB) will be financing detailed engineering plan preparation and civil works construction and construction supervision. RDMRDI is responsible for road construction as well as land acquisition and resettlement of the PAPs due to land acquisition and project construction.

RDMRDI is assisted by a number of other government departments and private agencies in the design, construction and management of the Project. Pursuant to the active legislations, National Agency of Public Registry (NAPR) within the Ministry of Justice is in charge of the recognition of ownership rights of rightful owners, registration of land ownership. Rayon NAPR is also responsible for registering transfer of acquired land from landowners to the RDMRDI. The local government at Rayon and village levels are involved in the legalization of legalizable land parcels and subsequently land acquisition and resettlement of PAPs. The Ministry of Environmental Protection is responsible for environmental issues.

ARP comprises the road section in Adigeni rayon of Shida Samtskhe-Javakheti Region. Sakrebulo, Gamgeoba, Registration Office and PRRC are all involved in ARP preparation process. Local Sakrebulo and Rtsmunebuli of villages are involved for local level LAR activities.

5.1.1 Land Registration Organizations

Government agencies active at various levels in the process of legalization of privately owned land parcels are described hereunder.

Rtsmunebuli and Gamgeoba at Village (Community) Level

Community level Gamgeoba is the executive branch of self-government headed by Rtsmunebuli. Rtsmunebuli has the primary role in the process of legalization and registration of land parcels. Rtsmunebuli confirms ownership of affected land plots, parameters of land plots and endorses the cadastral maps and related data prepared for case of legalization¹. Gamgeoba plays important role for legalization of non-rightful owners. Gamgeoba has power to authorize² details of the occupied land parcel and verify its usage pattern as the first hand verification and authorization for further consideration in the Property Rights Registration Commission (PRRC) as a basic step for registration with the Public Registry. Rtsmunebulis of the villages will be involved in ARP process of updating and implementation.

Sakrebulo

Rayon municipality confirms the correctness of documentations by rechecking them in rayon archives and confirms right registration process. Municipality members are revising the ownership and possession rights in village level.

Sakrebulo is the representative branch of self-government at rayon and village level. The village/rayon level Sakrebulo has now less involvement in the process of legalization of legalizable land plots. However, Rayon Sakrebulo assists the PRRC in the process of authorization of application of non-rightful owners.

¹ Owners for legalization of their unregistered land parcels, in normal procedure, use the services of private mapping agencies and experts on payment for preparation of land details (maps and plot parameters). In case of this project, the consultants have been assisting in preparing basic documents like maps and plot details.

² This is not mandatory but one of the possible procedures for legalization of the non-rightful owners. Witnesses' signature confirmed notarially is also legally acceptable for confirmation of non-rightful ownership of land plot.

Property Rights Recognition Commission

Under the Law of Georgia on Recognition of the Property Ownership Rights Regarding the Land Plots Owned (Used) by Physical Persons or Legal entities; 2007, the Government of Georgia has established the PRRC at the Rayon level for recognition of ownership rights of non-rightful owners for registration. PRRC verifies and in case of appropriate conditions recognises the ownership and issues the document confirming this which can be used for registration with the NAPR.

Rayon Registration Office

NAPR is in charge of the registration of land ownership and its transfer through purchase agreement from landowners to the RDMRDI. Rayon Archives are now transferred in the possession of the Rayon Registration Offices of the NAPR. Rayon Archive is used for cross verification of ownership document and validity of physical possession of land by persons seeking registration as legalizable owner, in the case, owner does not have available documentation proving ownership rights on the adjacent land plot or in case there is any doubt regarding the plot.

Rayon Registration Office of the NAPR is the Rayon level authority for executing registration of land parcels in the name of the applicants based on package of application documents provided by rightful owners (PAPs possessing ownership documents but with title formalization pending) or by non-rightful owners after receiving appropriate certificate from PRRC as the case may be. The owners submit both soft copy and hard copy of plot maps with geometric details for record in the Rayon and Central NAPR. Adgeni rayon office of NAPR is involved in the updating and implementation of ARP.

5.1.2 Land Acquisition and Resettlement Organization

RDMRDI of Georgia

RDMRDI has the overall responsibility of design, land acquisition and resettlement, construction organization , construction monitoring and supervision of the Project. This also includes financing and executing land acquisition and resettlement tasks and cross-agency coordination. RDMRDI will exercise its functions through its existing Resettlement Unit (RU), which is currently subdivision of the Resettlement and Environmental Protection Division (REPD). The Resettlement and Environmental Protection Division with Resettlement Unit was established within RDMRD in 2013. Currently, there are 7 resettlement specialists in the staff. In addition, one Restllement Consultant is hired and engaged in WB financed projects. The staff and the consultant received professional on-the-job training as a part of the World Bank's technical assistance to the RDMRDI. Current resettlement capacity of the RDMRDI needs strengthening. For each separate project, including the present one, RDMRDI needs local specialist as a consultant assisting in implementation of ARP.

A Resettlement Unit (RU) under the RDRD headed by a Head of the Unit and staffed with other personnel having specific experience and skills in LAR is responsible for LAR activities related to the project. The RU is a core team of the Working Group. RU is responsible for all technical work to accomplish all LAR preparation and implementation tasks and coordination within the RDMRDI, as well as at central and local government levels.

The specific tasks of the Working Group and RU will be to:

- (i) ARP finalization following appropriate procedures as per RPF/LARF and send to donor IFI for approval,
- (ii) supervise preparation of ARP for construction contracts and implement it after concurrence from donor IFI;
- (iii) establish LAR capacity at the regional level offices of the RDMRDI;
- (iv) ensure proper internal monitoring; and
- (v) hire, following the donor IFI recommendation the external monitoring agency.

