

**REPUBLIC OF KAZAKHSTAN
MINISTRY OF INDUSTRY AND INFRASTRUCTURAL DEVELOPMENT
COMMITTEE FOR ROADS**



**ADDENDUM №1 TO THE
RESETTLEMENT ACTION PLAN**

**UZYNAGASH-OTAR ROAD SECTION OF ALMATY-KORDAY-
BLAGOVESHCHENKA-MERKE-TASHKENT-TERMEZ ROAD
WESTERN EUROPE – WESTERN CHINA ROAD CORRIDOR
SOUTH - WEST ROAD PROJECT (P099270)**

KORDAI DISTRICT OF ZHAMBYL OBLAST

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

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Committee for Roads
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ABBREVIATIONS

ADB	Asian Development Bank
CC	Construction Contractor
CR	Committee for Roads
CSC	Construction Supervision Consultant
EBRD	European Bank for Reconstruction and Development
GRM	Grievance Redress Mechanism
IFI	International Financial Institutions
IsDB	Islamic Development Bank
KZT	Kazakhstan Tenge
MIID	Ministry of Industry and Infrastructural Development
NGO	Non-Government Organization
PAP	Project Affected Person
PMC	Project Management Consultant
RAP	Resettlement Action Plan
RK	Republic of Kazakhstan
ROW	Right of Way
TOR	Terms of Reference
WB	World Bank
WE-WC	Western Europe - Western China

CURRENCY RATE

(as of December 1, 2020)

Currency Unit – Tenge (KZT)

KZT 1.00 = \$0.002

\$1.00 = 425 KZT

NOTE

In this report

USD means United States Dollar

KZT means Kazakhstan Tenge

GLOSSARY

Compensation	Payment in cash or kind to which the Displaced Person are entitled in order to replace land or other assets taken for project use.
Cut-off-date	Date after which people WILL NOT BE considered eligible for compensation, i.e., they are not included in the list of Displaced Person / Project Affected Persons as defined by the census.
Displaced Persons	In the context of involuntary resettlement, displaced persons (people or entities) are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use.
Encroachers	People who move into the project area, or who have trespassed into government land adjacent to their own, after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the project. Persons informally using or occupying land prior to the cut-off date are eligible for compensation or alternative forms of assistance.
Entitlement	Entitlement means the range of measures comprising compensation in cash or kind, relocation cost, income rehabilitation assistance, transfer assistance, income substitution, and business restoration which are due to Project Affected Persons, depending on the type, degree and nature of their losses, to restore their social and economic base.
Household	Household means all persons living and eating together as a single-family unit and eating from the same kitchen whether or not related to each other. The census used this definition, and the data generated by the census forms the basis for identifying a household unit.
Income Restoration	Income Restoration means re-establishing productivity and Livelihoods of Project Affected Persons.
Involuntary Resettlement	For the purposes of this policy, "involuntary" means actions that may be taken without the displaced person's informed consent or power of choice.
Land acquisition	Land Acquisition means the process whereby a person is compelled by a public agency to alienate all or part of the land she/he owns or possesses, to the ownership and possession of that agency, for public purposes in return for fair compensation.
Landowner	Physical or legal entity, which uses land plot based on the right of private property, i.e. has purchased the right for property from the state.
Lease-Holders	A person or a legal entity who holds a right of leasing the land (long or short term) on a contractual base. Typical long-term lease is 49 years.
Project Affected Person	Refers any person as a family member in affected household or worker in affected business entity/firm, public or private institutions.
Rehabilitation	Assistance provided to affected persons to supplement their income losses in order to improve, or at least achieve full restoration of, their pre-project living standards and quality of life.
Vulnerable People	Women headed household, low-income household, a household headed by elderly ¹ with no support and household headed physically challenged people

¹ Elderly people will be defined by the Retirement Age for women and man as of national legislation on the date of survey.

EXECUTIVE SUMMARY

This addendum to the Resettlement Action Plan (RAP) was prepared due to the need in additional land acquisition on Lot 3 km 143-159 of Uzynagash-Otar road section in Zhambyl oblast of Kazakhstan. The addendum to the RAP includes an assessment of the project impact on the parties, resulting from involuntary land acquisition, a description of the social and economic status of the people whose lands are to be permanently acquired for construction purposes, an outline of the national legislation, the World Bank Operational Policy and comparison table for these two involuntary land acquisition-related frameworks, property evaluation and compensation processes, entitlement and compensation matrix, public consultations and disclosure of information, institutional arrangements, grievance redress mechanism, land acquisition timeframe and monitoring and assessment framework.

Kazakhstan's investment programs are including rehabilitation of the Republican (National) road network and the provision of selected additional infrastructure, particularly along the CAREC corridors, totaling 8,290 km. This includes the corridor linking Europe and Russia to China through Kazakhstan, which is the focus of this Project. In 2007 Kazakhstan has launched the implementation of the Western Europe to Western China (WE-WC) International Transit Corridor. The World Bank under the project P099270 - "*SOUTH-WEST ROADS: WESTERN EUROPE-WESTERN CHINA INTERNATIONAL TRANSIT CORRIDOR*" will finance a major upgrade of road infrastructure for the portion of the WE-WC Corridor from the border of Aktobe and Kyzylorda oblasts to the border of South Kazakhstan and Zhambyl Oblasts.

Uzynagash – Otar road section, km 63 – km 159 is a part of the existing Almaty-Kordai-Blagoveschenka-Merke-Tashkent-Termez republican road. The road section is also a part of the Western Europe – Western China International Transit Corridor. The existing road section km 63-159 runs through the Zhambyl district of the Almaty region and the Kordai district of the Zhambyl region. The total length of Uzynagash-Otar road section is of 96 km. The project road is divided in three Lots: km 63-101 (37.75 km), km 101-143 (41.82 km) and km 143-159 (15.43 km). Lots 1 and 2 are located in the Almaty oblast, Lot 3 - in Kordai district of Zhambyl oblast.

The RAP covering all three lots under Uzynagash-Otar subproject was prepared and cleared in May 2018. Construction works on Lots 1, 2 and 3 commenced in September 2018, in June 2019 and in October 2018 respectively. This RAP is prepared specifically for Lot 3 due to the unforeseen impacts under the previous RAP (May 2018). Currently, on Lot 3, construction works are being carried out on the available Government lands which were given to the Contractor for work after the Contract had been signed. On land plots which are subject to additional permanent land acquisition and full compensation, works will be commenced after the WB reviews and gives no objection to this RAP and the Borrower performs the relevant procedures provided by the national legislation. To date, the Akimat has carried out the consultations with the affected landowners/ users identified on Lot 3 to determine the type of compensation preferred. This RAP for Lot 3 will be fully implemented before any construction works will be started on those land plots.

This RAP fits the relevant national laws of the Republic of Kazakhstan and the WB's Operational Policy 4.12. The main objectives of the RAP are to:

- a) Ensure construction and rehabilitation works required for project implementation are implemented in accordance with the policies and principles outlined in this document;
- b) Provide a basis for consultations with relevant stakeholders;
- c) Provide Project Affected Persons (PAPs) with clear knowledge of their entitlements;
- d) Provide guidance to affected groups on how to launch any grievances through appropriate channels; and

- e) Ensure monitoring of arrangements for compensating project affected parties.

Project Impact under this RAP for Lot 3. Additional land plots required for permanent acquisition are located in Zhambyl oblast, Kordai district. An additional acquisition includes 7 (seven) land plots with a total area of 6,24 ha owned/leased by 7 (seven) DPs, where 1 (one) of them is a legal entity (registered organization), and 6 (six) are households. There are structures on the two of the seven sites, existing business, but only one structure falls under the land acquisition, namely a café with a hotel. All two structures represent a roadside service (cafe, hotel, car service station, etc.). One building does not fall into the right of way, only minor parts of the land on which it is located; one cafe with a hotel is required to be acquired, since the café building falls into the future right of way.

Social and economic status. Census and Socioeconomic survey have been carried out among the affected households to identify social and economic characteristics, project area, affected populated localities, composition and socio-economic status of families affected by the project.

The survey showed that 6 Households (HHs) were composed of from 4 to 7 family members, having from two to five children. All HHs are male-headed. The average size of household is 5 people. The age of 6 PAPs varies between 34 to 67, where 50,5 % of them are 30-39 years old, 16,5% - 40-49 years old, 33% - 60-69 years old. The average age of Heads of HHs is 50,6 years. Six PAPs are educated people, where 3 have higher and 3 have secondary professional education.

The HHs are based in different places, some of them dwell in the villages close to the land plots acquired, but some live in the cities like Taraz and Nur-Sultan. The place of living influences on the level of monthly income, although none of 6 HHs has minimum monthly income KZT 50,000 or less, income of 1 HH is between KZT 51,000 – 100,000 and 1 HH earns 201,000 and more per month. Income of 2 HHs ranges between KZT 101,000 and 150,000 and income of 2 HHs is between KZT 151,000 and 200,000.

None of the PAPs are financially dependent on the land plots affected by acquisition. Land plots required for acquisition were not the only source of income for any of the PAPs, since either business was not affected, or the area acquired was small and did not affect the functioning of land plots. Only one business, a cafe with a hotel, will be completely lost, but it is also not the main source of income. Repeated visits to this cafe by consultants and representatives of the project parties, the cafe operated 3-4% of the target and plan for this type of cafe with a hotel. Not a single household is identified as vulnerable population and is not registered in the local akimat as living in need and requiring social assistance from the Government.

Entitlement for compensation. The entitlement for compensation will be limited by the date when collection of data is completed, namely the last day of processing of census and losses data. The completion date for data collection in the project area is **August 7, 2019 (cut-off date)**. After this date, households and legal entities those making any improvements on project affected land plots will not be entitled for compensation. However, they will be preliminary notified and requested to clear the land plots and dismantle the affected structures before the project implementation. These dismantled structures will not be subject to confiscation, any fines, or compensation. PAPs without formal legal rights and claims are entitled to compensation for non-land assets (e.g. crop, tree and structure losses). Informal land use was not identified along the Lot 3 of Uzynagash-Otar.

Compensation. Cash compensation was chosen by 1 Legal Entity for a part of the land plot, and 1 Household for the entire land plot and cafe with a hotel. This compensations amounted to KZT 253 020 157 7. 3 households and one legal entity preferred alternative land plots that are similar in area, category, and quality, and 2 Household has voluntarily returned a small part of the leased land to the

Government without compensation. Taking into account preparation of the new title documents, the total costs of the RAP for Lot 3 amounted to KZT 278 472 145 or 622 048 US dollars.

Public consultations and Grievance Redress Mechanism. The first consultations on the proposed Uzynagash-Otar Project were held during the development of the preliminary road design in March 2015. Representatives of the Committee of Roads, Akimats of Almaty and Zhambyl oblasts and designers took part in public consultations with the aim of providing basic information about the Project, impacts and issues of the RAP, etc. The second series of consultations took place in May 2016 in the villages of Sarybastau, Zhambyl district, Almaty oblast and Kenen, Kordai district, Zhambyl oblast. The third consultations took place in the same villages in April 2017. Specialists of CR, KazAutoZhol, representatives of akimats and resettlement and environment consultants as well took part in the consultations. Specialists of CR, KazAutoZhol, representatives of akimats and resettlement and environmental consultants took part in the consultations. Between 2015 and 2017 public consultations were held for all three sections of the planned Uzynagash-Otar project. In 2018 and 2019, consultation meetings were held in the akimat of the Kordai district, Kordai village to provide information to the parties, in 2018 when the first list of PAPs was compound and in 2019 when the final list of PAPs was determined after some changes introduced. The consultations provided information on the project section of the road, approaches and aspects of land acquisition and resettlement, WB requirements for resettlement, entitlements for compensation, Grievance Redress Mechanism, data collection, monitoring, and other processes in the framework of the RAP. As part of the road construction project, a three-tier Grievance Redress Mechanism has been established and is functioning. The resettlement budget at this stage includes only the costs of the official registration of land and the payment of taxes and duties. The final RAP will be published in Russian and English after review by the World Bank.

1. INTRODUCTION AND THE BACKGROUND

1. Kazakhstan's geographic position makes road and rail transport infrastructure potentially attractive for transit transport to and from other countries. Strategically, it links the large and fast-growing markets of China and South Asia and those of Russia and Western Europe by road, rail, and a port on the Caspian Sea. The Central Asia Regional Economic Cooperation (CAREC) countries² have designated six major transport corridors, four of which transit through Kazakhstan.

2. Kazakhstan's investment programs are including rehabilitation of the Republican (National) road network and the provision of selected additional infrastructure, particularly along the CAREC corridors, totalling 8,290 km. This includes the corridor linking Europe and Russia to China through Kazakhstan, which is the focus of this Project. In 2007 Kazakhstan has decided to launch the implementation of the Western Europe to Western China (WE-WC) International Transit Corridor. The overall goal of the WE-WC Corridor development program is to improve transport efficiency and safety and promote development along one of Kazakhstan's main strategic road transport corridors. Transport and trade efficiency will be improved through provision of better infrastructure and services along the entire corridor to reduce transport costs.

3. The World Bank under the project *P099270 - "SOUTH-WEST ROADS: WESTERN EUROPE-WESTERN CHINA INTERNATIONAL TRANSIT CORRIDOR"* will finance a major upgrade of road infrastructure for the portion of the WE-WC Corridor from the border of Aktobe and Kyzylorda oblasts to the border of South Kazakhstan and Zhambyl Oblasts. The Borrower is the Republic of Kazakhstan, and the representative of the Borrower is the Ministry of Finance. The Project implementation entity is the Committee for Roads within the Ministry of Industry and Infrastructural Development. The other cooperating International Financial Institutions (IFIs), Asian Development Bank (ADB), European Bank for Reconstruction and Development (EBRD) and Islamic Development Bank (IsDB), involved in supporting development of the corridor will finance other sections of the construction program.

4. The *South-West Roads Project (SWRP)* will lead to more efficient and safer transport, lower road user costs and improved road safety and road services along the WE-WC Corridor. The SWRP is part of the Government's strategy to stimulate economic growth and reduce poverty, by improving access to markets, as well as providing employment in the construction sector and related services. The Project will provide an efficient transport link for the remote regions of Kazakhstan, and for other countries in the region, particularly Tajikistan, Uzbekistan and the Kyrgyz Republic.

