

GEODATA PLUS

MINISTRY OF TRANSPORT AND COMMUNICATION
UPDATED RESETTLEMENT POLICY FRAMEWORK

**SOUTH WEST ROADS PROJECT:
WESTERN EUROPE – WESTERN CHINA
INTERNATIONAL TRANSIT CORRIDOR
(CAREC-1b & 6b)**

Updated Resettlement Policy Framework

18 March 2009

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GLOSSARY

ADB	Asian Development Bank
Akimat	Local Administration
ARP	Abbreviated Resettlement Plan
CR	Committee for Roads (of MOTC)
DE	Design Engineer
EAF	Environmental Assessment Framework
E&S	Environment and Social
EBRD	European Bank for Reconstruction and Development
EMP	Environmental Management Plan
ESIA	Environmental and Social Impact Assessment
FS	Feasibility Study
H&S	Health & Safety
HGV	Heavy goods vehicle
IFI	International Financial Institutions
IsDB	Islamic Development Bank
MEP	Ministry of Environmental Protection
MOTC	Ministry of Transport and Communication
PAP	Project Affected Person
PMC	Project Management Consultants
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
SOW	Scope of Work
WB	World Bank

introduction

Background

The overall goal of the Government's Western Europe to Western China (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, and through gradual reform of the entities responsible for all categories of roads. The Bank will finance a major upgrade of road infrastructure for the portion of the Corridor from Shymkent to Aktobe/Kyzylorda oblast border (1,025 km) (South West Highway) as a Specific Investment Loan. The other cooperating International Financial Institutions (IFIs), Asian Development Bank (ADB), European Bank for Reconstruction and Development (EBRD) and Islamic Development Bank (IDB), involved in supporting development of the corridor will finance other sections of the construction program.

The project will also assist the government to strengthen the capacity of agencies responsible for managing the national road network, and to prepare and implement a road safety and road service improvement action plan that will provide system-wide benefits. The project will serve local travel as well as international transportation of general cargo and other goods produced locally and in the region (Tajikistan, the Kyrgyz Republic and Uzbekistan). Institutional development measures include the introduction of an efficient road management system incorporating modern methods for planning and executing road maintenance, and strengthening the capacity of the Committee for Roads (the Committee) within the Ministry of Transport and Communication (MOTC) to efficiently implement all investments.

The preliminary road design prepared by the MOTC envisaged the widening of the road and the construction of bypasses around some of the towns along the WE-WC Corridor. The Feasibility Studies financed by the government, which included a preliminary environmental assessment report (pre-EA), based on the national laws of Kazakhstan were completed in December 2007. In 2008 the preparation of a Resettlement Policy Framework (RPF) that applies to the entire Corridor, as well as an Environmental Assessment Framework (EAF) for the entire Corridor were prepared under a separate assignment coordinated by ADB and the World Bank.

Objectives of the Updated RPF

This report constitutes an update of the Resettlement Policy Framework. It has many elements of a Resettlement Action Plan (RAP), but is not a full RAP and it is based on data that is still incomplete. The full RAP will be based on the project stage of detailed design and take account of all persons, parties, properties, businesses and formal or informal livelihoods affected by the project, and presents the actions the Government intends to take to ensure that all losses incurred due to the project are compensated according to Kazakh legislation and World Bank operational policies. In case of discrepancies between these two systems the Government of Kazakhstan has agreed to follow WB operational policies. In addition to the information contained in this document, the final RAP will include a socio-economic analysis of the status of affected persons, based on a census of all affected persons, which will provide a more comprehensive understanding of the types and magnitude of impacts of the project and identify any mitigation measures that should be taken to ensure that the affected people benefit from the project and have restored or increased their incomes at the end of the project. The census can be carried out only after

the design is final and full data are available regarding the landholdings, land use, ownership, anticipated losses, estimated value and compensation for the affected properties. Currently, the data are incomplete thus the census cannot be undertaken. Consequently, the Updated RPF serves as an interim mechanism to consolidate information and provide direction for next steps.

Once the census and social assessments are completed, and section-specific RAPs have been prepared, this Expanded RPF will be revised to constitute an overview RAP that is supplemented by the more detailed section-specific RAPs. It is expected that the census will be completed within six months of project effectiveness, and the section-specific RAPs must be completed and approved by the World Bank before work is authorized to commence in the section.

The overall guiding principle for project design, implementation and operation, and the key objective of a RAP is to establish conditions to ensure that all of the project affected persons must be in equal or better socio-economic position after the project has been implemented as compared to before.

A secondary objective is to provide clear and unambiguous guidance to all project participants in how to manage the entire scope of resettlement issues during project preparation and implementation.

Resettlement Policy Framework

The updated RPF follows on from the Resettlement Policy Framework (RPF) that was developed for the Project in 2008. The RPF relates to a larger corridor than the section of 1025 km proposed to be financed by the World Bank. It covers all sections to be financed by International Financing Institutions (IFIs) between the Chinese and Russian borders and has been jointly agreed between World Bank as well as ADB, EBRD and IsDB (Islamic Development Bank).

The Resettlement Policy Framework expresses the Government's general and comprehensive commitment to avoid negative third-party impacts in the investments or to mitigate them to ensure that affected persons are able to maintain or improve their well-being at the end of the project. To meet the commitment, the Government will implement and enforce its own standards and procedures for land acquisition and compensation uniformly throughout the Corridor, with adequate amendments to meet the IFIs additional requirements. This will assure adherence to international good practice and compliance with the policy objectives of the IFIs.

The Framework identifies likely impacts of the investment, describes anticipated groups of affected people; it clarifies land and resettlement principles; assess the legal framework for land acquisition and resettlement in Kazakhstan; describes standard procedures and methods of redress; and outlines steps that will be taken to plan, obtain concurrence from IFIs, and to implement and monitor the impact of land acquisition and resettlement along the Corridor.

This Resettlement Policy Framework incorporates both Kazakhstan's laws and procedures and the Resettlement Policies of the IFIs. It applies to all persons whose private land status is affected permanently or temporarily due to reconstruction of the Corridor section financed by IFIs, including purchase and temporary use during construction. It also applies to people whose use of state land, sanctioned or not, changes as the result of the investment. The Policy Framework does not apply to State land that is transferred from one authority to another, or used for the reconstruction, unless third parties are adversely affected by the transfer or use.

The RPF was approved by the IFIs as well as the Government of Kazakhstan and is will become part of the respective financing agreements between the Government and the IFIs.

For this project the RPF and future RAPs will be referenced in the Loan Agreement between the Government of Kazakhstan and the World Bank.

Anticipated Impacts

The primary impacts of the reconstruction are expected to be loss of agricultural and residential land, of residences, pastures, above-ground structures and sub-surface materials, thereby potentially affecting the incomes and well-being of the people who own or use the land, resources and facilities. Some losses will be temporary, related to staging (laydown of equipment and materials) and carrying out the construction, others will be permanent. Four principal impact scenarios are expected to apply along the corridor:

- Reconstruction, or strengthening and levelling of the roadway, sometimes slightly widening the carriage way, within the existing right of way;
- Conversion from single carriage way to dual carriage way within the current right of way or by expanding the right of way;
- Realignment of the existing roadway to adjust curve radii or to construct bypasses or alternative alignments; and
- Construction of roadside service centres or large intersections.