RU will also provide all necessary documentation to ensure the prompt allocation of land acquisition and resettlement budgets to the PAPs and will maintain the coordination of all land acquisition and resettlement related activities.

TRRC

Transport Reform and Rehabilitation Centre (TRRC), a special independent agency, has been established within RDMRDI for financial management of ADB and World Bank financed projects. TRRC will get funds directly from the Ministry of Finance allocated for the project and disburse it to PAPs following requisition from RU, RDMRDI. TRRC will review, scrutinize and transfer the amount of compensation and allowances in the bank account of PAPs mentioned in the Compensation and Allowance Ledger prepared, confirmed and produced by RU for each PAP.

Rayon LAR Team

Rayon LAR team is informal team made of amongst other members by the the rayon and affected villiges representatives. It's purpose is to technicaly assist RD in preparation and implementation of ARP. Such a assistance will comprise:

- i) Identificatin of affected land plots and assets owners;
- ii) Identification of land plot perimeters;
- iii) Collection of information about the ownership documentation of the lands;
- iv) Relationship with land plot owners;
- v) Decision of problems using informal meetings;
- vi) Smooth and easy registration of legilizable lands and assets etc;

Rayon LAR Team is organized in team level: management core in rayon basis (LAR Rayon Team) and the working team on each affected villige level (LAR working team).

Management core is made of Rayon head (Gamagebeli) and Head of minicipality commity, Head of NAPR rayon office, head of social service agency rayon office, representative of affected village, representative of RU of RDMRDI.

Working team is made in accordance of management core dirrection for each village and comprises: village representative, his trustee with technical knowledge representatives of RU of RDRDMI. Wokring team assits RD consultant with technical aspects: such as Project Affected persons identification, identification of the exact borders of affected land plots, in other technical issues and communication with population. Village representative will confirm by his signature next documents:

- Correctness and itself list of affected land owners and occupants.
- Fact and documents after Measurement works and asset inventory for each land plot, made in participation of PAPs by the RD consultant.

Rayon offices of NAPR and Social service agency will assign technical personal which assist LAR working group in research of archived documents, identification Project affected person social status, registration of legilizable lands and assets.

RU of RDMRDI using the recomntations of ARP starts negotioation with land persel owners about the purchase af land and affected assets, to compenssate the losses incurred by the road reconstruction. If an PAP agrees on the acquisition he/she will confirm such agreement in writing by signing the Sales/Purchase Agreement that will be registered with the Public Registry. In the process of negotiation and registration LAR team (rayon level also working teams) members (village representative, NAPR personal) assist RU of RDMRDI. This agreement will serve as the basis for compensation payment processing and release. If agreement is not reached between the PAP and the LAR Team, the later will inform the LARC, which will take decision to start expropriation. LAR team once again will inform PAPs about the gravience mechanizms (see chapter 7) which can be used to resolve the problems before court listtening.

Local Governments

Local administration especially at Rayon level has direct jurisdiction for land administration, valuation, verification and acquisition. To assist LAR consultants, RDMRDI will establish Rayon Level LAR Teams which will have designated officials from the Rayon administration (Rayon Sakrebulo; Gamgebeli) and representatives of each affected village/community administration (representatives of all affected community/village level Sakrebulos and Gamgebelis). The Rayon level informal LAR Team have been formed in the district of Adigeni Team are working closely with the project different consultants and RDMRDI.

5.1.3 Other Organizations and Agencies

Civil Works Contractor

A Civil Works Contractor to be appointed by the RDMRDI to undertake the construction will be responsible for mitigating impacts resulting from the construction activities. Based on the ARP and the Technical Design, the parcel of land that will be identified and acquired as part of the road ROW will be demarcated to clearly delineate it from the remaining non-acquired parts. The construction activities shall be monitored closely by the RDMRDI to ensure compliance to the temporary mitigating measures.

Consultants and Auditors

The design consultant will be responsible for preparation and implementation of ARP and supervision consultant will be in place to supervise civil works construction.

Detailed project Consultant: has an international and local resettlement specialist for acquisition of land and finalizing ARP for each construction stage. The project consultant has hired a measurer and independent audit agency for documentation including measurement work, census, socioeconomic survey, inventory of losses, and valuation of land and assets for replacement value which will be used for preparation of land acquisition and resettlement plan. ARP has been prepared based on findings of the surveys following the final alignment as per detailed engineering design.

Social Safeguards Consultant: Social Safeguards Consultant (SSC) will oversee implementation of ARP and will prepare compliance reports before the civil works start.

Local Resettlement Consultant will assist RD Resettlement Unit during the ARP implementation and oversee all resettlement related issues that may arise during the construction.

Court of Georgia

The Court of Georgia shall be the last resort for issues and concerns regarding the implementation of the ARP. In case there is no agreement between the RDRD and the PAPs concerning the acquisition of private properties, the RDMRDI with the mandate for expropriation based on existing legislation will submit to the Court a request for expropriation. Upon its approval and following prescribed procedure, RDMRDI will then take over the concerned property after having been given by the Court the right of the Expropriator.

Furthermore, in cases where complaints and grievances regarding ARP implementation and compensation are not solved at the various levels as prescribed in the agreed Grievance Redress Mechanism, the PAPs will have the right to appeal the case to the Court as a last resort. Its decision shall be final and executory.

Ministry of Finance

The budgets for the implementation of ARP will be provided to RDMRDI by the Ministry of Finance following its official approval. The ARP budget will be allocated on the accounts of TRRC that is responsible for the financial management of the project.