1.1. Subproject Description

5. Uzynagash – Otar road section, km 63 – km 159, with the total length of 96km is a part of Almaty-Kordai-Blagoveschenka-Merke-Tashkent-Termez republican road. The road section is also a part of the Western Europe – Western China International Transit Corridor representing a necessary link in the international road corridor between Western Europe and Western China. The corridor is aimed to provide the separate road through Western China, Kazakhstan and the Russian Federation that allows travelling in any climate conditions. This corridor will increase economic benefit, significantly increase flow of the goods, tourists and improve social connection with the People's Republic of China and the Republic of Kazakhstan. The existing road "Almaty-Kordai-

²CAREC comprises Afghanistan, Azerbaijan, People's Republic of China (focusing on Xinjiang Uygur Autonomous Region), Kazakhstan, Kyrgyz Republic, Mongolia, Tajikistan and Uzbekistan.

Blagoveshchenka-Merke-Tashkent-Termez” km 63-159 runs through the Zhambyl district of the Almaty region and the Kordai district of the Zhambyl region. The total length of Uzynagash-Otar road section is of 96km. The project road is divided in three Lots: km 63-101 (38 km), km 101-143 (42 km) and km 143-159 (16 km). Lots 1 and 2 are located in the Almaty oblast, Lot 3 - in the Zhambyl oblast.

6. In 2006, this road section has already been reconstructed: km 14 to km 63 (49 km), to the Category I (4 lanes with two lanes in each direction, and median) and km 63 to km 162 (99 km), to the Category II (2 lanes with one lane in each direction). About 80% of the road section will be constructed on the existing road of much smaller size and worse quality, with widening of the road from 2 lanes to 4 lanes, or from Category II to Category I. The right-of-way of the road is 40 m. The new road will be constructed within the existing right-of-way. The existing three bridges will be also reconstructed with widening for the additional two lanes. The Project includes construction of two bypasses of villages Samsy and Targap. The length of alignment with cutoff is approximately 102,801 km (from km 56 to km 158+801). Cutoff and Samsy bypass is km 63+000 – 80+398 (17,071 km), and bypass of Targap is km 89+705 – 1000+000 (10 km).

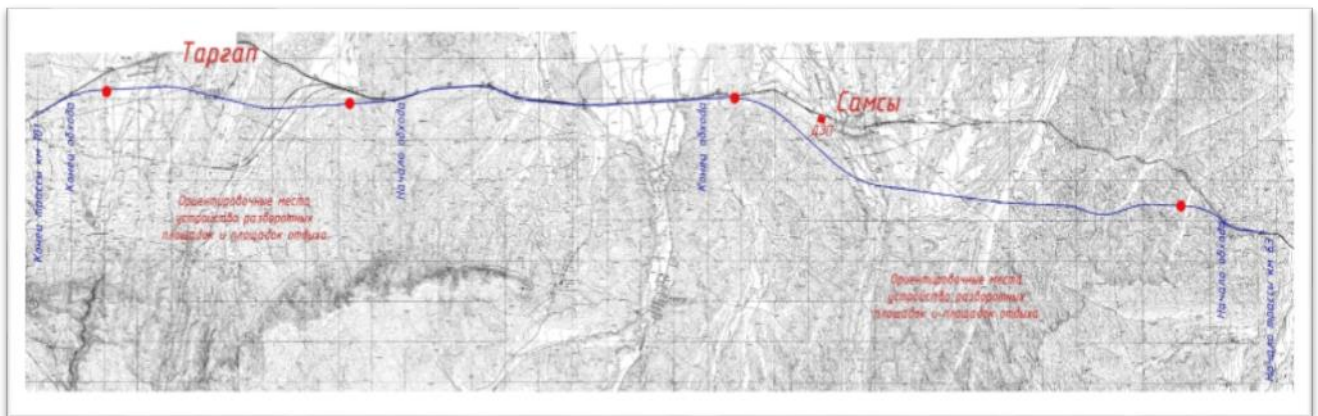


Figure 1. Proposed Bypass Layout

7. During the field survey conducted in October 22, 2014, all the detailed characteristics of the existing roads were studied and analyzed, including the proposed bypasses of Samsy and Targap villages. The drawings showed the proposed bypasses that will improve the alignment, road safety, reduce the number of traffic accidents and reduce the length of the road and provide the opportunity of future expansion of the settlements located near to bypasses. The proposed bypasses are optimal to ensure safety near villages and are likely to positively affect the future development of the growing population, including social and economic development of two villages.

8. The Project includes construction of artificial structures (cattle crossings, culverts, bridges, etc.) those are already agreed with the local authorities (akimats) and heads of peasant households. The works on 4 traffic interchanges at different levels, 2 of the trumpet types at km 59+120 are included.

9. Along Uzynagash – Otar road section the artificial structures for maximum amount of rainfall floods are presented by round and box culverts of various diameter and sizes. All culverts have been constructed in 2004 and are in quite good operating condition. The Project provides for replacement of the old culverts with the new bigger ones and some additional culverts will be provided if required.

10. Condition of the existing road according to the parameters of the plan, longitudinal and cross section profiles does not meet the requirements of technical category Ib according to

Construction regulations and rules №3.03-09-2006 of RK. Working designs of Uzynagash-Otar sections km 63-101 and km 101-143 of were developed by the design institute *Kazdorproject* employed by *KazAutoZhol*³. Further, km 143-159 section was developed by the design institute *SK Engineering* also employed by *KazAutoZhol*. Both design institutes have completed topographic and geotechnical survey during 2015-2016.

1.2. Subproject Location

11. The existing road section km 63 – km 159 of Uzynagash-Otar subproject runs through Almaty oblast and Zhambyl oblast of Kazakhstan. Lots 1 and 2 are located in the Zhambyl district of the Almaty oblast, Lot 3 - in Kordai district of Zhambyl oblast.

12. Uzynagash-Otar road section begins at the north-west from Almaty in Uzynagash village (km 63) and ends near Kordai bypass at km 162 in Otar village. The road runs through the highlands, plains and hilly terrain in the northern direction. The road starts at an altitude of 765 m, goes through a flat terrain on Karatorpak gorge, descending to 685 m, and then running up to 27 km in hilly terrain with several passes with elevations up to 760 m, the last pass leads to a dropdown valley.

13. Samsy and Ungurtas villages are located 13 km and 18.50 km respectively away from the end of four-lane road, namely from 57 km road stretching from Almaty through Uzynagash towards Otar. Villages like Ulguli, Ungurtas, Targap, Kopa, Degeres, Beriktas are also located along the road between Uzynagash and Otar.

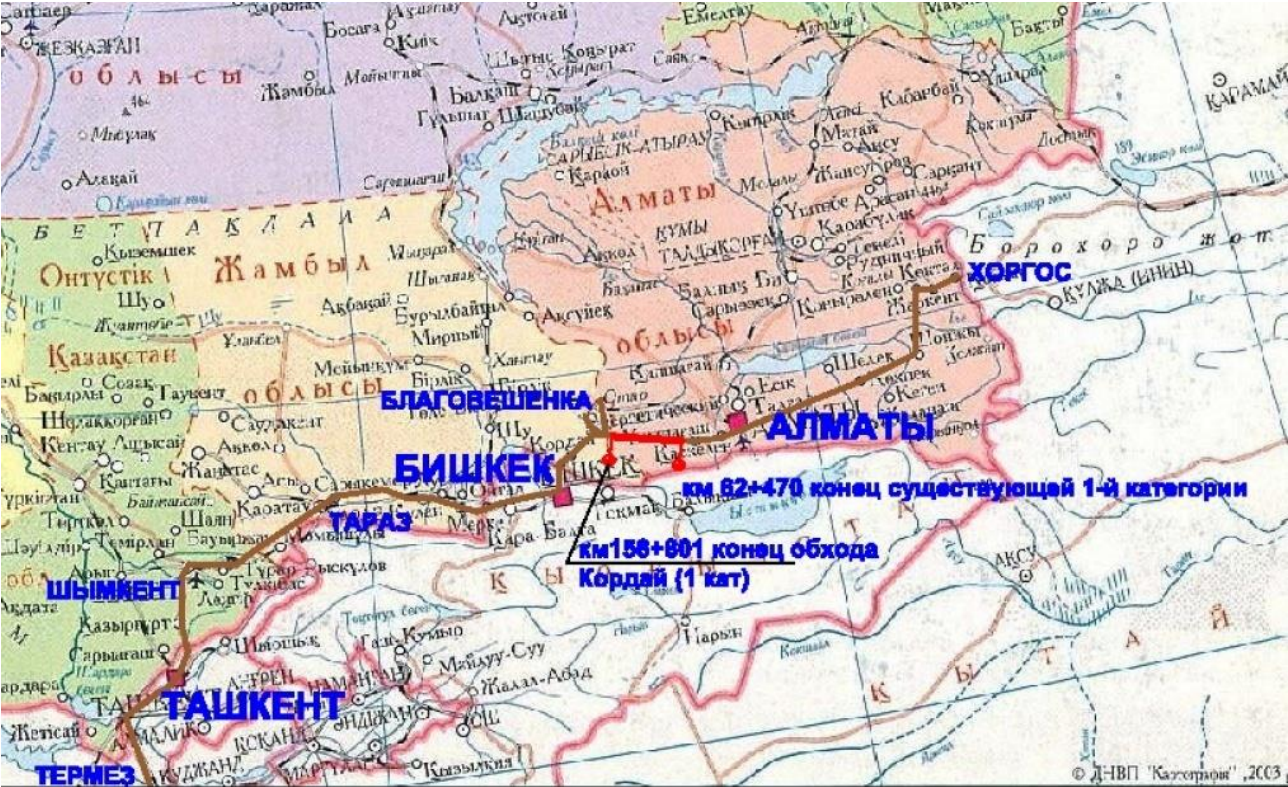


Figure 2. Uzynagash – Otar Section Layout

³ KazAutoZhol - National operator of national and international category highway network

1.3. Current Status

14. Condition of the existing road according to the parameters of the plan, longitudinal and cross section profiles does not meet the requirements of technical category Ib according to Construction regulations and rules №3.03-09-2006 of RK. Working designs of Uzynagash-Otar sections km 63-101 and km 101-143 of were developed by the design institute *Kazdorproject* employed by *KazAutoZhol*⁴. Further, km 143-159 section was developed by the design institute *SK Engineering* also employed by *KazAutoZhol*. Both design institutes have completed topographic and geotechnical survey during 2015-2016.

15. The RAP covering all three lots under Uzynagash-Otar subproject was prepared and cleared in May 2018. Construction works on Lots 1, 2 and 3 commenced in September 2018, in June 2019 and in October 2018 respectively. This RAP is prepared specifically for Lot 3 due to the unforeseen impacts and it is addition to the previous RAP (May 2018). Currently, on Lot 3, construction works are being carried out on the available Government lands which were given to the Contractor for work after the Contract had been signed. On land plots which are subject to additional permanent land acquisition and full compensation, works will be commenced after the WB reviews and gives no objection to this RAP and the Borrower performs the relevant procedures provided by the national legislation. To date, the Akimat has carried out the consultations with the affected landowners/ users identified on Lot 3 to determine the type of compensation preferred. This RAP for Lot 3 will be fully implemented before any construction works will be started on those land plots.

1.4. Objective of the Resettlement Action Plan

16. This RAP fits the relevant national laws of the Republic of Kazakhstan and the WB's Operational Policy 4.12. The main objectives of the RAP are to:

- a) Ensure construction and rehabilitation works required for project implementation are implemented in accordance with the policies and principles outlined in this document;
- b) Provide a basis for consultations with relevant stakeholders;
- c) Provide PAPs with clear knowledge of their entitlements;
- d) Provide guidance to affected groups on how to launch any grievances through appropriate channels; and
- e) Ensure monitoring of arrangements for compensating project affected parties.

1.5. Approach and Methodology

17. To achieve the objective of this RAP, systematic, participatory and collaborative approaches have been adopted. Methodology to collect information included a desk review of the project documents and design drawings, study of alignment maps, a census of project affected people, public consultations, interviews with key PAPs, questionnaire survey, field investigations and consulting the local executive authorities.

18. Process of identification of structures and land plots affected by the project is based on three methods:

- Identification of official land users: Two instruments have been used to identify land users: (1) the existing cadastre and land use data available from the oblast branch of

⁴ KazAutoZhol - National operator of national and international category highway network

State Corporation “The Government for Citizens” (NPCzem)⁵; and (2) a 1: 2,000 survey maps conducted by designers in each site, where all the buildings are indicated, and which are tied to coordinates, 120 m wide, following the road route plan. It will show all the facilities within the existing right-of-way (ROW), where work will be carried out.

- Identification of Informal Land Users: Land use surveys along the entire route plan have been carried out by designers to identify and describe any forms of informal use of the ROW or territory affected by construction of bypass roads or other land acquisition that do not affect visible structures and they remain unnoticed in the methods described above for the definition of formal structures. This type of land user includes, for example, informal agricultural enterprises (gardens, small fields, seasonal outlets), facilities for the cultivation of animals and birds that are illegally located in the -ROW.
- Information on any registered site and its location with topographic coordinates is kept in the Real Estate Centers of the Ministry of Justice. This information is also collected by the NPCzem. Designers involved by CR have received information about landowners who may be potentially affected from the NPCzem in the form of maps with a scale of 1:25 000 showing the projected road and land plots intersected by the road or located in close proximity to it. The designers compared these maps to the information they received during topographic surveys on the route, performed as standard measures in their work.

19. In order to identify informal land users, the designers compared the official land use data received from NPCzem with their own data from the latest surveys. Thus, each designer has the possibility to identify structures erected (usually within the right-of-way) illegally and without registration of ownership.

20. In addition, to verify and determine project impacts, a census survey and public consultations have been carried out to obtain specific details of project affected parties/households.