RECONSTRUCTION

Much of the road reconstruction will consist of strengthening the road or slightly widening it, within the existing alignment and right of way, for which no land acquisition will be required. Some land will be used temporarily during construction, for staging sites and borrow pits. The standard practice in Kazakhstan is to include suggestions for the location of staging and borrow sites in the final design, but to leave the selection and temporary rental of sites up to the contractor. Generally, preference is given to the use of State land for both purposes, for which local authorities execute rental/extraction agreements with the contractor. If a contractor decides to access private land for staging and borrow sites, this is done through a rental/extraction agreement between the contractor and the private landowner. In such a case, under a willing buyer-willing seller arrangement, the agreement will be subject to standard environmental clean up requirements.

CONVERSION

In about one third of the World Bank financed highway corridor section, the main part being the tract between Shymkent and Kyzylorda, the existing 2-lane roadway will be converted to a dual carriage way. For any sections where the conversion requires additional land to expand the right of way (ROW), reclaiming the ROW for construction purposes or construct interchanges, this Resettlement Policy Framework applies, if privately owned or privately leased land, or land for informal livelihoods is affected and a RAP must be prepared and approved by the World Bank.

Realignment

New bypasses will be constructed at different points along the Corridor to reduce current and future disruption in urbanized areas and settlements and to avoid hazardous areas in difficult terrain. In some areas, minor realignments will eliminate bottlenecks and increase visibility, reducing hazardous conditions. The realignments will require the acquisition of State and/or private land for the roadway and protected right of way. In such locations, the Resettlement Policy Framework applies to the private land that is affected, as well as any State land with encroachments. The Updated RPF has been prepared using the final design data (as of March 1, 2009) as data source.

In the World Bank financed section realignment will also require the demolition of residences and other structures, although the total number of affected structures is around 170, concentrated in a few locations. Once the final design is officially endorsed, the authorities (Committee for Roads (CR) and Land Authority) will begin the process of informing residents and negotiating compensation for residences and structures affected. The section through Temirlanovka is somewhat lagging behind due to the current re-design developing design alternatives that include 2 bypasses and on-line options, in addition to the elevated 3km structure which was initially proposed. Information from the current preliminary design is presented in section 4.2.5 and may involve the demolition of about 20 houses for either of the bypass options and up to 120 structures for the on-line widening option. The online-option has generated strong local opposition, thus it is unlikely to be adopted. The other options will considerably reduce the total amount of relocation due to the project.

Service Centres and Intersections

In more remote areas, new service facilities will be constructed at regular intervals and existing ones will be upgraded. For the most part, the service stations will be in areas with little or no population where most of the land is owned by the State. Some sites may affect agricultural or grazing areas, taking land that is owned or being used by private individuals, collective enterprises or local administrations, but this is not expected to be the normal case. Most land is state owned and under no formal or informal use. However, if private land, or State owned land used by individuals for economic purposes, is involved this Updated RPF will be applied.

Designs foresee the conversion of several intersections from simple crossings to clover-leaf intersections, thus significantly expanding their spatial demand. Intersections tend to be areas, where current roadside service businesses such as restaurants, hotels, cafes and service stations are concentrated. There are instances along the corridor where such businesses will have to be relocated, compensation paid and assistance in re-establishing business and livelihood provided to their owners.

General Negative Impacts

Designers have made a concerted effort to fix alignments that minimize the relocation of households and the acquisition of private property. All along the alignment, farmers graze animals near roads and frequently herd them across the roads, disrupting traffic. The reconstructed highway will encourage higher travelling speeds, thereby putting herders and their animals in greater jeopardy, and bypasses may disrupt grazing patterns. The final design teams are currently finalizing assessments of the local situation and, in consultation with residents, locate underpasses in areas where grazing patterns pose significant risk to drivers and local residents. The specifications of the underpasses were requested by the project affected persons, PAPs, in particular dimensions, locations and spacing.

Also some commercial establishments along the Corridor cater to road users, both local and transit. Their livelihoods may be adversely affected by bypasses even though they do not lose land or facilities. Conversely, increased traffic will also generate new commercial opportunities. It is expected that roadside vendors will have the flexibility to adjust to new traffic patterns, either profiting from travellers stopping for R&R in bypassed villages or finding new vending locations along the new alignments.

In summary, the most significant negative impacts of the reconstruction are expected to be loss of land assets used for livelihoods, loss of residences and home sites, and loss of access to common resources and customers. These impacts must be minimized and mitigated to ensure that affected people can regain their livelihoods and standard of living

as quickly as possible. Those who lose land temporarily during construction for staging areas or borrow pits are not likely to suffer adverse long term impacts, if owners are sufficiently aware of their rights and options to enable them to protect their interests.

Affected Persons

The following groups of affected persons are included in the Resettlement Policy Framework and will be addressed in the RAP:

- Individual and collective owners of land and facilities who lose their assets for public interest;
- Private individuals or enterprises whose livelihood comes from rented land (State or private) that is acquired for public interest;
- Private and collective owners who relinquish the use of their assets temporarily during construction, or allow material to be removed from their land for construction, but whose livelihood sources are not permanently affected; and
- Affected Persons those who neither own nor rent or lease affected land but who are using it for economic purposes and would suffer some economic impacts if they are prevented from doing so in future¹.

Project description

Technical Project

The Project has five components, of which the first two entail the most relevant social and environmental issues and impacts.

Component 1: Upgrade and reconstruction of road sections within Kyzylorda Oblast (excluding the bypass to Kyzylorda). This component will finance the upgrade and reconstruction of road sections in Kyzylorda oblast totalling about 834 km with a design oriented towards increased road safety.

Component 2: Upgrade and reconstruction of road sections within South Kazakhstan Oblast, including bypasses at Kyzylorda and Shymkent cities. It is proposed that the entire alignment between Kyzylorda and Shymkent will be upgraded from 2 lanes to 4 lanes.

Component 3: Project Management Consultants (PMC). The consultant services will assist the Committee with the management of all activities associated with the projects as part of a joint effort by all IFIs and the Government to ensure efficient and transparent implementation of the WE – WC Corridor program. The PMC will also impart transfer of knowledge to MOTC staff as part of the capacity building effort.

Component 4: Institutional Development. The component comprises consulting services, technical studies, the provision of equipment, and training to strengthen the internal management and operations of the Committee, particularly to improve road sector planning, programming, budgeting, implementation of safeguards mitigations, and to improve the efficiency of road maintenance practices. Technical assistance will be provided for the preparation of a road safety improvement plan and an action plan for the development of road services along the Corridor.