Ministry of Justice

The Ministry of Justice is responsible for legal matters regarding land ownership, and National Agency of Public Registry (NAPR) within the Ministry of Justice is in charge of the registration of land ownership and its transfer through purchase agreement from landowners to the Road Department.

Donor WB

Besides supervising the Project periodically, the WB will review ARP and provide clearance to contract awards signing and initiation of civil works.

5.1.4 Capacity Building on LAR

Initial level of capacity building exercise in the relevant agencies was carried out during the preparation of ARP at the feasibility study. Close consultations were held with all the concerned departments. RDMRDI has already an established Resettlement Unit under REPD dealing with land acquisition and resettlement. During the feasibility study, informal training was provided by the consultant's resettlement specialist to the officials on the requirements of WB OP 4.12 policy and how to develop a balanced compensation package fulfilling the requirements of PAPs, Government, RDMRDI, donor IFIs. Capacity building training was also initiated through a series of consultations and informal training sessions in the local administration level. The representative of RDMRDI at regional level was also responsible for the planning of LAR activities and was responsible for coordinating with the rayon administration. Rayon level LAR Teams were formed at each rayon that will be responsible for LAR activities assisting the LARC of the RDMRDI in the process of ARP implementation.

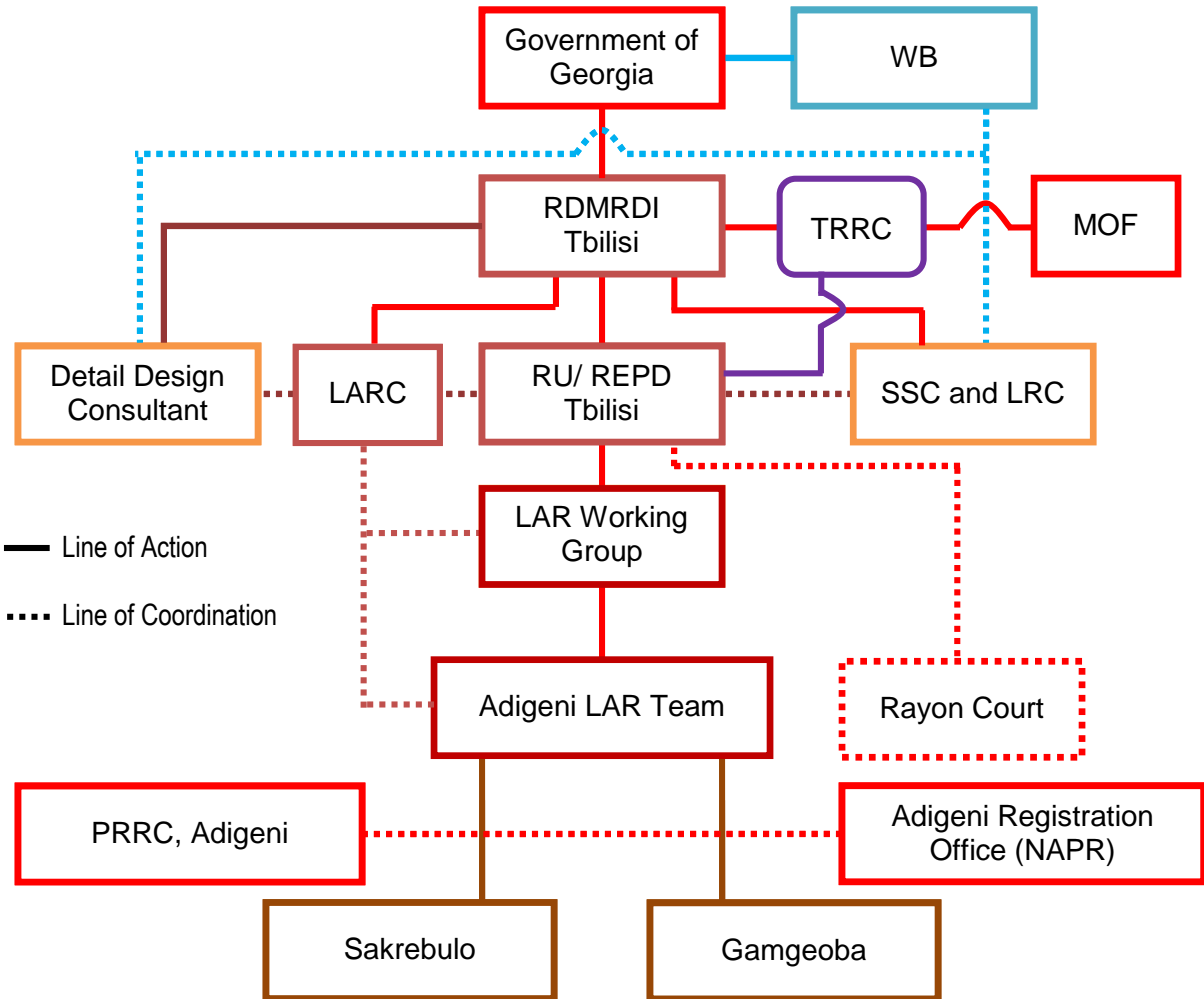
In terms of capacity and manpower resources within RU of the REPD, some expansion of the capacity on LAR currently available at REPD has been desired to allow an effective execution of all LAR related tasks for the project. The Resettlement and Environmental Protection Division (REPD) with Resettlement Unit was established within RDMRD in 2013. Currently, there are 7 resettlement specialists in the staff. In addition, one Restllement Consultant is hired and engaged in WB financed projects. The staff and consultant received professional on-the-job training as a part of the World Bank's technical assistance to the RDMRDI. Current resettlement capacity of the RDMRDI needs strengthening, RDMRDI needs Local Resettlement Consultant (LRC) as a consultant assisting in implementation of ARP.