⁵Research-production center of land cadaster

2.LEGAL AND POLICY FRAMEWORK

21. The Legal Framework Section of this RAP describes all laws, decrees and regulations of the Republic of Kazakhstan related to the resettlement and land acquisition activities associated with the project, as well as WB's Involuntary Resettlement Policy and fundamental principles. Legislation is presented in hierarchical order. Since physical involuntary displacement of community is not required in this project, the Laws and Regulations presented are related to land acquisition, entitlements, state property, including the summary of procedures.

2.1. Legal Framework in Kazakhstan

22. Land in Kazakhstan mainly is owned by the Government. However, the lands may be privately owned, transferred, sold or rented by individuals. When land is in private ownership, the Government may claim it back for the special use only, including road construction. Any ownership deprivation shall be carried out in accordance with the governing procedures provided by the Codes and Laws and after payment of compensation for all losses to affected people. Some of the main regulations related to land acquisition for public interests and needs are the Constitution of the Republic of Kazakhstan, the Land Code, the Civil Code, and the Law "On the State Property".

2.1.1. Constitution

23. Laws and regulations related to land and land ownership in Kazakhstan are primarily based on the provisions of the Constitution.

- **Article 6.3** states that land (above and below the surface) belongs to the Government but may also be privately owned.
- **Article 26.3** states that *'No one may be deprived of his ownership unless stipulated by a court decision. Any forced deprivation of ownership for public use can be carried out subject to equal compensation, in exceptional cases, provided by the Law'*.

2.1.2. Civil Code

24. The Civil Code, Clauses 4 and 5 of Article 9, states that compensation amount shall include cost of the property and full amount of losses incurred by a landowner/user as a result of compulsory land acquisition for public use and (or) premature termination of the obligations of an owner or non-state land user to third parties.

25. Currency of compensation shall be Kazakhstan Tenge.

26. If the landowner/user agrees, he/she may be provided with an alternative land plot of equal value or titles on it. This cost is based on cadastral (estimated) cost in replacement of land acquired for public needs.

27. Compensation shall be paid in full amount before ownership rights on this property are transferred to the Government.

2.1.3. Land Code

28. The *Land Code No. 442 dated of 20th of June 2003* provides for the land reservation for public needs stating in Article 84.1 that *'land plot may be reserved for public needs by purchasing it or providing equivalent land plot to a landowner or land user with their consent'*. Article 84.2.4

states that road construction is one of those public needs and private land may be acquired by the Government. Article 84.4 indicates that when land plot is leased, the lease contracts are terminated, and compensation is paid to the leaseholder in amount sufficient to cover all losses and the leaseholder may be given an alternative land plot, if available.

29. Involuntary acquisition of land plot or any property is an exceptional case of deprivation of an individual and a legal entity of their ownership rights and that can be acceptable only in cases when there are no other options to satisfy public needs.

30. The Land Code also distinguishes the nature of public needs and private commercial purposes where the latter relates to land acquisition by nongovernment legal entities in pursue of their commercial interests and without performing any public functions. In that case, the deed between seller and buyer is confirmed by the contract.

31. The amount of land for acquisition shall not exceed amount of land required to meet public needs.

32. Before the beginning of involuntary land acquisition, the Government or local executive agency (further - Akimat) issues a decree about the beginning of land acquisition process. This decree shall include:

- 1) The aim and justification of land acquisition;
- 2) Location, oblast, cadastral number;
- 3) Property owner or user;
- 4) Date of acquisition (no earlier than 3 months after the date of this decree);
- 5) Place where landowner or user can come to perform conciliation procedures.

33. In case if any changes are introduced in clauses 2 and 4 the procedure of the land acquisition is to start again from the date of Amendments introduced in the decree.

34. These decrees shall be published in the national and local mass media within three working days after they are signed.

35. In case when private ownership is not registered, the landowner may arrange for the proper and necessary registration of private ownership for the land plot in subject after the decree is signed.

36. At that the term for compulsory land acquisition determined by the decree shall be extended for no more than six months.

37. Regarding compensation, the Land Code offers a choice to landowner/user, namely alternative land plot/property can be provided instead of monetary compensation. Although these alternative lands are not always easily accessible, affected people shall be properly informed about such option.

2.1.4. The Law on the State Property

38. The Law “On the State Property”, Chapter 6, is the main governing regulation related to involuntary land acquisition for public use that describes all aspects of the land acquisition procedure. The Law specifies the subject, general provisions, the principles, start and end of such land acquisition, the manner of notification and procedure of land acquisition, titles of the owner, the amount of compensation, form and dates of compensation payment, and conciliation procedures as well. All necessary procedures are carefully set out in this Law in details. There are important

provisions outlined below.

39. Executive agency shall send a written notification to the landowner/user within three calendar days after publication of the decree that his land plot is subject to acquisition for public use. Together with notification the landowner/user receives the draft contract on purchase of this land plot or other property. The notification shall be sent by mail with written confirmation of its receipt. In case of no written confirmation of the notification receipt, the documents shall be sent again.

40. The Law describes the procedure of land acquisition. The basis of compulsory acquisition of land or other property for public needs is a Contract on land acquisition, or a court decision.

41. The local executive agency (Akimat) shall send to the relevant representative body the draft contract for land acquisition or property within two months from the moment of notification received by the landowner or user. The permanent commission of the local representative body within two weeks reviews the draft contract in presence of the landowner or people whose rights are to be terminated or limited. After agreement is achieved, executive agency approves the contract and then the landowner or user signs it. Such contract as ascribed by the Law shall include the following information:

- Cost of the land plot, determined pursuant to this Law, article 67, and identification characteristics of the immovable property or land plot provided to the landowner or user instead of acquired one;
- Difference in cost possible if alternative land is of less value;
- Amount of losses to be compensated, including cost of property acquired;
- Dates of payment for the land plot/property or transfer of alternative land plot to the landowner/user;
- Composition of the property acquired for public needs;
- List of people whose titles to land are to be terminated or limited;
- Information about financing such land acquisition for public use by the Government.

42. If the landowner/user does not agree with the decree on land acquisition issued by the Government or local executive agency, cost of the land acquired or amount of losses to be compensated, the local executive agency can file a claim in court for involuntary acquisition of land or property for public needs. Such claim shall be filed after three months from the date of land acquisition notification received by the landowner/user but not later than the date of beginning of land acquisition process. The court will consider such civil cases of involuntary land acquisition within one month. If this law case is denied, all damages caused to the landowner/user shall be covered by the Government.

43. The actual transfer of the land plot or property can only be carried out after the landowner/user receives compensation in a manner set out in this Law. Termination of the ownership/lease title shall be officially registered given that a document confirming payment of compensation to the landowner/user is provided to the registering authority.

44. The landowner/user may use his titles and perform all necessary expenses related to the use of land or property based on their intended purpose from the moment of notification about the beginning of land acquisition is received and until the cost and losses to be compensated are agreed, or the court decision taken. Meanwhile, the landowner/user takes risk of losses and damages related to new construction, expansion or reconstruction of buildings (structures and constructions) or other property during this period.

45. The Law also specifies that if after acquisition of a part of the land the remainder becomes

unusable in the same way as before, then the entire land plot shall be acquired.

46. Before February 2019, the cost of the land plots was determined by the cadastral price. As a rule, these prices were not equal to their market prices. The change in the Law came into force on February 2, 2019. Now the Law "On State Property" determines that land for the state needs shall be acquired only at the market price.

47. The market price of the land acquired for the Government purposes shall be determined by an independent evaluator at the prices prevailing at the date of the property valuation. The evaluator's services are reimbursed by local executive bodies. In case of disagreement with the result of the valuation, the landowner has the right to appeal it to the court or to the expert council in accordance with the Law "On valuation activity in the Republic of Kazakhstan".

48. The cost of the estate property located on it is determined in the amount not exceeding its market price and determined by the independent valuator after the landowner/user received notification about involuntary land acquisition.

49. Compensation shall be paid from the Government budget based on the Contract for purchase of land plot or other property for public needs. Payment shall be made within one month after the Contract is signed or after the court decision becomes effective. Payment of compensation by installments is not allowed.

2.2. WB's Involuntary Resettlement Policy

50. In this section the main safeguard policies and principles of the World Bank related to involuntary resettlement applied in the development projects are described.

51. World Bank Policy OP 4.12 (Involuntary Resettlement) describes the principles applicable for temporary and permanent impacts on households caused by loss of lands, buildings or others basic assets, change in land use or business, restriction for use of lands, accommodation or business. Principles shall be applied to all "affected people" including those who do not have formal legal licenses or property right, but experiencing impact resulted from land acquisition or resettlement for public needs. These principles are as follows:

- Land acquisition and resettlement shall be avoided or minimized;
- Affected people shall be entitled for compensation of full replacement cost for their lost assets, incomes and businesses, including temporary losses or impacts, without adjustments for depreciation or deductions for any other purpose;
- Compensation (and other forms of assistance, as warranted) shall allow affected people to improve, or at least restore their pre-project incomes and living standard;
- Affected people shall be consulted on resettlement planning;
- Affected people shall be fully informed of their compensation options;
- Land-for-land swap is the preferred compensation for lost agricultural land if it is available, unless an affected person chooses cash compensation;
- Costs of property transfer – purchase or swap – are waived or borne by the investor, including taxes, fees, documentation and court appeals;
- Compensation shall be made giving equal consideration to women and men;
- Lack of formal legal property right does not dispossess affected people from their entitlements or assistance required to achieve the objectives of the Policy;
- Affected people shall be supported during resettlement;

- Special attention shall be given to women-headed households and other vulnerable population and appropriate assistance provided to assure that their living standards are maintained or improved;
- Land acquisition and resettlement shall be implemented as a part of Project and fully funded;
- Compensation shall be fully provided until access for land is obtained to perform civil works or demolition;
- In case of unavailability of the landowner or heirship registration (or left the country), etc., the Government shall put compensation amount and 10% in ESCROW account.

2.3. National Laws and WB’s Policy Gap Analysis

52. Table 1 demonstrates provisions of two frameworks related to involuntary resettlement and land acquisition, namely World Bank’s Involuntary Resettlement Policy and legal practices employed in Kazakhstan. While they mainly correspond with each other, some discrepancies can be seen in two approaches to land acquisition and involuntary resettlement. For example, only those having legal ownership titles are entitled for compensation v/s compensation shall be paid for non-land property. Kazakhstan laws do not include the requirement of restoration of livelihood or goals to improve living standards and ensure local population benefitting from the development project, or assistance provided to population with their moving to a new place. The World Bank also envisages involvement of independent valuator as third party in negotiations and carrying out external and internal monitoring while in Kazakhstan legislation there are no such requirements. Please see Table 1 below.

Table 1. Comparison of Two Sets of Principles

No.	Land plots acquisition practices in Kazakhstan	The WB Involuntary Resettlement Policy	Agreement on this Project
1	Compensation for land and non-land property is specifically provided only to the entitled owners or tenants of land, who purchased out ownership or rights to lease from the Government.	Project Affected Persons (PAPs) without formal legal rights and claims are entitled for compensation for the non-land property (for example, in case of loss of plants, trees and structures).	In this Project informal users have not been identified. In case of changes in the design and informal users are identified, the requirements of the WB’s Involuntary Resettlement policy will be observed. Specifically, PAPs without formal legal rights and claims are entitled to compensation for non-land assets (e.g. crop, tree and structure losses).
2	The purpose does not specifically include restoration of livelihoods and standards of living.	The objective of the policy is to restore livelihoods and living standards of the PAPs, regardless of ownership right or legal status.	Not identified in this project, however, in all cases where the project will have adverse impact on livelihoods and living standards the CR will need to provide livelihood improvement measures as specified in WB’s Involuntary Resettlement policy.
3	There are no requirements to provide assistance to PAPs and examine their opportunities in resettlement process to benefit from the project.	Physically displaced persons (irrespective of their legal status in respect to the land) are provided with the following: (i) assistance in resettlement,	Same as above. .

No.	Land plots acquisition practices in Kazakhstan	The WB Involuntary Resettlement Policy	Agreement on this Project
		<p>guaranteed ownership of the land plot, where they were resettled to, improvement of living conditions in the resettlement sites with comparable access to the previous employment and production capabilities, as well as civilian infrastructure and services, if necessary,</p> <p>(ii) provision of support within the transition period and assistance aimed at development, such as land development, credits provision, training or employment opportunities, as well as</p> <p>(iii) opportunities to obtain the relevant benefits from the project.</p>	
4	<p>Compensation, other than compensation for the acquired property and loss of income from the lost business (including future losses), is not provided to support the economically resettled persons.</p>	<p>The economically resettled persons will be provided with the following:</p> <p>(i) assistance (for example, access to credits obtaining, training and employment)</p> <p>(ii) opportunities to obtain the relevant benefits from the project,</p> <p>(iii) compensation for: (a) the cost of recovery of commercial activities in another site, (b) net income lost during the transition period, and (c) the cost of relocation and reinstallation of a plant, machinery and other equipment.</p>	<p>Not identified in this project, however, in all cases where the project will have adverse impact to economically displaced PAPs the CR will need to provide income restoration measures as specified in WB's Involuntary Resettlement policy.</p>
5	<p>Census surveys and social impact assessments are not required.</p>	<p>Socio-economic research (studies) and the census in the presence of the relevant socio-economic data are necessary to identify all the PAPs and assess socio-economic impacts of the project on them.</p>	<p>The social assessments including census survey carried out as per the WB's involuntary resettlement policy requirements</p>
6	<p>There are no special requirements for identification and assistance to vulnerable groups.</p>	<p>Identification of vulnerable groups and development of targeted measures to ensure that they are not subjected to adverse effects and are not at a disadvantage in terms of distribution of benefits and opportunities for development.</p>	<p>No vulnerable families/groups impacted by the project and Kazakhstan Law on Address Social Aid will be implemented in parallel with any additional assistance.</p>

No.	Land plots acquisition practices in Kazakhstan	The WB Involuntary Resettlement Policy	Agreement on this Project
7	There are no requirements for the RAP preparation and approval. Consultations with the PAPs are not required in relation to land acquisition.	Preparation, approval, disclosure of information and monitoring of the RAP based on consultation with the PAPs and social impacts assessment are required.	The WB's Involuntary Resettlement Policy is implemented, and RAP will be implemented prior to start any project interventions
8	The possibility of negotiations without a third party is considered as an initial approach to address land acquisition issues. If agreement cannot be reached, then involuntary acquisition procedures will be started based on the court decision.	It contributes to land acquisition through negotiations, which must be confirmed by third parties, the independent valuator, in order to ensure appropriate compensation relevant for all the costs of relocation and substantial consultation with the PAPs.	The WB's Involuntary Resettlement Policy is implemented and the land to be acquired for the project will be obtained through consultations and negotiations process by providing compensations as per the Bank policy requirements. If the agreement cannot be reached, then the procedures of involuntary acquisition through the court begin
9	There are no requirements for internal or external monitoring.	Depending on the category of the project, the WB requires both, internal and external monitoring	The WB's Involuntary Resettlement Policy is implemented
10	The law and regulation of Kazakhstan does not provide for establishing cut-off dates	Establishing the Cut-off date. Normally, cutoff date is the date the census begins. The cutoff date could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx.	As per the Kazakhstan Land code, the date of decree issued to landowners considered as the cut-off date. For informal land users the census survey date will be considered as the cut-off date as per the OP 4.12
11	The law and regulation of Kazakhstan doesn't provide provisions for establishing of project specific GRMs. However, there is a national requirement to establish a grievance mechanism in each public and administrative organizations. Akimat level there is a public relations and complaint handling system exists	Grievance Redress Mechanism. All WB financed projects should provide appropriate and accessible grievance mechanisms for PAPs.	In this project, the implementing agency will establish the project specific GRM which will be maintained and regularly monitored by the project.
12	The law and regulation of Kazakhstan doesn't require disclosure of resettlement related documents but only environment reviews/assessment reports.	Disclosure of information. Resettlement-related documents to be timely disclosed in the PAP language. Public consultation.	In this project, the implementing agency will ensure disclosure of all safeguards instruments (including social and environmental instruments) as required and guided by the Bank policy.