Component 5: This will finance consulting services for supervision of civil works under Components 1 and 2, and will also include review of detailed engineering designs and supervision of the implementation of Environment Management Plans prepared. An overview of the key objects, structures and works entailing the Project's most significant spatial demand is presented in Table 0-1:

Table 0-1 Project overview

Location	Location	Comments
Shymkent Bypass	(km 2231+000 to 674km of M39)	Long bypass with flyover and clover leaf junctions with existing roads.
Ikan Bypass	(km 2123+000 to 2135 + 000)	Flyover at the contiguity section of the M 32 road with existing Turkestan bypass road at the 2114 km road sign and flyover at the contiguity section of the existing Ikan settlement bypass road with the Ibata settlement.
Zhanakorgan Bypass	km(2010 +000 to 2012 +000)	Zhanakorgan settlement bypass runs for approx 21km, from 1986 km to 2007 km.
Shieli Bypass	(km 1934+700 to 1945 + 500)	11 kilometres length Shieli bypass from 1934 (+700) km to 1945 (+500) km
Kyzylorda Bypass	(km 1808+000 to 1830+000)	The construction of a new Kyzylorda bypass includes: - tube-type flyover at the contiguity section of new Kyzylorda bypass with existing M 32 highway at 1830 km road sign; - clover-leaf flyover on intersection of new Kyzylorda bypass and R-68 “Kyzylorda – Aydarly” highway, at 23 km road sign; - clover-leaf flyover on intersection of new Kyzylorda bypass and “Kyzylorda – Dachnyi Massive” highway, at 25 km road sign; - tube-type flyover at the contiguity section of new Kyzylorda bypass with existing M 32 highway at 1808 km of road sign. Also includes construction of 8 underpasses and 4 bridges over Syr Darya River and Shirkelinsky channel.
Temirlanovka		The original reconstruction project provides construction of 2932 meter length overpass in Temirlanovka settlement (2221-2224 km), 4 underpasses, 6 bridges (1 suspension bridge) and renewal and reconstruction of 10 bridges. The overpass through Temirlanovka was rejected by local residents, an alternative bypass is currently under design.
Turkestan bypass		Essentially online upgrading of the existing bypass of Turkestan.
Shagan Bypass	(km 1757+000 to 1767+200)	Shagan bypass from 1767+200 km road sign to 1757 km road sign.
Adjustment of Alignment	(km 1753+000 to 1754+600)	Straightening of the alignment in accordance with the design speed of 120km/hr.
Akzarma Bypass	(km 1741+800 to 1749+100)	Akzharma bypass from 1749+100 km to 1741+800 km
Zhzhaly Bypass	(km 1634+000 to 1649+500)	15.5km re-route around Zhosaly settlement.
Kazaly Bypass	(km 1470+000 to 1476+000)	6km re-route around Kazalinsk settlement.
Aralsk Bypass	(km 1350+000 to 1361+000)	Aralsk bypass from 1361 till 1350 km. flyover and underpass over rail.

The number and location of all affected properties (*with or without formal license or title*), structures, land use and affected persons are listed in detail in Annexes 2 and 3. During Project design options for the routing of the road were carefully balanced between techno-economic as well as environmental and social criteria. Generally the existing alignment will be kept as much as possible, with a number of exceptions: larger villages, towns and cities will be bypassed to decrease travel times, but also to mitigate negative traffic impacts on residents and enhance quality of roadside life. Where bypasses were designed the alignment was determined to minimize land acquisition, especially avoiding or minimizing the demolition of structures, especially residential structures. According to the data available as of 1 March 2009, 20 structures will be demolished in Kyzylorda Oblast, including 6 residences and 14 commercial sites, and 152 structures will be demolished in South Kazakhstan Oblast, including 55 residences and about 65 commercial units. About 105 households in Kyzylorda will lose some land permanently to the Project and about 750 households in South Kazakhstan will lost some land.

The existing design entails very moderate resettlement, or relocation of households, considering the Project length of over 1,000 km. A review of the designs by the Consultant yielded no instances where significant improvement could obviously be attained by reasonable alternatives, except in the case of Temirlanovka, where the proposed alignment is expected to be changed due to local opposition.

During Project implementation, land take and disruption of economic activities will be kept to a minimum by using vacant lots without significant use for staging areas and borrow pits and keeping construction works as much as possible confined to the existing ROW. The Contractor's scopes of works (SOWs) foresee extensive restoration measures for all land used temporarily during construction. The Contractors will have to include a land use and restoration plan - as part of the environmental management plans (EMP) - to be produced by the Contractors for every lot within the construction design, which will have to be approved by Project management. These plans will be reviewed both by environmental and social specialists from the PMC as well as the World Bank before granting approval and the Contractors being allowed to proceed with works.

Environmental Conditions

The Project area is characterized by arid climate, sparse vegetation, few year-round surface water courses and large areas with naturally hyper-saline soils. Saksaul forests, which are adapted to dry, saline conditions with extreme temperature differences, play an important role in soil stabilization and erosion control but do not occur near the Project corridor, nor the bypass alignments. The landscape in the northern Project sector is very arid, barren, hardly vegetated and prone to wind erosion, dust generation and moving sand dunes. Surface drainage exists mainly seasonally, when draining waters can have a high erosion potential. The landscape has a very soft relief with wide valleys and basins, separated by slightly elevated plateaus. Land use is restricted to low intensity animal husbandry (mainly camels, sheep, goats and some cattle). Permanent settlements are extremely sparse. South and east of Zhosaly the climate is less severe and settlements are more common, usually clustered around former state farms and railroad facilities. The steppe vegetation, dominated by grassland with small patches of forest near rivers and in valleys, is interrupted by large tracts irrigated with water from the Syr Darya River. The area between Turkestan and Shymkent is used extensively for agriculture and horticulture. Between Shymkent and Aral, surface water resources in the Project area are dominated by Syr Darya river, which flows in a NW direction draining into the Aral Sea. While this river is generally a distance away from the alignment, the Project foresees one new bridge near over the Syr Darya at Kyzylorda as well as the rehabilitation of an existing one near Zhosaly. The drainage network is sparse in perennial natural streams and rivers, there are relatively few tributaries crossing the alignment, which flow mostly in SW directions towards Syr Darya. In the southern part of Kyzylorda oblast artificial irrigation canals form the major features of the surface drainage network. North of Aral no more perennial natural streams and rivers are found and there are frequent basins and depressions without drainage, where water accumulates in the wet season (spring) and evaporates in summer. Groundwater resources along the alignment are usually shallow, near surface aquifers in loose sediments such as sand and gravel. Some aquifers are used for irrigation, human and animal consumption, but many are naturally highly saline or already negatively impacted by anthropogenic activities, such as irrigation and intense agriculture. Thus most near surface aquifers are highly mineralized and high in salinity, and often impacted by diffuse pollutant loads from agriculture.

POLICY, Legal AND ADMINISTRATIVE Framework

In Kazakhstan, although land is owned by the State, it can be transferred, sold or rented to individuals, generally for 49 years. Once land is in private hands, the State can reclaim it only for specific uses, including road construction, and only after compensating the owner for the asset and other losses.