All concerned staff both at RU, LARC, at Rayon and field levels involved in LAR activities will undergo training on WB and ADB resettlement policy and management. The training will be provided under the ADB RETA or similar WB program.

Training covered the following topics:

- (i) Principles and procedures of land acquisition (WB and GOG);
- (ii) Stakeholders of the project
- (iii) Organizations involved in the process of land acquisition and resettlement and their roles
- (iv) Public consultation and participation process;
- (v) Entitlements and compensation and assistance disbursement mechanisms;
- (vi) Grievance redress; and
- (vii) Monitoring of resettlement operations.

Table 5.1: LAR Organization Chart



5.2 Grievance Redress Mechanism

A grievance mechanism will be established to allow a PAP appealing any disagreeable decision, practice or activity arising from land, income or other assets and its compensation.

5.2.1 Grievance Resolution Process

PAPs will be fully informed of their rights and of the procedures for addressing complaints whether verbally or in writing during consultation, survey, and time of compensation. Care will always be taken to prevent grievances rather than going through a redress process. This can be obtained through careful LAR design and implementation, by ensuring full participation and consultation with the PAPs, and by establishing extensive communication and coordination between the affected communities, the EA, and local governments in general. Complaint & Grievances will be addressed through the process described below in Table 7.1.

Table 5.2: Grievance Resolution Process

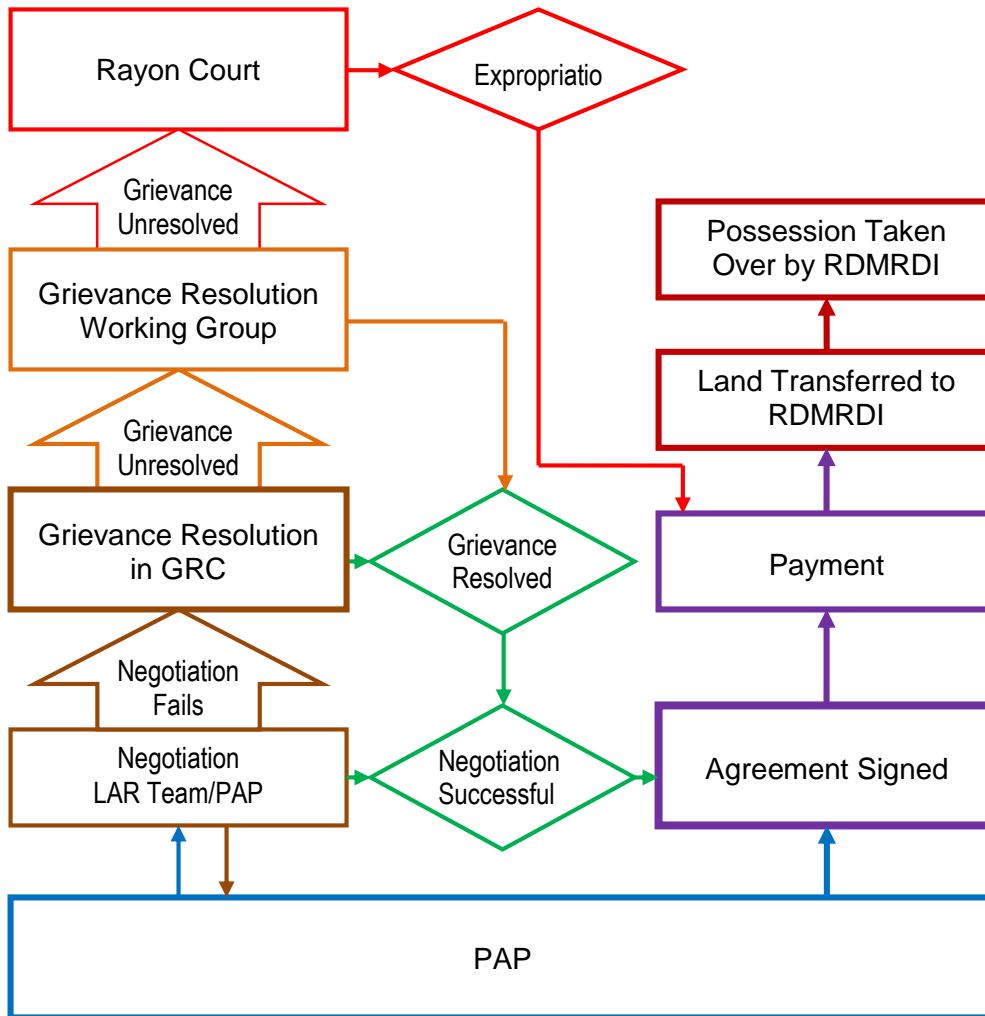
Steps	Action Level	Proces
Step 1	Negotiations with PAPs	The complaint is informally reviewed by the GRC, which takes all necessary measures to resolve the dispute amicably.
Step 2	GRC Resolution	<p>If the grievance is not solved during the negotiations, the GRC will assist the aggrieved PAPs to formally lodge the grievances to the GRC.</p> <p>The aggrieved APs shall submit their complaints to the GRC within 1 week after completion of the negotiations at the village level. The aggrieved AP shall produce documents supporting his/her claim. The GRC member secretary will review the complaint and prepare a Case File for GRC hearing and resolution. A formal hearing will be held with the GRC at a date fixed by the GRC member secretary in consultation with Convenor and the aggrieved APs.</p> <p>On the date of hearing, the aggrieved AP will appear before the GRC at the Gangeoba office for consideration of grievance. The member secretary will note down the statements of the complainant and document all details of the claim.</p> <p>The decisions from majority of the members will be considered final from the GRC at Stage 1 and will be issued by the Convenor and signed by other members of the GRC. The case record will be updated and the decision will be communicated to the complainant PAP.</p>
Step 3	Decision from central RDMRDI	<p>If any aggrieved PAP is unsatisfied with the GRC decision, the next option will be to lodge grievances to the RDMRDI at the national level. The RDMRDI shall review the complaint in compliance with the procedures specified in the Administrative Code of Georgia.</p> <p>GRC should assist the plaintiff in lodging an official complaint (the plaintiff should be informed of his/her rights and obligations, rules and procedures of making a complaint, format of complaint, terms of complaint submission, etc.).</p> <p>The plaintiff shall be informed of the decision.</p>
Step 4	Court decision	<p>If the RDMRDI decision fails to satisfy the aggrieved PAPs, they can pursue further action by submitting their case to the appropriate court of law (Rayon Court).</p> <p>The aggrieved PAP can take a legal action not only about the amount of compensation but also any other issues, e.g. occupation of their land by the contractor without their consent, damage or loss of their property, restrictions on the use of land/assets, etc.</p>