53. In case of any discrepancies in two legal bases, the safeguard principles set out in the World Bank's OP 4.12 (Involuntary Resettlement) shall prevail over national legislation, be applicable and observed when carrying out involuntary resettlement and land acquisition process. To avoid issues related to such discrepancies, the Government of Kazakhstan signed and ratified the Loan Agreement for road reconstruction with the World Bank, where the Government agreed to follow the WB's principles in involuntary land acquisition of private land and resettlement of households in the public interests under this project. The principles are applied in case of temporary or permanent impacts on households resulting from loss of land, structures or other fixed assets; changes in land use or business; restrictions in the use of land, housing or businesses. The principles apply to all "project-affected persons", including those without formal licenses or titles, who experience impacts as the result of land acquisition or resettlement for public needs.

3. SOCIAL AND ECONOMIC CHARACTERISTICS OF THE REGION

54. Road section between km 143 and 159 is the main focus of this RAP since additional land acquisition has been identified on Lot 3. This road section is located in Kordai district of Zhambyl oblast and has a total length of 16 km.

3.1. Kordai District of Zhambyl Oblast

55. Kordai district is the easternmost district of the Zhambyl region, located in the Chu valley, on the northern bank of the Chu River. The regional center is the village of Kordai. The population of the district is 143,827 people as of 2019. The ethnic composition of the population is represented by Kazakhs (49.62%), Dungans (33.81%), Russians (9.93%), Azerbaijanis (2.68%), Turks (0.71%), Kurds (0.29 %), Kyrgyz (1.06) and other nationalities (1.90%).

56. The border checkpoint on the bridge over the Chu River at the Kordai District Center is the most important on the border between Kazakhstan and Kyrgyzstan, as there is a road from Bishkek to Almaty A-2 (M 39), as well as Bishkek to Shu city, from where passengers continue to follow the railway to Nur-Sultan.

57. In the district there is the state natural botanical reserve Urochishche Karakuz with an area of 3,070 hectares, located 65 km away from the district center of Kordai in the western outskirts of the Trans-Ili Alatau. The reserve accounts 520 species of local flora, including fruit plantings of apple trees, cherries, cherry plum, grapes, interspersed with areas of maple forest, white acacia, mulberry, and walnut.

58. The gross product of Zhambyl oblast is industry (23.8%), agriculture (20.2%), transport and communications (16.6%), construction (6.5%), trade (9.2%) and other industries (23.7%).

59. Not far from the Western Europe - Western China road which crosses the Kordai Pass, there is the Kokadir gold mine and the Central Asia Gold Corp LLP plant for the extraction and processing of gold ore.

60. The following rural districts are affected by the reconstruction of Lot 3: Zhambyl (village Zhanaturmys), Kenen (village Kenen), and Ulken Sulutor (village Ulken Sulutor).

3.2. Profile of Project Affected Population

61. During construction works additionally 7 land plots have been required for permanent acquisition. These 7 land plots are owned/leased by 7 DPs, where 6 of them are Households (HHs) and 1 is a Legal Entity (LE). All seven PAPs were available during the land acquisition process, including consultations, identification of compensation types preferred and they will be available to receive compensation as well. Consultations on entitled compensation of the AP will be carried out by the social specialists of PMC and CSC.

3.2.1. The Number and Size of Affected Households

62. The social survey showed that 6 Households were composed of from 4 to 7 family members. All HHs are male headed. The average size of household is 5 people.

Table 2. Size of Households

Size of Households	Number of Households	Percent
3 and less	0	0
4 - 5	5	83,5
6 - 7	1	16,5
8 and more	0	0
Total	0	100

3.2.2. Age, Family Status and Education of Affected Households' Heads

63. The age of 6 PAPs varies between 34 to 67, where 50,5 % of them are 30-39 years old, 16,5 % - 40-49 years old, 33% - 60-69 years old, where no one there is under 30. The average age of Heads of Households is 50,6 years. All PAPs are married. 3 4 PAPs have higher education and 3 have secondary professional.

Table 3. Age of the Surveyed Heads of Households

Age of Household Head	Men	Women	Total	
	Number	Number	Number	%
Under 30	0	0	0	0
30 – 39	3	0	3	50.5
40 – 49	1	0	1	16.5
50 – 59	0	0	0	0
60 – 69	2	0	2	33
70 and older	0	0	0	0
Total	6	0	6	100

Average age = 50,6

Table 4. Education of Heads of Households Surveyed

Education	Men	Women	Total	
	Number	Number	Number	%
High	3	0	3	50
Secondary professional	3	0	3	50
Secondary	0	0	0	0
Total	6	0	6	100

3.2.3. Ethnic Composition of Affected Population

64. By ethnic composition, all seven PAPs are the Kazakhs (100%). None of these groups have characteristics of indigenous people defined by the World Bank. All PAPs have complete and equal access to institutes and economic opportunities.

3.2.4. Incomes of Households

65. The HHs reside in different places, some of them live in the villages close to the land plots acquired, but some live in the cities like Taraz and Nur-Sultan. The place of living influences on the level of monthly income, although none of 6 HHs has not minimum monthly income KZT50,000 or less, income of 1 HH is between KZT 51,000 – 100,000 and 1 HH earns 201,000 and more per month. Income of 2 HHs ranges between KZT 101,000 and 150,000 and income of 2 HHs is between KZT 151,000 and 200,000. The income data is presented in Table 5 below.

Table 5. Monthly Income of the Surveyed Household

Range of Income (in KZT)	Number of HH	%
50,000 and less	0	0
51,000 – 100,000	1	16.5
101,000 – 150,000	2	33.5
151,000 – 200,000	2	33.5
201,000 and more	1	16.5
Total	6	100

66. None of the PAPs were financially dependent on the land plots affected by acquisition. Land plots required for acquisition were not the only source of income for any of the PAPs, since either business was not affected, or the area acquired was small and did not affect the functioning of land plots. Only one business, the cafe with hotel, will be completely lost, but it was also not the main source of income. Multiple visits to this cafe by consultants and representatives of the project parties showed that the cafe operated 3-4% of the target for this type of cafe with a hotel. Not a single household is identified as vulnerable and is not registered in the local akimat as living in need and requiring social assistance from the Government.

4. SOCIAL IMPACTS AND RISKS IDENTIFIED

4.1. Physical and Economic Impacts

4.1.1. Loss of Lands

67. The requirement of additional permanent land acquisition on the Lot 3 road section is 6,24 ha. This area consists of 7 land plots privately owned and leased from the Government by 7 DPs, where 1 (one) DP is a Legal Entity, and 6 (six) are Households. The table with information on land acquisition and ownership is given below in Table 6.

68. The Legal Entity DP-07 owns a land plot, but with no buildings or plants located on it, it is a bare land plot with a designated purpose - pasture. Out of 6 HHs, 2 have structures on land plots, where only small parts of 1 plots land falls within the right of way and will be compensated by a similar part of land on the other side of the affected plot. The land plot under the second cafe will be completely acquired, together with the building. Three Land plots of 3 HHs will be compensated by similar plots. Two HH are giving peace of his leased land to the Government without compensation, since the land plots to be acquired has a small area in relation to the whole plot, which is moreover leased from the Government. Any such return of the land without compensation will be followed transparent procedure, where, an affected person along with a signed consent letter will be consulted and ensured that the affected person acquires full knowledge of his/her rights to compensation.

69. The category of 7 land plots is as follows: 5 land plots (67%) are of Agricultural Category and 2 plots (33%) are of the category of Lands of Industry, Transport, Communications, for the Needs of Space Activities, Defense and other Non-Agricultural Purposes (further in this document as Lands of Transport)..

70. Out of total 7 sites, 4 are privately owned, and 3 sites are leased from the Government on a long-term basis. The owners of the land are DP-07 (agricultural land), DP-05, DP-06 (under all two cafes –Lands of Transport) as shown in table below.

Table 6. Displaced Persons and Severity of Impacts

Displaced Person ID	Affected Asset	Ownership	Total Area, ha	Area to be acquired, ha	Severity of Impact
DP-01	Agricultural land (pasture)	Leasehold	22.0	0.51	2 %
DP-02	Agricultural land (pasture)	Leasehold	3.70	0.27	7 %
DP-03	Agricultural land (pasture)	Leasehold	13.916	3.27	0,023 %
DP-04	Agricultural land (pasture)	Private	7.30	1.11	15 %
DP-05	Land plot	Private	1.0	0.49	49 %
DP-06	Land plot and buildings (café and hotel)	Private	0.800	0.800	100 %
DP-07	Agricultural (pasture)	Private	1.25	0.25	20 %

4.1.2. Loss of Structures

71. On 2 out of the 7 land plots there are structures, but only one is affected by permanent acquisition, namely the cafe with the hotel. All three buildings represent a roadside service (cafe, hotel, service station). Two buildings do not fall into the right of way, but only insignificant parts of the land on which they are located. The cafe with the hotel will be acquired, as the building falls into the right of way of the future road.

72. Table 7 below shows the levels of impact on the land plots and DPs, where the minimal level of impact means that only a part of the bare land is required and compensated by part of the land on the other side of the land, or cash compensation. The average impact level means the acquisition of the entire land plot, while there are no structures and plants located on it and is compensated in the form of cash compensation or an alternative similar land plot (land swap). The maximal impact level means the loss of structures (houses and other structures) and/or business (buildings, land, crops, trees, that is, income-generating assets) (physical and economic displacement).

Table 7. Level of Impact

No	District	Impact					
		Minimal		Average		Maximal	
		LE	HH	LE	HH	LE	HH
1	Kordai	1	5	0	0	0	1
	Total:	1	5	0	0	0	1

4.1.3. Number of Displaced Persons

73. Totally, the project affects 7 parties, out of which 1 is a Legal Entity or registered organization and 6 are Households. One HH (DP-06) loses the entire land plot (100%) and the business located on it, café and the hotel. One HH (DP-05) running the café loses 49% of the land (cafe building and business are not affected). One Legal Entity, DP-07, as a result of a permanent land acquisition, loses 20% of the total land plot, 15% of the private land plot of 1 HH is also subject to acquisition and further 7%, 2% and 0.2% of the total area plots of leased lands of 3 HHs will be acquired. Details are shown in Table 6.

Table 8. Summary of Permanent Impacts

Impact Category	Number of DPs		Estimated number of PAPs
	No. in category	Absolute (without double counting)	
Permanent acquisition			
A. Loss of Land			
A1. Agricultural land:	5	5	18
Leaseholds	3	3	13
Private	2	2	5
A2. Lands of Transport⁶:	2	2	10
Leaseholds	0	0	0
Private	2	2	10
Subtotal (A1+A2)	7	7	28

⁶ Land category: Lands of Industry, Transport, Communications, for the Needs of Space Activities, Defense and other Non-Agricultural Purposes. For this document it is indicated as the Land of Transport, as it has a special purpose for servicing and building a roadside service.

Impact Category	Number of DPs		Estimated number of PAPs
	No. in category	Absolute (without double counting)	
Permanent acquisition			
B. Loss of Structures			
B1. Lands of Transport:	1	0	0
Leaseholds	0	0	0
Private	1	0	0
B2. Relocated DPs	1	0	0
Subtotal (B1+B2)	2	0	0
Total (A+B)	9	7	28

4.1.4. Impact on vulnerable groups / individuals

74. In Kazakhstan, according to the Law on the State Targeted Social Support (No. 246-II of July 17, 2001, the latest amendment of June 20, 2017), families with an average income per capita below the poverty line (defined as 70% of the living wage) considered as socially vulnerable groups entitled to a Government program of targeted social support. As of January 2019, the official cost of living in Kazakhstan is 29,698.00 tenge per person⁷. Consequently, the poverty line is 20,788.60 tenge per person⁸. In addition, large households with 4 or more children under 18 years of age, households with members with disabilities are also considered vulnerable and are eligible for state benefits. The identification of poor and socially vulnerable households is the responsibility of the Akimats in their territory. During meetings and consultations with persons affected by the project and the akimat, vulnerable households were not identified.

4.1.5. Informal Land Use

75. Informal land users have not been identified when comparing formal land use data obtained from official sources with the results of field studies.

⁷ According to the Law on the Republican Budget for 2018-2019, the minimum wage for 2019 is 42,500.00 tenge.