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

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

Landowners and users must be notified of the decision to purchase a year in advance, unless the owner or user agrees to release the land more quickly (Article 85.2). If part of a land plot is reserved and the remainder of the plot can not be used as before (creating orphaned parcels), then the whole plot should be purchased (Article 86 para 2).

The price of a land plot purchased for state needs is *determined by agreement with the owner or land user* (Article 87.1). The payment price includes *the market value of a land plot or rights to it and of real estate situated on it, as well as all losses caused to the owner or land user due to loss of a land plot, including losses that they incur in connection with the premature termination of obligations to third parties* (Article 87.2). If the owner or land user agrees, another plot of equal value can be substituted instead of cash compensation (Article 87.3).

If an owner disagrees with the decision to purchase (reserve) or disagrees with the price offer or other conditions of the purchase, the authority that issued the decision to purchase can file a lawsuit to ask the court to purchase the plot (Article 88 para 1) after the year of notification has passed (Article 88 para 2). In disputed cases, the land cannot be accessed until the court adjudicates a settlement that specifies levels of compensation and losses (Article 166.7). Compensation must be paid to the owner or user before the reservation is processed by the rayon level office of the Land Resources Management Committee and registered at the Registration Service Committee, then allow work to begin on the land. When residences are affected, the Law on Housing Relations also applies. If a house is demolished for State Need, the owners can choose either to receive a new residence or receive compensation to the market value of the house. An owner who chooses the replacement option can select a home from a list of available homes. If the value of the selected house is higher than the market value of the building to be demolished, the exchange is completed; if the cost of the selected building is lower than the market value of the one to be demolished, the owner is compensated in cash for the difference. Disagreements over the evaluation are settled in court.

Although the legal framework for reserving land and compensating owners is clear, procedures are not fully defined. The process was once regulated by Government Resolution No 403, On the Approval of Provisions for Procedures to Withdraw and to Buy Out Land Areas for State Needs (8 April, 1996). The resolution expired in February, 2005,

however, and has not been replaced. The calculation of “market value,” in particular, is subject to interpretation in the absence of standardized procedures, and officials are thought to set values below actual transaction values. Final design teams frequently commission professional assessors to prepare land acquisition estimates, but there is some question regarding the extent to which their estimates are based on site-specific information. Consequently, challenges are not uncommon.

Land Acquisition Practices

The feasibility study for an investment includes a proposed alignment and estimates of the amount of land to be acquired permanently; the amount of land needed temporarily for staging, construction sites and borrow pits; and the number of buildings that would be demolished; and estimated cost of acquisition, rental and restoration of affected lands. The document is sent to the oblast and rayon levels for review and comments. It is then sent to Astana, for a national road. Meanwhile, the rayon administration issues a decree identifying the area affected by changes in the alignment and designating the land as subject to reservation (expropriation). At this point, the oblast roads committee requests the local Land Resources Management Committee to freeze land transactions in the area identified for land acquisition for bypasses, for example, to prevent speculation. At the same time, owners are notified that their land may be acquired. This notification was to be carried out along the corridor in late 2007, over a year before the final design was completed, thus preparing for quick action once the final design is completed and accepted. The final design is prepared in an interactive manner, involving intensive field work and ongoing consultations with local officials, particularly on the rayon level. The design process generally starts with a meeting of all relevant officials in the oblast—agriculture, land resources, registration, utilities, public works, and others—to inform them of the tentative alignment and requesting information that should be taken into account in the final design. The final design includes detailed maps of individual landholdings to be affected, complete ownership data from the cadastre, and estimated compensation for acquisition and losses. Design companies subcontract specialized services for the preparation of the final design including, for the first time in 2008, the services of licensed property assessors.

Once the alignment is agreed with local officials, the design team obtains cadastral maps and ownership records and asks the Akimat of the rayon to call affected owners together to discuss the land acquisition process. The data are then given to the licensed assessors who are responsible for determining the “market value” of the property to be acquired and negotiating compensation with owners. Although there is established precedent for assessing urban property values, rural property assessment is rather new, and transactions are not common in many areas. To determine rural property values, the assessor takes into consideration soil quality, productivity, trees, and other production characteristics, in addition to recent land transactions, if there are examples available. The assessors are expected to negotiate with owners and sign agreements, if possible, which are used for purposes of estimating project costs, but are not binding. Once the Akimat approve the final alignment, the CR can proceed with acquisition or expropriation. If the owners and CR cannot agree terms, the CR can initiate a court appeal after the one-year notification period ends. If the CR or owner appeals to the court, the court renders a decision that includes the amount of compensation to be given to the owner. Judgments are said to be impartial, favoring either the government or the owner, depending on the case. Land cannot be accessed until compensation is completed and the title is transferred. The previous practice was for the rayon Akimat to establish a valuation commission that included officials and landowners, without specialized inputs. The use of licensed

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

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

Involuntary Land Acquisition/Resettlement Principles

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

- Avoid or minimize land acquisition and resettlement
- Affected persons are entitled to be compensated at full replacement cost for their lost assets, incomes and businesses, including temporary losses or impacts, without adjustments for depreciation
- Compensation should enable affected persons to restore their pre-project incomes and standard of living by the end of the Project
- Affected persons must be consulted and participate in resettlement planning
- Affected persons must be fully informed of their compensation options
- Land-for-land swap is the preferred compensation for lost agricultural land, if it is available, unless an affected person chooses cash compensation
- Costs of transfer of property—purchase or swap—are waived or borne by the investor, including taxes, fees, documentation and court appeals
- Compensation will be made giving equal consideration to women and men
- Lack of formal title or use agreement does not bar affected persons from entitlements or assistance required to achieve the objectives of the policy
- Relocated affected persons receive relocation and transition subsistence allowances
- Special attention should be given to households headed by women and other vulnerable persons and appropriate assistance provided to assure that their living standards are maintained or improved

- Land acquisition and resettlement are executed as part of the Project and fully funded
- Compensation will be fully provided before land can be entered for civil works or demolition.

Principles of Resettlement Planning and Implementation

The majority of permanent Project impacts will cluster around bypasses and large intersections, where most land acquisition will occur. Demolition of structures is also expected to occur most commonly in bypass areas, particularly at the start and end of a bypass, or where existing simple road crossings are replaced by clover leaf type intersections. Other demolition may be needed where alignments are revised (e.g. curve radii) to reduce traffic hazards and improve visibility. In addition, some demolition of walls and other structures will be needed to reclaim existing rights of way.

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

The final RAP will subsequently be prepared, based on the following steps, which have been duly carried out for the preparation of this Updated RPF:

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

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

Sections 5 and 6 below describe the procedures followed during the preparation of this Updated RPF to identify project affected persons (PAP), inform them of the project and its potential impacts and consult with them on how to minimize negative impacts and mitigate and/or compensate for any negative impacts or losses, and to estimate the costs associated with land acquisition. In accordance with Kazakhstan regulations and the RPF, when all detailed designs are available and approved by state expertise, these cost estimates will be refined through negotiations with the affected persons. Also early in project implementation social and economic assessments of affected households and bypass areas will be carried out to provide a baseline for monitoring impacts of the project in order to determine whether any additional mitigation measures are needed to achieve the fundamental principle of ensuring that livelihoods are not negatively affected by the project (see Section 7).