5.2.2 GRC Records and Documentation

RU of RDMRDI headquarters will keep record of complaints received for its use as well as for IFI (WB and AGB) use and review.

RD contact person: Mariam Begiashvili 5 77 744088, Social Safeguards Consultant for WB Financed Projects.

Figure 7.3: Grievance Resolution and Acquisition Process



VI. ARRANGEMENTS FOR MONITORING AND IMPLEMENTATION

6.1 Monitoring

The main objective of implementation of ARP is to improve or at least restore the social and livelihood resources of the PAPs at their pre-project level. The process of implementation should ensure that this objective is achieved over a reasonable time with allocated resources. Therefore, monitoring of the process of updating ARP, its implementation and delivery of institutional and financial assistance to the PAPs has been designed as an integral part of the overall functioning and management of the Project. RU of RDMRDI will ensure the execution of timely monitoring of the monitoring and evaluation (M&E) indicators (process, delivery and impact indicators) of LAR tasks. The purpose of the Monitoring and Evaluation (M&E) is to provide feedback to all stakeholders on progress made in view of a timely and comprehensive implementation of the ARP and to identify problems as early as possible to facilitate well-timed adjustment of implementation arrangements. The objectives are to: (i) ensure that the standard of living of PAPs are restored or improved; (ii) ascertain whether activities are in progress as per schedule and the timelines are being met; (iii) assess whether the compensation, rehabilitation measures are sufficient; (iv) identify problems or potential issues; and (v) identify methods to rapidly mitigate problems.

6.1.1 Monitoring and Evaluation Indicators

Compliance of the ARP policy and targets in the implementation process will be monitored against set indicators. These indicators and benchmarks will be judged for implementation process, outcomes and impacts.

6.1.2 Level of Monitoring

Monitoring of LAR task in the Project will be carried out at two levels. The Head of RU will carry out regular internal monitoring for the RDMRDI with inputs from LAR teams at field operation. External monitoring will be implemented by the independent monitoring agency which will be invited by RDMRDI.

External monitoring can be made by the Civil building work supervisor (CBWS) if such a person will be already employed in project at the time of monitoring (during the ARP implementation phase). CBWS also will carry out supervision and monitoring to assist RDMRDI and WB in relation with minimising the resettlement impacts at the civil works stage.

6.1.3 Internal Monitoring

Internal monitoring will be carried out routinely by RU during implementation of the ARP. The conclusion of monitoring will be informed to LAR commission and WB. Indicators for internal monitoring will be those related to process, immediate outputs and impacts. This information will be collected directly from the RU representatives in the rayon level LAR Teams and Working Group and reported to LARC to assess the progress and results of ARP implementation, and to adjust the work program, if necessary. The monthly reports will be quarterly consolidated in the standard supervision reports to the WB.

The report of internal monitoring will contain: (i) accomplishment to-date, (ii) objectives attained and not attained during the period, (iii) problems encountered, and (iv) suggested options for corrective measures. The internal monitoring report will primarily be prepared by the RU resettlement specialists.

Civilian building works supervisor consultant, resettlement international and local specialist will help LAR commission within PPR scopes to define situation of resettlement. With the resettlement international specialist management local resettlement specialists will implement LAR teams monitoring and monthly reporting to LAR commission.

6.1.4 External Monitoring

Derived from the tasks, external monitoring will be implemented by the Social security consultant, hired by the RD. The tasks assigned to the s/he will be the external monitoring of ARP implementation and the preparation at its end of a compliance report which will be the basis for WB to provide “No Objection” to the start of civil works.

6.1.5 SSC tasks

For each subproject involving land acquisition/resettlement, the SSC will closely monitor the implementation of the ARP and engage in the following tasks:

- (i) review of ARP and Information pamphlet disclosure;
- (ii) review of action taken by the PIU to compensate the PAPs with particular attention to the way this action fits the stipulation of the ARP;
- (iii) review all compensation tallies;
- (iv) verify whether the compensation is provided thoroughly to all PAPs and in the amounts defined in the ARP and in the PAP contracts;
- (v) assess the satisfaction of the PAPs with the information campaign and with the compensation/rehabilitation package offered;
- (vi) review the legalization process and assess its effectiveness;
- (vii) review complaints & grievances case;
- (viii) carry out a PAP satisfaction survey with a 20% sample of the PAPs. Immediately after the implementation of the ARP the agency will prepare the Compliance Report. The report will include well argued sections on the following:
 - (i) Assessment of the way the compensation has been carried out in relation of the stipulations of the ARP;
 - (ii) Verification that all PAPs have been compensated in the amounts stipulated in the ARP
 - (iii) Assessment of the accuracy of survey and asset valuation
 - (iv) Assessment of the effectiveness and thoroughness of the Legalization process
 - (v) Review of complaint and grievance cases and their solution
 - (vi) Assessment of the rehabilitation program for severely affected and vulnerable PAPs
 - (vii) Assessment of the satisfaction of the PAPs
 - (viii) Lesson learned to be applied to the next projects, and;
 - (ix) General assessment of ARP implementation and recommendations to WB regarding the provision of “No Objection” Letter to start the civil works.