⁸ The poverty line is defined as 40% of the subsistence minimum, which for January 2019 was set at 29,698.00 tenge.

5. LAND ACQUISITION, COMPENSATION AND MITIGATION MEASURES

76. The process of land acquisition starts during the development of feasibility studies. The proposed road alignment and estimates of the amount of land required for permanent and temporary acquisition, the number of buildings for demolition, the estimated cost of acquisition, compensation and restoration of project affected livelihoods are sent for review and comments to the regional and district levels. Then it is sent to CR. Meanwhile, the district akimat issues a Decree determining the area affected by the project. At this stage, land is reserved in order to stop land transactions to prevent speculation. At the same time, the owners are notified that their land may be acquired.

77. Final design has been prepared based on bilateral interaction, involving active work and ongoing consultations with the local executive authorities, particularly on the district level. The process of designing generally starts with meeting of all relevant officials of the oblast — agriculture, land resources, registration, utilities, public works, and others — where they are informed about the tentative alignment and requested information that shall be considered in the final design. The final design includes more detailed maps of individual lands to be affected, complete ownership data from the cadastre, as well as estimated compensation for acquisition and losses.

78. Once the alignment is agreed with the local authorities, the design team obtains maps of land cadastres (schemes) on landowners and requests the district akimat to bring affected owners together to discuss the land acquisition process. The data are then given to the licensed valuers who are responsible for determining the market value of the property and negotiations related to compensation.

79. Once akimat approves the final alignment, the CR can proceed with land acquisition. If the owners and CR cannot agree on the terms, CR and akimat can request to district (city) court after half year notification period ends. If CR and akimat or owner appeals to the court, the court makes a decision that includes the amount of compensation to be given to the owner. The court must be impartial, favoring either the government or the owner, depending on the case. The important element which Bank policy also concurred is that land cannot be accessed until compensation has been paid and the title has been transferred to the Government.

80. The final design identifies possible locations for construction camps, storage and facilities, borrows pits and other sites for temporary use during construction. Contractors can use the information to estimate costs and logistics but are not required to use the recommended construction sites.

81. Civil works contracts will require Contractors to negotiate for temporary land use and restoration of all land required outside of the right of way for construction camps, offices, borrow pits, materials storage sites, materials processing sites and pit roads from the contractors. Contractors will select land plots and negotiate on agreements with landowners to use the land and extraction of materials. If Contractor fails to reach agreement with a landowner, he shall select an alternative land plot and negotiate a new agreement. *No land can be occupied involuntarily for temporary construction purposes. Contractors are expected to rent the government land plots, rather than private property, but the choice is at their discretion. In either case, the arrangements must be a subject of a written agreement between the contractor and the owner, and land plots are required to be returned to their original condition after the works completion.*

5.1. Entitlement for Compensation

82. The entitlement for compensation will be limited by the date when collection of data is completed, namely the last day of processing of census and losses data. The completion date for data collection in the project area is **August 7, 2019 (cut-off date)**. After this date, households and legal entities those making any improvements on project affected land plots will not be entitled for compensation. However, they will be preliminary notified and requested to clear the land plots and dismantle the affected structures before the project implementation. These dismantled structures will not be subject to confiscation, any fines, or compensation.

83. According to Articles 16-18 of the Land Code and 61-69 of the Law On State Property dated of 1st of March, 2011, acquisition of land plots or other real estate for construction of the road shall be carried out by the local executive authorities – district akimat of Zhambyl oblast in particular. This draft, therefore, shall be agreed by akimat of Zhambyl oblast for implementation of necessary procedures in accordance with the Bank’s policies.

5.2. Process of Property Valuation

84. In the Republic of Kazakhstan, pursuant to the Article 6 Clause 4 of the Law on Evaluation, compulsory evaluation shall be carried out in accordance with legislative acts of RK on acquisition of property for public needs.

85. Valuation of the property affected by the project has been implemented by independent valuator upon the akimat’s instruction.

86. To assess the property impacted by the project, akimats carried out bidding process and selected one independent valuator.

87. The following three types of evaluation methods, common in Kazakhstan, have been applied:

- a) **Cost Method – Rate of Return method.** Cost method is based on landowner’s expenditures and the fact that cost of this land plot and its improvement will not raise the market price of already improved land plot, with lands of equal category and quality. For instance, in case of using this method, the production material, i.e. quality and cost of property material, year of construction, condition of the object and etc. shall be considered. Generally, this method is used for residential premises.
- b) **Comparative Method.** Comparative method is based on comparison of the property cost with similar property objects and land plots located on the same territory. Valuator shall consider prices, indicated in local newspapers or TV sale advertisements of the similar property and land plot on this territory. In addition, prices of similar property recently sold on the open market, where cost decisions are taken by buyers and sellers, shall be compared. This approach is based on principle of replacement: an informed buyer does not offer price for valuated property object higher than the price existing on the market for objects similar in quality and usefulness. This principle is mainly applied to valuation of residential premises.
- c) **Income Method – Discounted cash flow method.** Profit approach is used to value commercial and agricultural objects only (fuel stations, cafes, shops, points of sale, empty commercial lands, farming lands and others) to identify cost of the object that can bring income in future during a particular period of its use. The cost represents a sum of future income and profit due to resale of the object valuated. This method is based on the principle of waiting, where informed buyer (investor) acquires land plot obtaining the future income

or profit. This approach requires thorough analysis of economic conditions and tendencies that can influence on profitability in part of valuation of the object location and using such procedures as discounting and capitalization. Documents- based valuation (tax declaration, income statement, etc.) has been carried out.

88. The evaluation was carried out by the independent valuator on the basis of all the required documents provided to him/her and related to the property and the owner of the property under evaluation, and in strict compliance with the legislation of the Republic of Kazakhstan regulating evaluation activities and applying the required evaluation methods, manuals and valuator’s books of reference. The amounts of compensation calculated by valuers have been discussed with the landowners and representatives of district akimats of Zhambyl oblast.

89. All compensation and assistance to be provided under this project is summarized in the entitlement matrix below (See Table 9).

Table 9. Entitlement and Compensation Matrix

Property	Description	Affected People	Entitlement for Compensation
Permanent loss			
Arable land, private ownership	All land losses irrespective of severity of impact	Owner	<ul style="list-style-type: none"> • Land for land compensation with plots of equal value and productivity to the plots lost; or • Cash compensation for affected land at replacement cost (market value) with no deductions for taxes, transaction, registration or transfer costs; • If the residual portion of a plot is too small to use, the whole plot is purchased and compensated or exchanged.
Lease holders of agricultural land [including pasture category] and private owners	All lost land, regardless of the severity of the impact	Legal owners, including Long-Term Leaseholder and private owners	<ul style="list-style-type: none"> • Cash compensation in amount equal to replacement value of gross harvest (or indexed matrix for pasture quality) for the remaining term of lease, or • Renewal of lease contract for alternative land plot on previous conditions. • In case of temporary land acquisition, and as a result partial or complete cessation of work of irrigation, drainage, erosion control systems (structures), losses can be based on the cost of the works to construct the new or rehabilitate existing facilities and structures (systems), including the cost of design and survey works. • Compensation for replacement value of land or provision of equal land plot as preferred by the affected person

Property	Description	Affected People	Entitlement for Compensation
		Land users without formal land rights – informal land users	<ul style="list-style-type: none"> • Compensations for built structures and economic losses and/or assistance for continuation of livelihood activities in alternate location
	Severe Impact – more than 10% of income lost	Owner, Leaseholder	<ul style="list-style-type: none"> • Cash compensation equal to replacement value of two farming / livestock grazing years.
Lands of Transport designated for construction of roadside service		Legal owners	<ul style="list-style-type: none"> • Compensation by alternative land plot, which is equal to acquired one, or • Cash compensation for acquired land plot at a replacement value without payment of taxes, registration fees and transaction costs, including all losses, which he has due to the early termination of obligations before the third parties; and • Compensation for cessation of business if any
		Owners without formal legal rights – informal land users	<ul style="list-style-type: none"> • Compensations for built structures and economic losses and/or assistance for continuation of livelihood activities in alternate location
Houses, Buildings and Structures		Legal owners of permanent structures	<ul style="list-style-type: none"> • Compensation of the full replacement value or at the request of the owner provision of structure in replacement; if the value of structure provided is lower than acquired, the owner is paid the difference in price, or • Cash compensation for outstanding (or unauthorized) construction at the price of replacement of lost structure and other material assets at the price of building materials, construction work and labor, excluding the cost of recycled materials, depreciation and charges for the transfer of property. Compensation includes the cost of lost connections to water supply and other engineering services.
		Land users without formal legal rights - informal land users	<ul style="list-style-type: none"> • Compensations for built structures and economic losses and/or assistance for continuation of livelihood activities in alternate location
Business and Employment	Temporary or permanent loss of business or employment	All affected people (legal owners and without legal rights)	<ul style="list-style-type: none"> • Owner: allowance is paid for lost salaries for the period of forced break in work up to 3 months. • Owner: if permanent loss, cash compensation is paid, which is equal to one-year income; if temporary loss,

Property	Description	Affected People	Entitlement for Compensation
			cash compensation is paid for the period for which income is lost. Compensation is calculated on the basis of tax declaration or official minimum salary.
Temporary loss			
Land used for road construction	Subject to negotiation between owner and contractor	Owners (private or public)	<ul style="list-style-type: none"> • Contractor shall pay cash compensation at the local commercial rental rates for duration of use • Land shall be restored to original status at the end of rental period
Land for borrow pits	Subject to negotiation between owner and contractor	Owner (private or public)	<ul style="list-style-type: none"> • Contractor shall pay cash compensation at the local commercial rental rates for duration of use • Land shall be restored to original status at the end of rental period
Unforeseen adverse consequences of impacts	District Akimats and the Committee for Roads of the Ministry of Industry and Infrastructural Development of the Republic of Kazakhstan RSE shall deal with any unforeseen project impacts during and after the project implementation concerning compliance with social safeguard principles to protect people affected.		

5.3. Informal Land Use

90. PAPs without formal legal rights and claims are entitled to compensation for non-land assets (e.g. crop, tree and structure losses). Informal land use was not identified along the Lot 3 of Uzynagash-Otar.

91. In accordance with long term and historically accepted local practice, farms generally have open access to Government-owned land for livestock grazing (normally sheep, goats and cattle). Some of these grazing lands will be acquired for project. There will be no change to this local practice, and the district akimats (local executive authorities) have informed such informal land users/livestock farmers allowing them to use Government lands available in the area for grazing purposes so that farmers can continue to enjoy open access to Government-owned land as grazing fields. Given minor impact and abundance of land in the region, no significant negative impacts are expected.

6. PUBLIC CONSULTATIONS

92. The first public consultations regarding the proposed Project have been carried out during the development of the preliminary design in March 2015. Representatives of the Committee for Roads, akimats of Almaty and Zhambyl oblasts and designers took part in consultations held in Akshi village of Kurty rural district and Sarybastau village of Aidarly rural district to provide basic information on the Project, with special attention to project impacts and proposed mitigation measures. The second public consultations were held in May 2016 in villages Sarybastau and Kenen. The third consultations were held in April 2017 also in Sarybastau and Kenen. Information brochure summarizing approaches employed in the resettlement planning process was developed and distributed during public consultations. Specialists of CR, KazAutoZhol, representatives of akimats and resettlement and environment consultants as well took part in the consultations. Specialists of CR, KazAutoZhol, representatives of akimats and resettlement and environmental consultants took part in the consultations. Between 2015 and 2017 public consultations were held for all three sections of the planned Uzynagash-Otar project. In 2018 and 2019, consultation meetings were held in the akimat of the Kordai district, Kordai village to provide information to the parties, in 2018 when the first list of PAPs was compound and in 2019 when the final list of PAPs was determined after some changes introduced.

A number of questions were asked by the participants, on which the following clarifications were given:

Questions	Answers
What is the size of the cattle passes	In accordance with the standards, the size of the cattle passes are 4 X 2.5 meters
How many lanes on the new road	4 lanes with a dividing strip
What is the load axis	Load axle is 13 tons per axle
How many meters is the permanent allotment for the road	From the axis of the road, the permanent allotment for the road is 35 meters in both directions
What is the procedure for land acquisition for a road	Akimats will issue resolutions on the permanent acquisition with an attached list of the number of owners (land users) of land plots, and after the issuing the resolution to all owners (land users) of land plots the notification will be sent within three calendar days. The land acquisition will be carried out by local executive bodies with involvement of CR. Once consulted and compensation agreed with each affected person the required budget will need to be requested and secured by CR. The RAP will be disclosed and PAPs will be notified. Affected lands will be acquired only after providing full compensations.
Will be there any bypass roads during construction	No, as this project involves reconstruction. The project provides for 4-lane traffic and, accordingly, the construction of a new traffic lane. After completion of the construction of one lane, the completed lane will be opened and the old lane will be reconstructed
Road construction period	According to the project, the road construction period is 34 months
Is it possible for additional cattle passes	Currently, the presence and location of cattle passes has been agreed with local executive bodies. During the construction of the road, it is possible to include the construction of additional cattle passes as necessary and strictly in accordance with the regulations

Is it possible to build commercial facilities along this road	No, it is prohibited to build commercial facilities (cafes, service stations, etc.) along the road until the completion of construction, and to issue land along the road.
Will be there any fences	Yes, the interests are provided for fences along the roads and in accordance with the safety rules according to generally established standards
Is the employment opportunity of the local people real?	Employment of the local population is provided, but the candidate must meet the qualification requirements
How will the lands provided for temporary use be returned (bypass roads, borrow pits, areas for storing RCM)	All land provided for temporary use will be restored through technical and biological reclamation and after that will be returned to the owners.
Distance between cattle passes	According to the current standards, the average distance is 10-40 km, depending on the density of the settlement and the number of livestock
Dates of the beginning and completion of the construction of this road	Construction is planned to start at the end of 2017 Completion - end of 2020

Women also took part in these public consultations, specifically, there were 51 women. Women's rights in Kazakhstan are the same as men's rights. They had the same questions as men.