Additional Measures

Land and Housing Codes in Kazakhstan regarding the acquisition of land and assets for State needs are mostly concordant with the World Bank's Resettlement Policies in most topics. In the absence of standard regulations and procedures, implementation may vary in practice, however. The four steps described below ensure more consistent implementation, and compliance with Bank policies and international good practice during implementation.

1. Encroachment and Informal Land Use: The Land Code does not entitle encroachers to compensation for the loss of access to the lands they use informally, but it does not explicitly say they cannot be compensated. There is very little encroachment on the existing Corridor, with the possible exception of several kiosks, restaurants and service stations illegally built within the ROW and especially around intersections, and some extending of farmyard walls into the existing right of way. The detailed designs identified

structures that will need to be demolished and relocated. All owners were expected to be given notice of the possibility in late 2007 and given opportunity to discuss procedures and entitlements with the Akimats.

The *type of informal land use which does not involve visible structures* was also investigated under this RPF. This type of use would for example involve informal agriculture (gardens, small fields) encroaching on the ROW, or animal or poultry husbandry or setting up seasonal roadside produce stands. During field surveys undertaken for this updated RPF and including the whole alignment no such informal use was observed. Land close to the road is not used for informal agriculture and is not essential for animal husbandry. Widening or reclamation of the ROW will thus not affect these types of informal livelihoods. Where new bypasses will be built the land take is insignificant in comparison to the vast existing reserves of rangeland and grazing lands. Thus the crucial element of social mitigation will be to replace lost land, but to ensure unhindered and safe movement of animals across the alignment, rather than to replace lost land. This will be solved by the design by means of animal underpasses, which will be dimensioned, located and spaced in consultation with local PAPs and designed in a way to be freely passable in all seasons.

According to Kazakh legislation the Committee for Roads may expect the owners of temporary structures to move outside the right of way at their own expense. When the encroachment consists of cropping on informally occupied land, the users will be allowed to harvest standing crops and offered the opportunity to rent alternative land.

However, in the context of this Project and regarding the issue of *land use without title* the Borrower has clearly committed to adhering to WB safeguards policies during Project implementation, including the World Bank's procedures for compensating land users without formal title equally to those with formal titlesⁱⁱ. Moreover, the Committee for Roads reconfirmed in a meeting with World Bank safeguards specialists in March 2009 that a methodology for compensating informal land users has been designed and will be applied during Project implementation: Land users encroaching within the ROW as well as land users without title on bypass alignments will be assisted by the Committee for Roads to obtain a formal title before physical Project implementation starts. This entitles them to compensation according to standard Kazakh legal framework (also section 0). Upon request by the Committee the Bank's position was reaffirmed in a letter to the Ministry of Transport & Communication dated 10 March 2009.

Currently the expected losses of most of the affected land owners as well as owners / users without formal title have already been evaluated and are included in the overall resettlement budget. In many cases (involving owners with formal titles) agreements have been reached with the authorities on compensation arrangements, although the RC will take steps to ensure that the arrangements are uniform throughout the corridor. It is important to note that the assets of land users without title have been evaluated by exactly the same criteria as those with titles. Thus, once their land use has been legalized by obtaining formal title the compensation estimates and procedures described in this updated RPF will equally take effect.

2. Information and Transparency: Affected persons must be informed about land acquisition (expropriation) procedures and their rights and options in the process. Project management will play an important role in the public information process by preparing and distributing two brochures that describe the process and clarify rights and responsibilities, compensation rates, payment schedules and grievance redress options. One brochure will be targeted to people who lose land and other assets permanently for State Needs. Another brochure will target both contractors and landowners regarding temporary use of land for borrow pits, staging areas, labour camps, and the like. Both brochures will be prepared in

two language versions—Kazakh and Russian—and distributed all along the corridor in official buildings, especially village offices, Akimats and the offices of the Land Resource Management Committee and the Registration Service Committee. To date two stages of consultations have been carried out, informing affected people along the alignment about the Project and receiving views and concerns on expectations and apprehensions regarding resettlement (see section 0). Draft versions of the brochures were handed out at the public meetings, in October, 2008, and subsequent consultations in January, 2009. The results of the latter consultations show that the information flow is very limited, even among those few who received the brochures earlier, thus there is a need to distribute the brochures widely as soon as possible, before the land acquisition process begins.

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

4. Capacity Building Initiatives: Standard rules and procedures related to land acquisition for State Use are in effect throughout Kazakhstan, but the amount of experience varies considerably from one area to another. To date, most of the implementation experience has centered on urban development and land use planning for infrastructure in the major cities and towns. To ensure uniform practices throughout the Corridor, the Committee for Roads undertake a capacity building program in the field. Once final designs are accepted, the Project will organize an introductory seminar in each oblast. The seminar will familiarize oblast and rayon officials engaged in land acquisition and compensation with applicable Kazakhstani laws and regulations and with the concepts and requirements of the Bank's resettlement policy. This seminar will also introduce the standard forms that are to be used for transactions. Subsequently, specialists in the PMC unit will maintain close contacts with local officials and offer support as needed. The information brochures to be distributed by the Project will inform affected persons of their rights and enable them to determine whether or not the procedures are carried out satisfactorily and, if not, provide guidance on seeking redress.

Alignment conditions

Introduction

This section describes physical conditions in the area affected by the highway alignment as a basis for potential impacts that the Project implementation may have. It is organized according to the design sections of the Project but also makes references to the administrative units, Oblasts (regions) and Rayons (counties) in the Project region. A selection of typical photos from the alignment is attached to this report as Annex 8.

Kyzylorda Oblast

Overview

Kyzylorda Oblast (Kazakh: ҚЫЗЫЛОРДА ОБЛЫСЫ) is one of fourteen oblasts in Kazakhstan. Its capital is the city of Kyzylorda, with a population of 157,400. The oblast itself has a population of 590,000. Other notable settlements include Aralsk, Qazaly (Kazalinsk) and

the Russian-administered Baikonur, which services the Baikonur Cosmodrome. The oblast borders neighboring country Uzbekistan, as well as three other oblasts: Aktobe Oblast (North), Karagandy Oblast (East) and South Kazakhstan Oblast (South-East). The Syr Darya River, flowing from the Tian Shan mountains to the Aral Sea, passes through Kyzylorda Oblast. The total area of the oblast is 226,000 square kilometers.

The area has a continental climate with hot summers and mild winters; dry, hot winds are frequent. Lands are of mixed character and ownership and include large areas of open pasture, with some arable and irrigated agriculture, mainly for rice.

The length of the highway through Kyzylorda Oblast is 810 km, including bypasses of regional centres (small cities and towns) and Kyzylorda City. For 226 km from the southern border with South Kazakhstan Oblast the highway is of first technical category (I), for the remaining length it is the second (II) category.