The SSC will carry out its activities in close communication with the PIU and will engage in desk activities and field activities and for this s/he will hire an appropriate number of assistants to carry out the PAP satisfaction survey and to review the compensation tallies. The monitoring activities assigned to the SSC will start immediately after Government approval of the ARPs and will last until ARP implementation is concluded.

6.1.6 Post-Implementation Evaluation

The supervision consultants’ resettlement specialists will carry out a post-implementation evaluation of the ARP about a year after completion of its implementation. The compelling reason for this study is to find out if the objectives of the ARP have been attained or not. The benchmark data of socioeconomic survey of severely affected PAPs conducted during the preparation of the ARP will be used to compare the pre and post project conditions. The post- implementation evaluation will recommend appropriate supplemental assistance for the PAPs should the outcome

of the study show that the objectives of the ARP have not been attained. For this task the Supervision consultants will:

- (i) Assess the livelihood impact of the land acquisition/resettlement on the PAPs through formal and informal surveys with the population in project areas affected and non-affected. SSC will do formal survey of a representative sample of men and women PAPs to determine changes that have occurred on the PAPs. compare the situation of the PAPs with non- affected neighbors similar in terms of livelihood level to the PAPs. Focus group discussions and other unstructured data gathering methods and consultation with PAPs, officials and community leaders will also be used in carrying out the evaluation to supplement the findings from the formal survey. Finally the assessment will look into potential differential impact or benefit that men and women have PAPs experienced from the resettlement activities. The result of the surveys will serve as the end term review report of the SSC for the Project.
- (ii) Assess again satisfaction on the valuation of assets and entitlements, timing of payments, fund availability and disbursements. In the same post-ARP survey, the agency shall ascertain the satisfaction of PAPs on the valuation of assets, as well as, the scope and timing of assistance provided under the ARP.
- (iii) Assess the long-term efficiency, effectiveness and sustainability of the land acquisition/resettlement program, drawing lessons for future resettlement policy formulation and planning and future ARP planning and implementation. Should the outcome of the study show that the ARP objectives have not been attained, the agency will recommend appropriate supplemental assistance for the PAPs.
- (iv) Prior to submission of the post-ARP report, the SSC shall ensure that informal and formal meetings are held with the men and women representatives from the PAPs, community leaders and other key officials and seek feedback on the contents/analysis in the review report. Highlights of these consultations will also be attached as annex to the report.

6.1.7 Monitoring Indicators for Task 2

Task 2 will be based among others on the monitoring 10 indicators listed in table in Table 6.

Table 6: Monitoring Indicators for Task 2

Monitoring Indicator	Basis for Indicators
Basic Information on PAP Households	<ul style="list-style-type: none"> • Location • Composition and structure: ages, educational and skill levels • Gender of household head • Ethnic group • Access to health, education, utilities, and other social services • Housing type • Land and other resource ownership and utilization patterns • Occupations and employment patterns • Income sources and levels • Agricultural production data (for rural households) • Participation in neighbourhood or community groups • Access to cultural sites and events • Value of all asset forming entitlements and resettlement entitlements
Benefit Monitoring	<ul style="list-style-type: none"> • What changes have occurred in terms of patterns of occupation, production, and resource use compared to the pre-project situation? • What changes have occurred in income and expenditure patterns compared to the pre-project situation? • What have been the changes in cost of living compared to the pre-project situation? • Have PAPs' incomes kept pace with these changes? • What changes have taken place in key social and cultural parameters relating to living standards?
Restoration of Living Standards	<ul style="list-style-type: none"> • Were house compensations made free of depreciation, fees or transfer costs to the PAPs? • Have perceptions of community been changed?

Monitoring Indicator	Basis for Indicators
Restoration of Livelihood	<ul style="list-style-type: none"> • Have the PAP achieved replacement of key social and cultural elements? • Were compensation payments free of deduction for depreciation, fees or transfer costs to the PAP? • Were compensation payments sufficient to replace lost assets? • Was sufficient replacement land available of suitable standard? • Did transfer and relocation payments cover these costs? • Did income substitution allow for re-establishment of enterprises and production? • Have enterprises affected received sufficient assistance to re-establish themselves? • Do jobs provided restore pre-project income levels and living standards?
Levels of PAP Satisfaction	<ul style="list-style-type: none"> • How much does the PAP know about resettlement, procedures and entitlements? • Do they know if these have been met? • How do the PAP assess the extent to which their own living standards and livelihoods Have been restored? • How much does the PAP know about grievance and conflict resolution procedures? • How did resettlement implementers deal with unforeseen problems?
Effectiveness of Resettlement Planning	<ul style="list-style-type: none"> • Were the PAP and their assets correctly enumerated? • Were land speculators assisted? • Was the time frame and budget sufficient to meet objectives? • Were entitlements too appropriate (wide or narrow)? • Were vulnerable groups identified and assisted?
Other Impacts	<ul style="list-style-type: none"> • Were there unintended environmental impacts? • Were there unintended impacts on employment or incomes?