93. Representatives of the Zhambyl oblast branches of KazAutoZhol gave a presentation on the engineering details of the proposed road reconstruction and provided information on preliminary design decisions related to the Lot 3 road section, km 143-159. Then, a presentation on land acquisition and resettlement was made, including information on relevant legislation and approaches, details on compensation entitlements, GRM, the functions and responsibilities of the parties involved in RAP activities and the next steps.

Table 10. Consultations Summary Matrix

Date	Place	Participants and total number	Main issues discussed
August 2019	Akimat of the Kordai district	Representatives of KazAutoZhol, akimat of the Kordai district, PMC, and PAs—about 7 people	Presentation of design, approaches to and issues of land acquisition and resettlement, requirements of the WB, entitlements for compensation, grievance redress procedures, collection of data, monitoring and other issues.
November 2018	Akimat of the Kordai district	Representatives of KazAutoZhol, akimat of the Kordai district, PMC, PAs—about 10 people	Presentation of design, approaches to and issues of land acquisition and resettlement, requirements of the WB, entitlements for compensation, grievance redress procedures, collection of data, monitoring and other issues.
April 2017	Kenen village, Kordai district, Zhambyl oblast	Representatives of CR, KazAutoZhol, Almaty Zhollaboratoria SE, Zhambyl district Akimat, resettlement and environment consultants,	Presentation of preliminary design of road section, approaches to and issues of land acquisition and resettlement, requirements of the WB, entitlements for compensation, grievance redress procedures, collection of data and

Date	Place	Participants and total number	Main issues discussed
		community – totally 31 persons	other RAP-related processes, and monitoring.
May 2016	Kenen village of Kordai district of Zhambyl oblast	Representatives of CR, KazAutoZhol, Almatyzhollaboratoria SE, Zhambyl district Akimat, resettlement and environment consultants, community – totally 19 persons	Presentation of preliminary design of road section, approaches to and issues of land acquisition and resettlement, requirements of the WB, entitlements for compensation, grievance redress procedures, collection of data and other RAP-related processes, and monitoring.

94. The RAP of the Lot 3 will be approved by the Committee for Roads and the World Bank and it will be translated into local languages before disclosure. The document will also be posted on the Committee for Roads website. Copies will be provided to Zhambyl oblast KazAutoZhol, akimats of Zhambyl oblast, and Kordai district of Zhambyl oblast, etc. The RAP will be available for download on the WB's website.

7. GRIEVANCES REDRESS MECHANISM

95. Project-related grievance redress procedures are designed to ensure effective and systemic mechanism to answer questions, feedbacks and consideration of grievances of affected people, public and other stakeholders.

7.1. Levels and Procedures of Grievances Redress

96. Grievance redress mechanism (GRM) is available for people dwelling or working in areas affected by the project. Any person impacted or concerned by the project activities can take part in GRM, have easy access to it and be assisted in so doing. The proposed GRM is not a substitute of public grievances and conflicts redress mechanism, provided for by Kazakhstan legal system, but attempt to minimize its use as possible.

97. The overall responsibility for the timely GRM implementation is held by CR and regional branches of KazAutoZhol with the support of consultants such as the Project Management Consultant (PMC), Construction Supervision Consultant (CSC) involved in the management and supervision of construction works, as well as other activities under the investment program, while the Contractors carry out construction works. GRM also include oblast and district akimats, duly authorized to carry out tasks related to grievance consideration, and mediators / non-governmental organizations (NGOs) that participate in assisting in the amicable resolution.

98. This GRM includes two levels of grievances redressing for the road sector projects implemented by Committee for Roads: Grievance Redress Committee (GRC) on the regional (oblast) and central (Nur-Sultan) levels in accordance with the Guidelines on Grievance Redress Mechanism on Environment and Social Safeguards in Road Sector Projects approved by CR in August, 2014 (GRM Guidelines). GRC consists of members appointed from CR, akimats, KazAutoZhol, PMC, CSC and the Contractors. GRC on regional and central levels are chaired by top managers responsible for overall work of GRM and its effective and timely implementation. Meanwhile, coordinators are responsible for involvement of relevant parties and coordination GRC work on regional and central levels.

99. Women are also represented as GRC members at all levels of the GRC and their presence will be ensured throughout the Project implementation. For example, a CSC's social safeguards specialist is a woman and she has skills in handling SEA/SH-related complaints. Complaints can be reported at central (PMC) or local (CSC and contractor office) levels. Complaints can be reported through (i) phone (call, SMS, Whatsapp) and (ii) face-to-face communication with a) CSC's social safeguards specialist and b) contractor's social specialist and c) PMC's social specialist.

100. At this moment, the SEA/SH risk is assessed as Low mostly due to the legal context (i.e. status of national legislation related to SEA/SH in similar projects), gender norms and beliefs, and the project context. The SEA/SH risk specifically in the project context will be monitored and reassessed accordingly. The project will utilize mitigation measures proportional to risk. The contractor will be responsible for developing the workforce management procedure, health, and safety plans as well as SEA/SH protocols which will apply to their own and subcontractor employees who work on the Project. These procedures and plans will be submitted to CR and PMC for review and approval before the contractors are allowed to mobilize to the field of construction. All contractors will be required in the contract to commit against the use of child and forced labor, introduce mitigation measures against SEA/SH, and CR/PMC staff in charge of contractor supervision will monitor and report the absence of forced labor and cases of SEA/SH. All personal data and complaints received by the GRC will be treated in a confidential manner, unless the

complainant consents to the disclosure of their personal information. Specially, confidentiality of sensitive issues and complaints related to SEA/SH raised by communities will be followed.

7.1.1. GRM: Regional (Oblast) Level

101. First, the following steps below will be taken in attempt to redress grievance at the regional level through GRC.

102. *Registration of grievances:* complainant or other stakeholders may visit, call, fax, or send a letter in hard or soft copy to district akimat, grievance coordinator of the Contractor, PMC, and GRC coordinator of Zhambyl oblast KazAutoZhol as well. Acceptance of grievances filed personally, by telephone, letter in hard or soft copy, or by fax will be confirmed. GRC on the regional level also considers anonymous grievances, when complainant refuses to provide contact information or if contact information is not indicated in grievance received by mail in hard or soft copy, or fax.

103. *Processing of grievances.* Inquiries and grievances in relation to which clarifications have been given and a decision taken at the moment of their submission are closed immediately. Cases requiring further actions are reviewed by GRC at the regional level. Regional GRC: (i) holds regular meeting twice a month and special meetings for particular cases when required; and (ii) reviews and discusses grievance within ten working days and gives recommends its redressing to the parties. Coordinator of GRC at the regional level distributes relevant information among GRC members, prepares minutes of meeting and reports on work progress and ensures that actions and decisions are properly documented.

104. *Feedback.* The receipt of grievances filed personally or by telephone will be confirmed. The receipt of grievances received in hard copy by mail or soft copy by electronic mail will also be confirmed by hard letter, by e-mail, or fax within 3 working days from the date of receipt by GRC at the regional level. If grievance is not related to project activities and cannot be considered in terms of this GRM Guidelines, the authority (rural district, district, or oblast akimat respectively) where this grievance has been forwarded will be indicated in the feedback provided to complainant.

105. If grievance is redressed at the regional level, the complainant will be informed about the results. If not redressed at the regional level and transferred to central GRC, complainant will be informed thereof including the date when case has been transferred to the central GRC and the expected date of decision to be taken at the central level.

106. If anonymous grievance, a paper-based answer will be placed on information stand of the relevant oblast branch of KazAutoZhol, as well as relevant Akimat so to make it easily accessible for the complainant.

7.1.2. GRM: Central Level

107. In case of no effect at the regional level, the following steps below will be taken in attempt to review the grievance by GRC at the central level.

108. *Processing of grievances:* If grievance cannot be redressed at the regional level, it will be transferred to the central GRC including all relevant documents. The central GRC: (i) holds regular meeting twice a month and special meetings for particular cases when required; and (ii) reviews and discusses grievance within twenty working days and gives recommends its redressing to the parties. Coordinator of GRC at the central level distributes relevant information among GRC members, prepares minutes of meeting and reports on work progress and ensures that actions and decisions

are properly documented.

109. *Feedback.* If grievance is redressed at the regional level, the complainant will be informed about the results. If not redressed at the central level, the complainant will be informed thereof and explained why the grievance has not been redressed, including recommendations where to seek for a solution within the local legal system of the Republic of Kazakhstan.

110. If anonymous grievance, a paper-based answer will be placed on information stand of the relevant oblast branch of KazAutoZhol, as well as relevant akimat so to make it easily accessible for the complainant.

7.1.3. GRM: Legal System

111. If after consideration and assistance from regional and central GRCs no decision has been taken or the complainant has not been satisfied by the system of grievance redress, the case will be referred to court for solution according to Kazakhstan legislation.

112. At the same time, it should be highlighted that management of GRC does not limit the right of a complainant to refer the case to court at the first stage of grievance redress process.

7.1.4. Grievance Coordinators

113. Affected people and other stakeholders may visit, call or send a letter, fax to the regional GRC in Zhambyl oblast or to the central GRC in Nur-Sultan. Contact details of GRC (regional level): Zhambyl oblast branch: Taraz city, Tauke Khan 1a, Tel.: +7(7262) 31-60-04, email: zhambyl.info@kazautozhol.kz. Also, given that some complaints or appeals may be confidential and of special training from the contractor side, the answers to them are provided strictly to the applicant himself.

114. Contact information in Nur-Sultan: 32/1 Kabanbai Batyr Avenue, Astana, 010000, Kazakhstan, the Committee for Roads of the Ministry of Industry and Infrastructural Development of the Republic of Kazakhstan, tel. +7 (7172) 75-46-58.

115. The project related information is also available on the website: <https://europe-china.kz/> (Figure 3). The website is maintained by the CR. All Social and Environmental documents are disclosed here and accessible for stakeholders and PAPs. The website also includes a web-based feedback mechanism and contact details of key staff in the CR, MIID and other relevant organizations (Figure 3).