Details of the land ownership and the amount of land (ha) and structures (no.) that are affected by the highway improvements are presented in Annex 2. The total area of land and structures required by the Project is 3,290 ha, comprising Government state land (2,550 ha); and private/leased land (740 ha).

The territory of the Oblast is administratively divided into 7 rayons and the Oblast capital - Kyzylorda.

- Aral rayon — Aralsk town;
- Kazalinsky rayon — Aiteke-Bi semi urban village, Kazalinsk regional city;
- Karmakshinsky rayon, centre — Zhosaly semi urban village;
- Zhalagashsky rayon, centre — Zhalagash semi urban village;
- Syrdaryinsky rayon, centre — Terenozek semi urban village;
- Shieliysky rayon, centre — semi urban village;
- Zhanakorgansky rayon, centre — Zhanakorgan semi urban village.

Highway sections

The following discussion is based on incomplete and inconsistent data received from the many design teams working on different sections of the highway. The descriptions of sections will be updated and elaborated as final information is received, to provide a similar level of detail regarding each section. It should also be noted that not all of the numbers presented in this section are fully up to date, thus they are merely indicative, subject to correction and refinement.

Section 1240-1398km in the Aralsky Rayon

The section extends for 158 km passing mostly through semi-desert area. The metalled road (i.e. hard-topped / paved) surface is entirely absent for 15-20 km, then it gradually improves towards the South. This highway section has been designed by Kustanaydorproject Project Institute LLC.

The technical category of this highway section is II, the road follows the existing route M-32, bypassing the town of Aralsk. The Aralsk bypass runs from km 1350 to km 1361 through semi-desert area. No resettlement of people or demolition of structures will be required along the bypass. Private land tenures are not encountered. The bypass will link into the existing highway by means of elevated interchanges.

Aside from the Aralsk bypass no permanent land acquisition will be required to meet the right of way requirements of technical Category II highways, as the current ROW suffices

for highway rehabilitation. Temporary land use will be required for access to construction camps, staging areas, mobile asphalt-and-concrete plants, and borrow pits. All lands rented for temporary use during construction will be reinstated and returned to their original condition at the completion of the Project. Land restoration methods and forms are described in the corresponding section of the EIA (Environmental Impact Assessment) and EMP (Environmental Management Plan) that has already been published on the World Bank's InfoShop.

Some pastures will be acquired permanently and others will be rented for temporary use during construction with an approximate total area of 615 ha of state land is required according to technical design specifications on highway reconstruction within Aralsk rayon administrative borders.

1398-1578km in the Aralsky, Karmakshinsky and Kazalinsky Rayons

The section has a length of 180 km; starting from km 1398 the highway passes south-eastwards through the semi-desert area in the Aralsky, Karmakchinsky, and Kazalinsky rayons of the Kyzylorda Oblast. The designer for this highway section is "KazNiPIDortrans" Ltd. The highway is designed as technical category II and follows the existing route M-32 with exception of an alignment adjustment near Kazalinsk. The adjustment concerns the subsection from km 1470 to km 1476 and several structures are subject to removal; moreover the livelihoods of 2 tenant farmers will be affected (see Annex 2).

1578 -1702km section in the Karmakshinsky Rayon

The section has a length of 124 km. Starting from km 1578 the highway passes through the semi-desert area of the Karmakshinsky region of the Kyzylorda Oblast. This highway section has been designed by "KazdorNII" Ltd.

From km 1635 to km 1649+500 the design foresees the construction of a bypass of the Kent Zhosaly regional centre, including construction of an overpass at an intersection with the railroad, an elevated intersection near Zhosaly Village industrial area and the construction of a road servicing station (RSS) at km 1648 km of the bypass. The service station will have a total area of 2.5 ha and will be located in the industrial zone of the Zhosaly Village; the site is surrounded by vacant lots area from all sides. The closest residences are about 500 m away.

Temporary land use by the Project will be required for construction camps, staging areas, mobile asphalt and concrete plants, and borrow pits. All lands in this section that are to be used temporarily during construction are located on the right bank of the Syrdarya River and consist of seasonal pastures. After construction, they shall be restored and returned to tenant farmers in a condition not worse than before project implementation.



Photo 0-1 View across typical arid lands near Kyzylorda showing the future alignment of the Kyzylorda Bypass.

1702 – 1807km section in the Syrdaryinskyi and Zhalagashksky regions of the Kyzylorda Oblast

The section extends for 105 km and was designed by the “Astana Engineering Centre” Ltd. It is a technical category II highway and follows the existing route M-32 alignment. There are several bypasses in this section:

The Akzharma Village bypass from km 1741+800 to km 1749+100.

A alignment adjustment from 1753 to km1754+600.

The Shagan Village bypass from km 1757 to km 1767+200

The areas required for temporary and permanent acquisition for this section are:

- 249.99 ha within Syrdarya rayon (126.23 ha permanent, 123.66 ha temporary)
- 320.85 ha within Zhalagash rayon (320.85 ha permanent, 76.84 ha temporary)
- 367.83 ha within Kyzylorda city (231.35 ha permanent, 136.48 ha temporary)

The data on land ownership and usage was obtained by an agreement between “Astana Engineering Centre” Ltd. and “GosNPTszem” state enterprise.

Seven cemeteries are located in the buffer zone at a distance of 16 to 145 meters from road axis. To avoid damaging of the burial sites the Project will install safety fences along the perimeter of each cemetery for the entire period of construction works.

The design firms employed state and private, independent evaluation firms to assess the value of land plots and roadside facilities, based on discussions with owners and tenant farmers. The valuations represent agreed, but not binding estimates, which will be subject to further discussion and negotiation when the acquisition process begins.

1807-1837km section of the highway. Kyzylorda bypass

This section was designed by the JSC “Institute Geo-Project” and mainly follows the existing route M-32. However, this section includes an important bypass of Kyzylorda City. The bypass extends from km 1808 to km 1830. This is a complex section of the route as it involves the construction of a new section of double carriageway including a number of underpasses and 2 bridges over the Syr Darya River and Shirkelinsky irrigation canal.

The bypass will circle the City of Kyzylorda (pop. 106,000) to the South, the bypass being routed through areas characterized mainly by rangeland, waste deposits, small homesteads, informal clay and sand extraction and a network of small roads. One small section is sparsely populated.

The West part of the bypass comprises flat, hypersaline, fine grained, sandy / silty / clayey soils with dry scrubland vegetation with occasional trees, patches of bare soil with salt

crusts. The land appears to be of marginal value, not suited for agriculture, with obvious signs of salinisation. There is a network of small roads and tracks, one major irrigation canal, power lines, settlements and individual houses, unregulated borrow pits and gravel extraction areas and unregulated waste disposal (mostly domestic waste).