VII. TIMETABLE AND BUDGET

7.1 ARP Implementation Time Schedule

The time bound ARP implementation is presented in below. Land purchase agreements and payment of compensation and allowances will go simultaneously and a sequence of one week time from offer of compensation to agreement, agreement to requisition and requisition to payment transfer is considered.

		November 2014		
		I (10 days)	II (10 days)	III (10 days)
1.	ARP preparation/finalization			
	RAO final version recheck and presentation	X		
	ARP approval		X	
	ARP implementation mechanism preparation.		X	
2.	ARP implementation			
	Dividing the land plots		X	
	Final negotiations about the compensations and preparation of agreements		X	
	PAP opening the bank accounts		X	
	Signing the land purchase agreements and registration of it in public registry		X	
	Distribution of compensations			X
3	Construction phase			
	Acquiring the right on the building territory			X
	Starting the construction works			X →
	Grievance resolution and monitoring			X →

7.2 Budget

The land acquisition and resettlement cost estimate under ARP includes eligible compensation, resettlement allowances and support cost for implementation of LAR tasks. The support cost, which includes administrative expense, is part of the overall project cost. Contingency provisions (10% of the total cost) have also been included to take into account variations from this estimate at the negotiation for contract agreement level. In case of any over-run in cost, RDMRDI will provide additional funds as needed in a timely fashion. RDMRDI through the approval of Ministry of Finance will be responsible for allocating the LAR Budget in advance as part of their overall annual budget planning. Items of LAR cost estimate under ARP are as follows:

- (i) Compensation for agricultural, pasture, and commercial land at replacement value
- (ii) Compensation for structures and buildings at their replacement cost
- (iii) Compensation for crops and trees
- (iv) Assistance for severely affected PAH
- (v) Assistance for vulnerable groups for their livelihood restoration
- (vi) Cost for implementation of ARP.

7.2.1 Itemized Budgets

The following section deals with calculations for various types of compensation and allowances as per the entitlements and as per the rates determined at current market cost. Compensation will be provided at least at the rates detailed in this ARP although some modification in excess will be possible during the discussions preceding the signing of the contract.

7.2.2 Compensation for Land

Compensation of agricultural land has been derived based on the feedback from the independent evaluator. This cost also includes the residual unused land value. The costs for various categories of land loss are given in Table 7.1.

Table 7.1: Cost for Land Acquisition (including unviable plots)

Land Category/ use and Group		Plots No.	Area (sqm)	Cost GEL per sq.m	Total Cost (Gel)
(compensable Land)		5-11 km.			
Agricultural	Private agricultural land used for annual crops and fruit tree gardens, also for building erections and fences (remote from the existing section of local road;)	3	1 577.9	1.53	2 414.19
Total Compensable Land		3	1 577.9		2 414.19

7.2.3 Compensation for Structures

Compensation of structures is based on the current market price of materials, transportation and construction works needed for construction of similar materials. Structures are made from wood, iron. The fences along the plots borders (232 meters) will be restored by the construction company.

7.2.4 Compensation for Crops

There are no Affected crops identified on the acquired agricultural land.

7.2.5 Compensation of Trees

Compensation for fruitable trees and non fruit able little fruit trees are different. The 1 year non-productive fruit trees will be compensated at the price of 1 year seedling. Partially productive trees will be compensated at aggregated cost of seedling price and fruit income calculated based on productivity of partially productive tree and compensation years needed to grow up the same age tree from the seedling of age starting productivity. For example, 4 years old walnut will be compensated at the cost of the 1 year seedling plus the income of partially productive tree (for 2 years needed to grow up 4 years old tree, from the 2 year seedling, when the tree starts to bring fruits). The fully productive trees will be compensated based on price of seedling plus income of fully productive tree for the years needed to grow up fully productive tree from the 1 year seedling. Tables with the calculation of number of trees affected is given in Table 7.2 below:

Table 7.2: Type and number of trees affected

Type	No of trees
Apple	14
Pear	1
Walnut	13

Nut	3
Wild Plum	7
Plum	10
Mulberry	2
Persimmon	1
Total	51

Total cost of compensation for 51 unit of tree amounts to 4 450 Gel.

7.2.6 Resettlement Allowances

There are three type of allowances being provided to the PAH:

- (i) Severe Impact Allowance,
- (ii) Allowance for vulnerable
- (iii) Relocation Allowance

The compensation unit rate for severe impact allowances have been considered based on crop compensation given to the PAH or three months of minimum subsistence income, in case if crop compensation is not more then tree months minimum subsistence. For this project crop compensation will not be used as from 4 PAH, which losses more then 10% of it's land, no household is sucesfull in agriculture - their biannual income from agriculture do not exceeds minimum subsidence for 3 months - eaqual to 960 GEL. These PAH either do not have income from crops or it is nignligible one, In these cases principle of additional crop compensations is not applicable and these severely affected PAHs will receive allowances equal to 3 months of minimum subsidence for household consisting of 5 persons (960 GEL). 4 PAHs severely affected due to loss of more than 10% of agricultural land will receive allowances equal to 3 840 Gel.