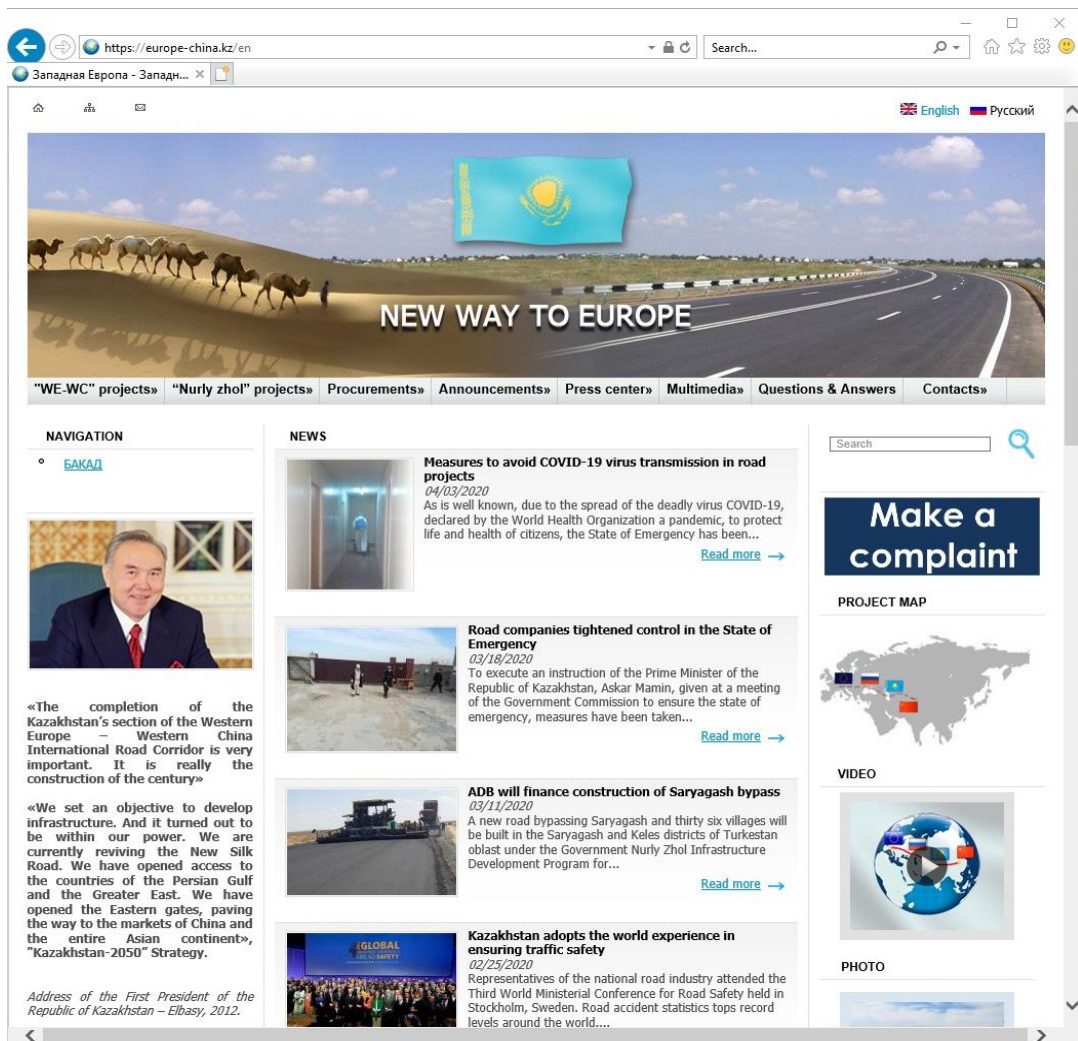


Figure 3. The official website of WE-WC Corridor development program

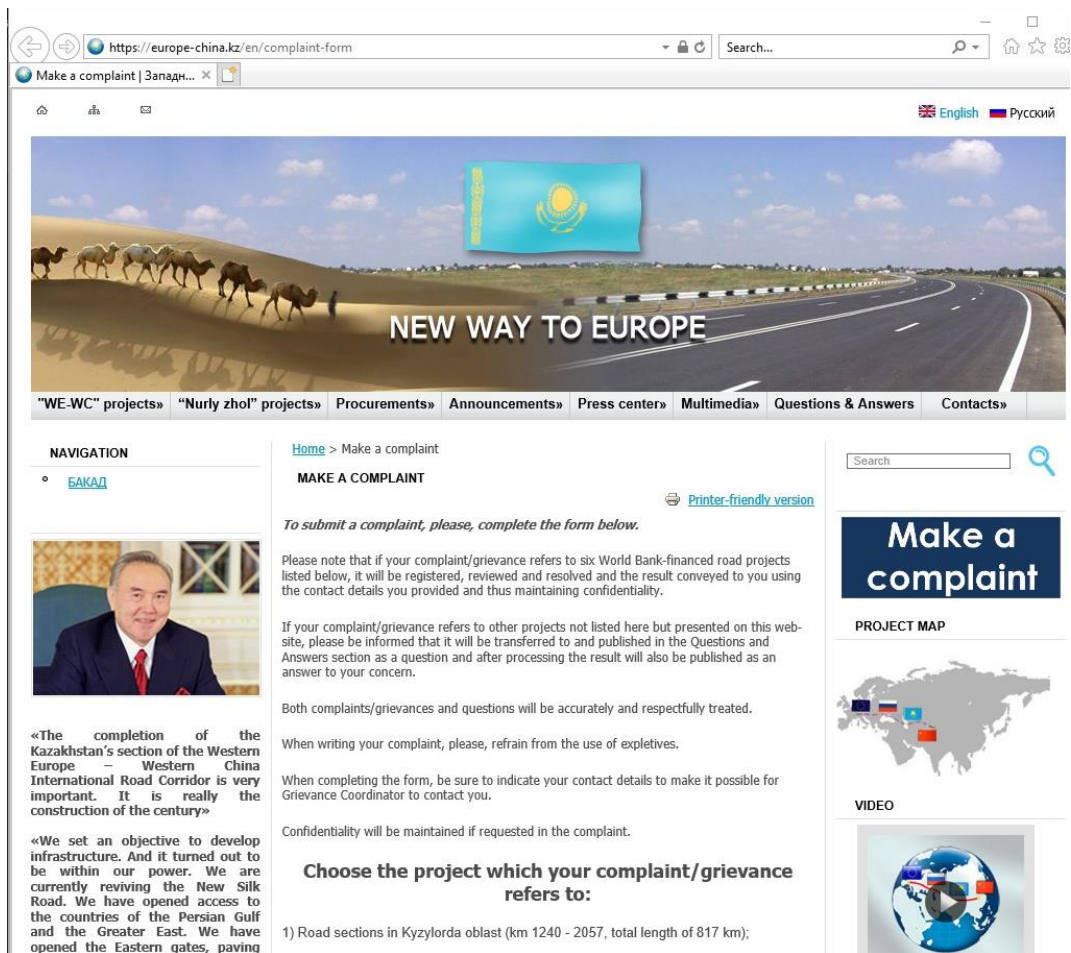


Figure 4. Web-based complaint submission page

7.1.5. GRM monitoring and reporting

116. Zhambyl oblast KazAutoZhol will appoint a specialist with the responsibility of coordinating grievances. This GRM Coordinator will receive and sort grievances; forward them to appropriate staff members for resolution; track and monitor grievance acknowledgment and resolution, and review and report on grievance data and trends to the CR. The GRM Coordinator is the first point of contact and should try to respond to as many inquiries/comments as possible.

117. The logbook-based grievance registration and monitoring database will be designed to monitor and track all grievances that have been received and resolved. Grievances will be assigned a unique identification number to facilitate their tracking. All grievances registered in the logbook will be converted into Excel-based spreadsheet database. This excel database will allow faster tracking, monitoring, analyzing and reporting. The GRM reports will be included in the project quarterly reports.

7.1.6. Information Disclosure

118. Information on grievance redress process under this RAP have been and will be disclosed to the public by means of information brochures and placed on information stands in rural district/district/oblast akimats and EA (or representative of EA at the regional level). Grievance redress mechanism will also be presented by representatives of PMC, Zhambyl oblast of KazAutoZhol and/or EA regional representative during public consultation and unofficial meetings on the project territory. Information on grievance redress will be briefly described in progress reports of EA/CR for submission to the WB.

8. INSTITUTIONAL ARRANGEMENT

119. Preparation, implementation, monitoring and assessment of RAP require relevant organizational and institutional support. Functions of different divisions involved in RAP preparation and implementation are described in this section.

8.1. Committee for Roads

120. EA/CR through relevant akimats bears complete responsibility for preparation, implementation, funding, reporting and assessment of RAP with the support of KazAutoZhol. CR performs: (a) assessment and endorsement of RAP before review by the World Bank; (b) taking decisions in land acquisition and compensations to affected people; (c) coordination with the government agencies and akimats involved in land acquisition, distribution of land plots and reviewing and redressing grievances; (d) providing budget sufficient for compensation and support to communities and resettlement; (e) harmonizing the process of land acquisition and resettlement with the provisions of approved RAP; and (f) involving experts/consultants for RAP preparation and update (if necessary), and for its monitoring/assessment.

121. The Committee for Roads is also responsible for ensuring interdepartmental coordination and relations with relevant government authorities, involved in RAP implementation, high-level decisions taking, including grievance related decisions and assistance in court proceedings. As for grievance redress, CR will be responsible for creation of a grievance redress committee (s). CR is also responsible for safeguards implementation and observing of Loan Agreement and all other relevant documents.

8.2. KazAutoZhol

122. KazAutoZhol will be responsible for daily RAP implementation. Person responsible for RAP issues in KazAutoZhol will assist and coordinate preparation and implementation of final RAP. This person will be reporting to Director of KazAutoZhol and assignments of this group will include, but not be limited to:

1. Assistance in census and social and economic survey of affected people and valuation of land / property acquired;
2. Coordination with relevant government authorities to provide all necessary documents and data for preparation and completion of RAP;
3. Monitoring work progress and assisting to relevant Akimats in drafting and adoption of land / property acquisition decrees in project implementation;
4. Monitoring work progress and assisting to relevant Akimats in timely notifying affected people of forthcoming land / property acquisition, further negotiations and signing of agreements;
5. Coordination of activities of grievance redressing committees created at the regional level, ensuring their proper functioning and reporting;
6. Control of receipt, registration, permission and reporting of grievances related to the land redemption process and other aspects of the Project;
7. Assistance in monitoring.

123. PMC and CSC will also assist to KazAutoZhol since their staff includes specialists in grievance redress, RAP-related and environment issues.

8.3. Akimats

124. Although CR/KazAutoZhol will play a central role in coordinating of RAP implementation, akimats of Kordai district of Zhambyl oblast will play an important role in consulting affected people, issuing decrees, grievance redress and providing alternative land plots to long-term leaseholders, ensuring budget for RAP and payment of compensation. Akimats issue decrees on land acquisition for public needs, and are responsible for initiating the RAP process and informing affected people. At the same time, respective district akimats will cover expenses related to re-registration of land plots from the local / district budget, as well as related administrative and bank expenses. In particular, the functions of Akimats relating to RAP implementation shall include, but not be limited to, the following:

- Regular coordination and communication with relevant government agencies in Zhambyl oblasts (for example, oblast branch of NPCzem, Department of Justice”) and respective akimats;
- Control and assistance to the respective akimats in preparation and adoption of land/property redemption resolutions for project implementation;
- Control and assistance to the respective akimats in notifying affected people of forthcoming land/property acquisition;
- Assistance in census and social and economic research of affected people and valuation of land/property acquired;
- Preparation of documents for discussion of compensation with affected people;
- Preparation of documents for signing agreements with affected people and payment of compensation;
- Disclosure of RAP and information brochures;
- Planning and management of RAP implementation and distribution of compensation;
- Assisting in work of project consultants;
- Control of expropriation cases;
- Facilitating field research, re-registration of the remaining parts of land plots of affected people;
- Coordination with relevant government agencies to provide all the necessary documents and ensure an early allocation of RAP budgets for affected people;
- Assistance in obtaining, registering, permission and reporting on grievance relating to land acquisition and other Project aspects;
- Assist in discussions and agreements between affected people and other neighboring land users regarding land swap and land expansion;
- Assisting affected people who may wish to change the category parts of their land plots remained those are no longer suitable for continuation of agricultural activities;
- Facilitate field research and re-registration of the remaining parts of land plots of affected people;
- Monitoring / supervision of temporary acquisition of land by contractors involved in the project;
- Assistance in monitoring.

8.4. Project Management Consultant

125. PMC will assist KazAutoZhol with functions related to the finalization, implementation, supervision, monitoring and evaluation of RAP activities. PMC will recruit a full-time national expert who will be responsible for RAP assignments and monitoring. In addition, expert responsible for communication with affected people and concerned parties, as well as grievance redress

mechanism may be recruited by PMC. In particular, PMC's assistance to KazAutoZhol will include, but not limited to:

1. Ensuring that Akimats completed the RAP properly prior to commencement of construction works, ensuring that Contractors undertake full responsibility for RAP implementation with regard to temporary impacts during construction works;
2. Immediate elimination of any non-compliance with RAP requirements;
3. Assistance in monitoring;
4. Consulting of KazAutoZhol, regional representatives of EA / CR regarding RAP and grievance settlement;
5. Provision of the relevant RAP reports.

8.5. Construction Supervision Consultant

126. CSC will assist to EA/CR, KazAutoZhol, EA/CR's regional representative and coordinate actions with PMC to ensure full completion of RAP activities prior to construction works commencement. CSC shall also ensure that Contractors take all necessary actions properly in case of any temporary land acquisition and provide detailed information in Monthly Progress Reports. CSC will be responsible for performing internal RAP monitoring and preparation of reports thereon. One of the main responsibilities of CSC is ensuring management and control of Contractors' compliance with the specified mitigation measures, mitigation of social and environmental Project-associated impacts.

8.6. Other Authorities and Agencies

127. Some other agencies will participate in RAP preparation and implementation, including:

- The other Authorities and Agencies will participate in financing compensation for land / property acquisition and resettlement. The Ministry of Finance on behalf of the Government will also sign the Loan Agreement with the World Bank under the Project;
- Local courts. The judicial system will be involved in the RAP implementation if agreement between Grievances Redress Committee and the owner / user of the affected land / property. The judicial system of the Republic of Kazakhstan has a pyramidal hierarchy and includes: (i) a District Court; (ii) the Oblast Court; and (iii) the Supreme Court of the Republic of Kazakhstan. Meanwhile, judicial proceedings include the following stages: (i) the Court of First Instance; (ii) Appeal Court; (iii) Cassation Court; and (iv) the Supreme Court. In the case of any issues related to acquisition, Akimat will rely on the judicial system based on proper legal procedure. Cases of acquisition will be reviewed, hearings held and a decision made whether the land / property is acquired and at what price;
- Independent valuers. Accredited / licensed private firms hired by Akimats / KazAutoZhol to evaluate the assets affected by acquisition / expropriation.

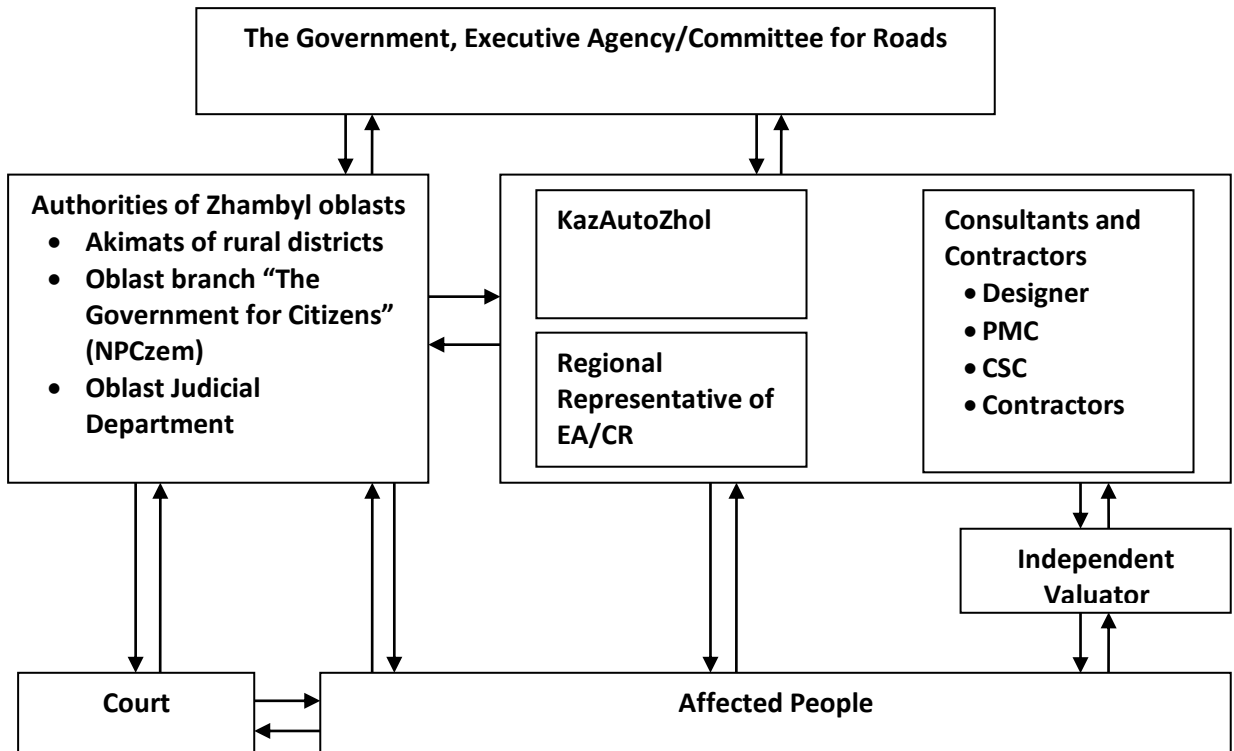


Figure 5. RAP Implementation Arrangement

128. If necessary, a special seminar may be organized in Almaty and Zhambyl oblasts with non-governmental organizations and civil society organizations to ensure that all necessary information is disclosed to the public and PAPs and suggestions, if any.