At the left bank of the irrigation canal the land is seasonally inundated and in the Spring the canal flow rate is up to 208 m³/sec. Generally following the bypass route the soil was noted to be highly saline and used extensively for informal garbage disposal. The site of the Syr Darya crossing has a similar land use. The land near the river is highly saline and seasonally inundated and suffers from informal garbage disposal.

Part of the alignment will run close to an area which the city master plan foresees as a future recreational and buffer zone, therefore it will be necessary for city planners to reconcile the bypass and any future induced development with the master plan by appropriate measures such as sound barriers and green corridors.

The South East area is similar to the West, with existing anthropogenic impacts including roads and tracks, power lines, unregulated sand extraction and waste disposal, canals, settlements and grazing of cattle and goats. Areas to the North and East include old borrow pits with little apparent regulation and no reinstatement.

Temporary land will be required for construction sites and camps, staging areas, haulage roads and borrow pits. All temporary acquired land will be reinstated after works completion according to the requirements of the EIA (Environmental Impact Assessment) for this Project.

1837-1917km section, Shielyisky Rayon

This section corresponds to technical category I and was designed by “KazdorNII” Ltd. It passes through semiarid areas South of Kyzylorda city and follows the existing route M-32. No bypasses are envisaged in this section.

For the purpose of free passage of animals the design provides for droves (underpasses) with a cross-section (4 X 2,5m) under the highway. Resulting from a survey of farms in the section droves locations were determined at km 1863+900, km 1879+382, km 1891+227, km 1898+810, and km 1914+288 of the Project alignment.

Permanent loss: 557.17 ha, including:

- existing road – 219.87ha
- pastures - 337.30ha.

Temporary loss: 63.30 ha, from which:

- storage areas for road construction materials and PCP- 18 ha;
- earth pits and haulage roads – 45.30 ha

All land plots assigned for temporary allotment are located on the left bank of the Syrdarya River and represent ephemeral pastures. These lands are subject to re-cultivation and shall be returned to tenant farmers in a condition suitable for agricultural utilization or in other economic sectors by completion of construction works.

1917-1980 km

The section is developed by the “Kazdoproekt” Ltd. and is of technical category I (double carriageway). It passes through semiarid area following the existing route M-32 and includes the Shieli Village bypass from km 1934+700 to km 1945+500 of the Project alignment.

1980-2057km section in the Zhanakorgansky Rayon

The section extends for 77 km. This highway section is developed by the “KazNIIPI Dortrans” Ltd. I technical category road passes through the existing route M-32 on the territory of the Zhanakorgaskyi region of the Kyzylorda Oblast. The Zhanakorgan Village bypass is provided at the section from 1991 to 1999+500 km.

Permanent loss: The need for a permanent land allotment for road reconstruction with mounting of construction objects, including recreational areas, bus stops, weight control sites and road police, sand storages and off-ramps will constitute 470.44 ha, including: use of the existing permanent land allotment – 205.4ha; additional 263 ha will be needed for permanent use for construction of the road servicing station (RSS) at the km 1997+500 section.

There are no residential buildings subject to removal in the construction zone.

Temporary loss: To enable road reconstruction and bypass construction for the Zhanakorgan Village, temporary land will be required for concentrated non-highway earth pits, and also for camps, parking lot for road building machinery, storage areas for road building materials in total area of 232.8ha.

Commercial Structures. Around km 2038 (Manap Village) there are 4 cafes in the immediate proximity to the existing road which are subject to removal. Their evaluation was undertaken by the affiliated branch of the “Kyzylorda Oblast real estate centre” based on agreement. Total estimated cost of real estate structures composed KZT 4,419,849. Negotiations on the compensation will be carried out by an authorized representative of local executing agencies. When agreement is reached with the owners on the compensation amount, agreements on land and real estate assets compensation will be concluded. In case of disagreement with owners arises on these assets (cafe) and the proposed compensation sum, they can apply to the court to specify the purchase price, having preliminarily determined market value at the removal moment by any independent evaluator who is appropriately licensed.

The design firm claims that owners were been informed about the legal and administrative situation as well as their rights.

South Kazakhstan Oblast

Overview

South Kazakhstan (Kazakh: Оңтүстік Қазақстан облысы) is the southernmost oblast of Kazakhstan, divided into 12 rayons, with a population of 2,282,500 people. Its capital is Shymkent, with 539,600 people. Other cities in South Kazakhstan include Turkestan, Sayram, Kentau, Arys, Shardara, Jetisay, Saryag'ash and Lenger. This oblast is one of Kazakhstan's two smallest with about 117,300 square kilometers in area. South Kazakhstan borders the neighboring country of Uzbekistan, (and is very near the Uzbekistan capital Tashkent) as well as three other Kazakhstan oblasts: Karagandy Oblast, Kyzylorda Oblast, and Zhambyl Oblast. The Syr Darya passes through the oblast, on its way to the Aral Sea. Also, an oil pipeline runs from Turkmenabat, Turkmenistan to Omsk, Russia (where it connects with a larger, Siberian pipeline) through South Kazakhstan. Oil, lead and zinc are refined in Shymkent.

The South Kazakhstan Oblast is the most densely populated of Kazakhstan's regions. This derives from the oblast's gentler climate, better irrigation infrastructure, and proximity to historical population centers (such as Uzbekistan's Tashkent and the Silk Road cities of Samarkand and Bukhara). The South Kazakhstan Oblast is also the fastest growing of Kazakhstan's oblasts, due to two main factors. One is the high birth rate among traditional Kazakh and Uzbek families, where families of five to eight children are commonplace. The

other is the influx of migrant labor from northern Uzbekistan, who sometimes become full-fledged immigrants.

South Kazakhstan Oblast is the only oblast with a demographic breakdown profile in which ethnic Russians are not in the first or second largest categories. Census results point to Kazakhs being the most populous, closely followed by Uzbeks, with Russians are the third largest ethnic group in the oblast.

Highway sections of the South Kazakhstan Oblast

2057-2135 km

The designs for the reconstruction of the 2057-2135 km section of Border of Russian Federation (Samara) – Shymkent Road are being developed by Shymkent Kazdorproject LLP. The road is designed as Technical Category I and lies mostly within the jurisdiction of Turkestan rayon, following the existing route M-32. Turkestan is bypassed along an existing alignment to the North of the city centre. Ikan village is to be bypassed from km 2123 to km 2135. There the projected road passes arable lands.

2135-2231 Km

This road section is being designed by Geoproject Institute JSC. The road is designed as Technical Category I and follows the existing route M-32. Settlements along the road include Yenbekshi, Tortkol, Spatayevo, Zhienkum, Yekpendy and Temirlanovka villages.

Temirlanovka section

The road section through (or alternatively bypassing) Temirlanovka village is a particular challenge in routing, technical design and regarding its social implications. The original design of an elevated roadway was presented to the public in January 2009, but clearly rejected by the affected population. Subsequent to the Public Hearing, alternatives are now being developed. Currently four options exist for the section through / bypassing Temirlanovka, namely:

- Elevated structure (original detailed design)
- On-line widening on existing alignment
- Western bypass (new alignment)
- Eastern bypass (new alignment)

The Design Engineers are currently appraising the options and from ongoing discussions with the Roads Committee, will determine a favoured option. In the foreseeable future the survey and design work is envisaged, with a schedule of being able to complete detailed design within approximately four months (May, 2009).