The PAHs in ARP section of the project road constitute none vulnerable PAHs

Details of calculations on various types of allowances are described in Table 7.3

Table 7.3: Cost for Allowances

#	Item	Quantity	Allowances (GEL)
1	Severely Affected PAHs	4	3 840
2	Vulnerable Households	-	-
3	Relocated PAH	-	-
Total			3 840

7.2.7 ARP Management Cost

The Construction Supervision Contractor will conduct external monitoring. However, RU, RDMRDI will need to employ one independent monitoring agency for external monitoring of ARP implementation for a period of 1 months (in case the CSC is not in place during updating and implementation of the ARP). Miscellaneous expenses have been kept as a provision to cover the administrative cost as may be incurred during implementation of the ARP. Details of the ARP implementation management cost is given in Table 7.4

Table 7.4: Capacity Building and Management Cost

No.	Item	Unit	Quantity	Unit Cost(GEL)	Total Cost (GEL)
1	Cost for EMA (Social Safeguards Consultant)	Months	1	2 000	2 000
2	Miscellaneous Administrative Cost	Months	1	500	500
Total					2 500

7.2.8 Summary LAR Cost and Flow of Funds

The total LAR cost calculated for the implementation of this ARP constitutes 14 636.81 Gel (8 334.84 USD). The summary LAR cost estimate is given in Table 7.5. All LAR related funds will be spent in one full year before the start of civil works construction. Transport Reform and Rehabilitation Centre (TRRC) is responsible for financial management of external financed projects. TRRC will get funds directly from the Ministry of Finance allocated for the project and disburse to PAPs following requisition from RU, RDMRI.

Table 7.5: Summary Estimate of LAR Costs

No.	Item	Cost in GEL	Cost in USD
A	Compensation		
1	Compensation for Land	2 414.19	
2	Compensation for Structures/Buildings	0	
3	Compensation of crop	0	
4	Compensation for Trees	4 450	
5	Registration fees for residual land plots	102	
Subtotal A		6 966.19	
B	Allowances		
1	Severely affected PAHs	3 840	
2	Vulnerable Households	0	
Subtotal B		3 840	
C	Support Cost for RP Implementation		
2	Cost for EMA (Social Safeguards Consultant)	2 000	
3	Miscellaneous Administrative Cost	500	
Subtotal C		2 500	
Total costs (A+B+C)		13 306.19	
D. 10% Contingency		1 330.62	
Total costs		14 636.81	8 334.84

7.2.9 Justification of Cost Estimates and Updating ARP Budget

Land acquisition and resettlement surveys included a valuation survey of affected land and assets. The survey consulted relevant transactions in case of land and local markets in case of building, trees and crops. In determining allowances to vulnerable households, the existing minimum salary rates have been considered.

A detail measurement survey was conducted to assess the affected buildings and structures and subsequently a detailed market survey for valuation of construction costs for each type of affected structure.

The prices are, therefore, replacement value at current market cost and ensures full replacement cost to the affected land, building/structures, crops and trees. Detailed methodology followed for determining replace value of affected assets is given in Annex 1.

7.2.10 Source of Financing

All funds for compensation and allowances commensurate to ARP will be provided from the Government of Georgia's public fund. RDMRDI will ensure the allocation of funds for compensation to be paid for land acquisition and resettlement. RDMRDI will get the budget approved from the Ministry of Finance and allocate in advance the funds for implementation of ARP.

ANNEX 1

PUBLIC CONSULTATIONS about the Resettlement in village Cheri

Consultation meetings during ARP preparation process 2014 year 9 November.

The aim of the public hearings was to deliver to interested stakeholders and project affected persons information about the resettlement policy and principles, compensation eligibility and entitlements, methodology of valuation, complaints and grievance redress mechanism. The attendees confirmed by their signature their engagement in public consultation meeting.

Following consultants participated in meetings:

RD Representative:

Mariam Begiashvili – Social Safeguards Consultant.

Constraction company Zimo-7 representatives:

Irakli Kvachadze

Shota Takidze

Affected Communities:

Affected communities were represented mostly by the members of households directly affected by the project.

The public consultation meeting has been attended by 4 PAPs representing the community of village Cheri (Khulo Municipality). The list of participants, signatures of attendees and photo materials of meeting are given below.



ზომლეთი -ხიხაძირის ადგილობრივი გზის მშენებლობა

სახელი და გვარი	სოფელი	ხელისმოწერა	საკონტაქტო ინფორმაცია
დევიან სუხაძინი	ჭუჩი		555 411487
ჭუმბაძე სუხაძინი	ჭუჩი		599 13 79 94
ახრივ სუხაძინი	ჭუჩი		593 37 71 90
ნახაძე სოსოსი	ჭუჩი		599-72-33-80

PROJECT LOCATION



ANNEX 3

IMPACT TABLE

Plot ID at NAPR	882014429278	882014422695	882012355614	N/A
Total Land Area Owed/Used	920,0	4616,0	1820,0	5300,0
Land Area Registered	920,0	1100,0	1820,0	0,0
Land Area Not Registered	0,0	3516,0	0,0	5300,0
Land Plot Legal Status	Category 1	Category 1	Category 1	Category 3
Land Area Impacted	182,6	1100,0	295,3	1100,0
Land Compensation Cost per Sq.M.	1,53 GEL	1,53 GEL	1,53 GEL	- GEL
% of impact	19,8	23,8	16,2	20,8
Compensation for Land	279,38 GEL	1 683,00 GEL	451,81 GEL	- GEL
Registration fees for land plots	51,00 GEL	- GEL	51,00 GEL	- GEL
Structures/Buildings	fence	fence	fence	fence
Compensation for Structures/Buildings	- GEL	- GEL	- GEL	- GEL
Crops	0	0	0	0
Compensation of crops	- GEL	- GEL	- GEL	- GEL
Affected Trees	4	5	5	37
Compensation for Trees	394,00 GEL	248,00 GEL	272,00 GEL	3 536,00 GEL
Severely affected PAH	Yes	Yes	Yes	Yes
Compensation for Severely affected PAH	960,00 GEL	960,00 GEL	960,00 GEL	960,00 GEL
Total Sum of Compensation	1 684,38 GEL	2 891,00 GEL	1 734,81 GEL	4 496,00 GEL
Total:				10 806,19 GEL