129. The Project Management Consultant will play a key role in organization of Land Acquisition and Resettlement Management during project implementation. According to the Terms of Reference of PMC, there is one national Social Development Specialist and one national Public Relations Specialist. Management and implementation of this RAP will be a part of the PMC's functions and responsibilities.

130. The PMC will conduct an independent evaluation of the land acquisition process to inform Project Management (Committee for Roads and the World Bank) and prepare External Monitoring Report and Resettlement Completion Report and submit it to the World Bank.

9. RAP PREPARATION AND IMPLEMENTATION SCHEDULE

131. Before any project activity is implemented, PAPs will need to be compensated in accordance with this RAP. The schedule for the implementation of activities must be agreed between the Resettlement Committee and the PAPs. These include the target dates for start and completion of all compensations before civil works commencement. The major component tasks for the RAP preparation and implementation are outlined below.

Table 11. RAP Preparation and Implementation Schedule

Tasks/steps	Responsibility	Deadline	Status
Public Consultations	Akimat of Kordai district, Zhambyl oblast, CR, PMC	August 2019 November 2018 April 2017 May 2016 March 2015	Completed
Approval of land use designs, issuance of decrees by akimats on land acquisition	Akimat of Kordai district, Zhambyl oblast, CR	August 2016	Completed
Notifying PAPs about land plots acquisition	Akimat of Kordai district, Zhambyl oblast	August 2016	Completed
Establishing Grievance Redress Mechanism to lodge concerns/complaints on land acquisition	Akimat of Kordai district, Zhambyl oblast, CR, PMC	August 2016	Completed
Evaluation of affected assets	Akimat of Kordai district, Zhambyl oblast	February – October 2019	Completed
Signing of contracts on allocation (lease) of alternative land plots with the landowners	Akimat of Kordai district, Zhambyl oblast	August 2016	Completed
Preliminary negotiations with landowners about payment of compensation	Akimat of Kordai district, Zhambyl oblast	August – October 2016	Completed
Submission of the first draft RAP	CR	January, 2017	Completed
Approval of application for allocation of funds from the government budget by the republican budget commission under the first draft RAP	CR	January-September 2017	Completed
Finalization of the draft addendum #1 to the RAP for Lot 3	CR, PMC	During March- November 2020	Ongoing
Applying for allocation of funds from the government budget for payment of compensations and documentation under the addendum #1 to the RAP	Akimat of Kordai district Zhambyl oblast, CR	Early 2021	After Clearance of this addendum #1 to the RAP for Lot 3
Payment of compensation to the landowners and users under the addendum #1 to the RAP	Akimat of Kordai district, Zhambyl	Early 2021	After Clearance of this addendum #1 to the RAP for Lot 3

	oblast, CR		
Official transfer of land plots and legally transferred to relevant authorities under the addendum #1 to the RAP	Akimat of , Zhambyl oblast, CR	Early 2021	After Clearance of this addendum #1 to the RAP for Lot 3
Issuance of the Notice to Proceed under the addendum #1 to the RAP	CR, PMC	After the implementation of the addendum #1 to the RAP implementation, June (expected)	Contractors are not allowed to carry out civil works on sections with land acquisition issues.
Internal Monitoring/ Supervision	CR, CSC	Quarterly from the beginning of civil works	Done quarterly

132. The Implementing Agency (IA) will begin the implementation of the RAP immediately after its approval by WB and the Government of the Republic of Kazakhstan. As soon as the RAP is approved the CR with the assistance of local authorities, will inform the PAPs about the disbursement of compensation for affected properties as per the provisions set for the Project. CR will give advance notice to the PAPs and pay their due compensation based on the eligibility criteria defined in this RAP, and prior to the start of construction work. Grievances or objections (if any) will be redressed as per the grievance redress procedure presented in this RAP. A tentative timeline for RAP preparation, implementation and post implementation is summarized below. The timeline presented in the following table shows the distinct stages of RAP preparation, finalization and implementation as well as the major milestones.

Table 12. Major component activities and schedule for the RAP preparation and implementation

Activities	2019				2020				2021			
	I	II	III	IV	I	II	III	IV	I	II	III	IV
Consultations												
Evaluation of affected assets												
Negotiations												
Securing the budget for compensation												
RAP disclosure												
RAP implementation – compensations paid												
Land acquisition												
Issuance of the Notice to Proceed												
Monitoring												

10. MONITORING AND EVALUATION PROCEDURE

133. RAP implementation is subject to both internal and external monitoring.

134. The monitoring is required since RAP implementation frequently is important stage of any project including construction works because land acquisition, compensations and resettlement may cause delays in such works. Early identification of delay causes will allow CR (supported by individual consultants), KazAutoZhol, akimats, PMC and CSC to develop mitigation measures in the process of RAP implementation. In the project, CSC in cooperation with PMC and CR will carry out internal monitoring.

135. All works related to land acquisition and resettlement are limited in time. Contractors and CSC will frequently conduct internal monitoring of RAP-related activities and report the results to CR and WB. Bi-annual or quarterly reports will be prepared depending on scale and importance of

impacts. The relevant information will be collected for monthly assessment of the work progress and results of implementation and if needed for correction of the work program.

136. Internal monitoring reports shall include the following indicators connected with the land acquisition and compensation payment process as shown in the table below:

Table 13. Indicators and Methods of Internal Monitoring

Indicator	Method of verification
Information shared with PAPs and consultations with affected people and other stakeholders;	Site visits/ Meetings with PAPs
GRM at local Akimat level established and ensuring that PAPs are aware of GRM availability	Leaflets produced / Visits to local bodies
Provision of alternate land plots (land for land compensation)	Agreement/consent formed, signed and verified
Payment of compensation for lands and affected property (people opted for this option)	Records of payments/ meetings with PAPs
Re-registration/registration of the land plots in local Akimats, Transferred ownership to RoC for civil work	Records checking and site visits
Restoration and additional support provided for PAPs livelihood restoration	Site visits/meetings with PAPs
Land plots earmarked/referenced for commencement for civil work	Site visits/Records

137. If significant impact, a mitigation measures plan shall be prepared, approved and disclosed before EA/CR proceed with implementation of individual components of the project.

138. The monitoring will be carried out during RAP implementation and finished after completion of the RAP. This will be a basis for the Committee to apply to WB for their approval of awarding civil works contract.

11. RESETTLEMENT COMPENSATION AND BUDGET

139. This section contains the budget for all land acquisition/resettlement activities. Two cash compensations will be paid, one for a part of the agricultural land plot and one for the entire plot and structure. The appraisal was made at the end of 2019, the payment was at the end of 2020. A voluntary agreement was concluded on the payment of compensation at the time of payment of compensation, which was concluded by mutual agreement. The owner was satisfied with the cost of compensation. The budget also includes the estimated cost of administrative costs for the execution of new title documents for land plots issued in replacement for the land plots acquired. The costs of monitoring and evaluation are included in the Contracts of the Construction Supervision Consultant under the project.

11.1. Types of Compensation

140. Out the seven PAPs, cash compensation will be paid only to one PAP Household (DP-06) the owner of cafe for 100% of the land and the building located on it.

141. Compensation in the form of alternative land plots of different areas, from 49% to 2.3%, was chosen by 3 Households regardless of the type of ownership. Two Household has given to the Government a small part of his large land plot leased from the Government requesting no compensation (land plot to be acquired is 2 and 7 % of the total land user's plot of land) ⁹.

Table 14. Summary of offered compensations

Displaced Person ID	Affected Asset	Ownership	Area to be acquired, ha	Severity of Impact	Agreed Compensation
DP-01	Agricultural land (pasture)	Leasehold	0.51	2 %	Land for land Not required, voluntary rejection of the leased land plot piece
DP-02	Agricultural land (pasture)	Leasehold	0.27	7 %	Land for land Not required, voluntary rejection of the leased land plot piece
DP-03	Agricultural land (pasture)	Leasehold	3.27	0,2 %	Land for land No compensation required Voluntary return of leased land plot to the Government on the basis of Application
DP-04	Agricultural land (pasture)	Private	1.11	15 %	Land for land
DP-05	Land plot	Private	0.49	49 %	Land for land
DP-06	Land plot and buildings (café and hotel)	Private	0.800	100 %	Cash compensation - 253,020,157 KZT ¹⁰

⁹The Application for voluntary rejection of any compensation, both cash and land for land, will be signed by DP-01 and DP-02 before the land acquisition. The signed Application and evidence of consultations with this PAP will be included in the RAP completion report. Consultations will be carried out by the social specialists of PMC and CSC.

¹⁰Compensation estimate is derived from the valuation carried out by the independent valuator. The valuation report No. 600 dated October 1, 2019 was submitted to CR and consulted with DP-06.

DP-07	Land plot	Private	0.0665	22 %	Land for land
DP-078	Agricultural (pasture)	Private	0.25	20 %	Land for land Cash compensation – 640,000 KZT

142. Compensation amount for DP-06 is derived from the valuation carried out by the independent evaluator. According to Valuation Standard, the estimated compensation amount in the report has specified validity and in case of expiration of validity date, the valuation will need to be updated. The period of validity for asset valuations is not more than six months from the date of the evaluation. However, if the parties agree on the amount of the assessment, they can draw up a contract to keep the agreed conditions for a specified period. Akimat of Kordai district of Zhambyl oblast is responsible for all expenses on land acquisition, including documentation of deeds, re-registration of land plots, and associated administrative costs. According to requirements of Valuation Standard “Valuation of land plot acquired for public needs” (Approved by the Government’s decree No 124 dated of 12th of February 2013), expenses on documentation of the property have been calculated. Breakdown of expenses is shown in Table 15 below.

Table 15. Documentation-Related Expenses (Administrative Costs)

Expenses on documentation of property obtained in replacement of acquired for public needs	Rates (averaged), KZT	Number required	Total, KZT
Permanent acquisition			
Notarization of the documents - 3 MCIs (Minimum Calculation Index)	8,334.00	7	58 338 ,00
Issue of new state act	8,132.00	6	48 792,00
Cost of property evaluation	21,993.00	1	21 993,00
State fee for the state registration of land plot 0.5 MCI	1,202.50	6	7 215,00
Total			136 338,00

Note: 1 MCI as of April 1, 2020 is KZT 2,778

Table 16. Total Budget for Additional Land Acquisition

	Type of expenses/Name	Number of DPs	Description	Estimate Budget (KZT)	Estimate Budget (USD)
Permanent Acquisition					
1	Cash compensation for privately owned lands and assets	1 HH	0,800 ha and 1 structure – 1 253 s.m.	253 020 157	565 193
2	Land for land compensation	3 HH и 1 LE	Alternate land was provided from Akimat owned lands	n/a	n/a
3	Application for voluntary refusal of compensation	1 LE и 6 HH	7 contracts and 6 units of re-registration and payment of state duty	136 338	305
4	Registration of new land plots, re-registration of existing land plots, notarial certification of the contract, registration of new contract	1 LE и 7 HHs	8 Contracts and 5 units of documentation and the state fees	151,258	355
Total				253 156 495	565 498

	Type of expenses/Name	Number of DPs	Description	Estimate Budget (KZT)	Estimate Budget (USD)
Permanent Acquisition					
	Contingencies (10%)			25 315 650	56 550
	Total + Contingencies			278 472 145	622 048

143. The total expenses under Resettlement Plan are KZT 278 472 145,00 . Dollar equivalent is **622 048**. Currency rate used for calculation – 447,67 tenge for 1 US dollar as of April 1, 2019 according to the National Bank of the Republic of Kazakhstan.

ANNEX

Data on land plots affected by the Project
Uzynagash-Otar Road Project, km 143 - km 159

No	Displaced Persons' ID and Name	Land Category	Ownership	Total Area, ha	Area to be Acquired, ha	% of acquisition (0.00)	Type of Vegetation (Structures)	Compensation amount, in KZT	Note
1	DP-01	Agricultural (pasture)	Leased Lands	22.0	0.51	2	Land Plot Plants – No Structures - No	0.00	Bare land plot; the tenant refused in favor of the state, no compensation is provided Bare land plot; Alternative similar land plot is offered.
2	DP-02	Agricultural (pasture)	Leased Lands	3.70	0.27	7	Land Plot Plants – No Structures - No	0.00	Bare land plot; the tenant refused in favor of the state, no compensation is provided Bare land plot; Alternative similar land plot is offered.
3	DP-03	Agricultural (pasture)	Leased Lands	13,916.0	3.27	0.023	Land Plot Plants – No Structures - No	0.00	Bare land plot; an alternative similar land plot is issued Bare land plot; land user gave his land plot to the Government with no compensation
4	DP-04	Agricultural (pasture)	Private property	7.30	1.11	15	Land Plot Plants – No Structures - No	0.00	Bare land plot; Alternative similar land plot is offered.

5	DP-05	The lands of industry, transport, communications, for the needs of space activities, defense and other non-agricultural purposes (for construction, maintenance of roadside services)	Private property	1.0	0.49	49	Land Plot Plants – No Structures - Yes (Cafe, shop, car workshop)	0.00	There is a café on the land plot, but the building and business is not affected, alternative similar land plot is offered at the other side of the land plot
6	DP-06	The lands of industry, transport, communications, for the needs of space activities, defense and other non-agricultural purposes (for construction, maintenance of roadside services)	Private property	0.800	0.800	100	Land Plot Plants – No Structures – Yes (Cafe, hotel, total area, 1 253 m2)	253,020,157.00	Café with hotel, Cash compensation will be provided

7	DP-07	The lands of industry, transport, communications, for the needs of space activities, defense and other non-agricultural purposes (for construction, maintenance of roadside services)	Private property	0.30	0.0665	22	Land Plot Plants – No Structures – Yes(Café)	0.00	Café building and business is not affected, alternative similar land plot is offered at the other side of the land plot
7 8	DP-07 DP-08	Agricultural (pasture)	Private property	1.25	0.25	20	Land Plot Plants – No Structures - No	640,000.00	Land for land. The plot was purchased by the LLP, at the time of the purchase the structures on the site were absent. LLPs preferred an alternative similar site at the back of their existing site The land plot was acquired by LLC; cash compensation will be provided
	Total:			13952.05	6.24			253,020,157	