Indicative alignments for the three new alternatives have been considered and an outline of the issues is presented below.

On-line widening

Approximately 120 structures will be required to be demolished or partly demolished for the additional highway width and private lands acquisition will be required.

Western bypass

An alignment of 13.1 km has been proposed, the route of which is primarily driven by the complex crossing of the River Arys. The channels of the river are confined to the South-East by a steep cliff (ca. 20-30m high), which would require construction of a new bridge of ca. 1.5 km length and 4-5 smaller bridges across channels. As the alignment crosses a

ribbon development on the western outskirts of the village it would be necessary to demolish approximately 20 structures, mainly residences. Clover-leaf type junctions with the original highway are also proposed, which require a sizeable land take.

Eastern bypass

An alignment of 13.2 km has been proposed, the route of which is driven by the complex channels of the River Arys and recent developments to the east of the village, which must be avoided. The morphological situation of the river valley is the same as for the Western bypass, which would require construction of a new bridge of >1 km and 3-4 smaller bridges across channels and roads. As the alignment crosses the ribbon development along roads on the eastern outskirts of the village it would be necessary to demolish approximately 20 structures, mainly residences. Clover-leaf type junctions are also proposed for linkage with the existing highway, which require a sizeable land take. Detailed cost data are not available, but indicative costs are presented in Table 0-1.

Table 0-1 Summary of Temirlanovka options

	Western bypass	Eastern bypass	On-line widening	Elevated structure
Length	13.1	13.2		
Large bridge	1	1		
Small bridge	4	3	1	
Junctions	4	1	1	
Utilities transfer			3km	
Permanent land use (ha)	91.7	92.4	61	
Cost (000 Tenge)	12 470 489.15	11 716 192.34	11 464 250.80	10 983 245 53*
Data presented by Design Engineer & CR 12/3/2009. * figure previously reported as higher value				

2231-2260 km

This section has been under construction for many years and was gradually brought to the standards of technical category II-I with several cycles of road improvement. The section is located in the jurisdictions of Ordabasy Rayon and the city of Shymkent in South Kazakhstan Oblast. The road starts at km 2231 (from Samara); the length of the section being reconstructed totals 29km including: 2231-2255 km section in Ordabasy Rayon, 2255-2260 km section on lands of the city of Shymkent.

2231-674 km Section (Shymkent Bypass)

The projected Shymkent Bypass is a part of M-32 Border of the Russian Federation – Samara – Shymkent Road and A-2 Khorgos – Almaty - Shymkent – border of the Republic of Uzbekistan Road. The section starts at km 2231, the length and the width of the road total 36.5 km and 70 m respectively, resulting in a land take for the road alone of 255.5 ha. Growing urbanization and considerations of city and international traffic relief necessitated reconstruction of the old road and construction of a new road to connect populated centres to one another and to industrial centres and population service centres.

One of issues considered in construction of Shymkent Bypass is preservation of historical and cultural monuments including certain structures, monuments and other sites connected with historical events, material and spiritual creations having historical, scientific and art value (ancient structures, burial places, archaeological objects) and unique natural reserves and national parks.

Prospecting works identified ten archaeological monuments in the vicinity of the construction site of the future Shymkent Bypass. Among them are ancient settlement Khurlug, a 3-hectare complex of medieval *ribads*, 4 burial grounds, 2 isolated burial mounds and 2 late settlements.

The surveyed section of Shymkent Bypass has shown that it is of a great archaeological value. The archaeological monuments located there were built along the Great Silk Way and are, at least, two thousand years old (Photo 0-2 and Photo 0-3).



Photo 0-2 Khurlug Ancient Settlement. 10th-14th century



Photo 0-3 Ribads at Kainarbulak. 6th-8th century

Security blocks and fences will be installed around all identified monuments at a distance of at least 50 m from their boundaries including emergency zones for an entire period of reconstruction. The legislation of the Republic of Kazakhstan prohibits all construction works within the security zones of historical and cultural monuments.

Temporary loss. Reconstruction of the road and will require temporary land acquisition for the entire period of construction to accommodate concentrated off-the-way borrow soil, a construction camp, parking of road-building equipment and road-building materials warehousing sites.

Upon completion of construction works, irrigated lands intended for temporary acquisition will be reclaimed and returned to land users in their original condition. All affected irrigation systems will be restored.

Informal Land Users

According to the information resulting from cadastre reviews and topographical surveys (methodology described in section 0) and the alignment inventory carried out by the Consultant for this updated RPF, no informal land users with above ground assets were identified in the South Kazakhstan Oblast. In the Kyzylorda Oblast a total of four informal land users were identified, who lack ownership titles, building permits or both titles and permits. The status of these owners is indicated in the tables on land ownership and structures of Annex 2. Other types of informal land uses encroaching on the ROW which would not involve physical structures, such as informal agriculture (gardens, small fields) or animal or poultry husbandry or seasonal produce stands were not observed, but may be identified during field implementation of the census.

Compensation, valuation methods and procedures

Introduction

Compensation and entitlements must assure that affected persons maintain or improve their standard of living after the Project. These are summarized in the entitlement matrix for the Project in Table 0-1, showing losses and valuation / compensation measures that will be implemented. The Roads Committee has final responsibility for implementing the Plan and ensuring that the provisions of this matrix are adhered to. The Committee may delegate authority for negotiations and registration to local officials, working through the oblast Road Committees.

Table 0-1 Entitlement and Compensation Matrix

Asset	Specifications	Affected People	Compensation Entitlements
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 plots is too small to use, the whole plot is purchased and compensated or exchanged
		Long Term Leaseholder	<ul style="list-style-type: none"> Cash compensation, market value of gross yield (3-year average), renewed lease in alternative plot
		Short Term Leaseholder	<ul style="list-style-type: none"> Cash compensation, market value of gross yield (3-year average)
		Sharecropper	<ul style="list-style-type: none"> Cash compensation, market value of share of lost harvest Provision of livelihood restoration assistance, either through alternative land for sharecropping or other employment type
		Agricultural worker	<ul style="list-style-type: none"> Cash compensation equal to salary in cash and kind for rest of agricultural year
		Encroachers and informal users of ROW and acquired land	<ul style="list-style-type: none"> Cash compensation equal to market value of lost harvest Provision of livelihood restoration assistance, either through alternative land for sharecropping or other employment type
	Severe Impact—more than 10% of income loss	Owner, Leaseholder	<ul style="list-style-type: none"> Cash compensation equal to market value of two crop years 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 plots is too small to use, the whole plot is purchased and compensated or exchanged
		Sharecropper	<ul style="list-style-type: none"> Cash compensation equal to twice market value of share of lost harvest Provision of livelihood restoration assistance, either through alternative land for sharecropping or other employment type
Arable Land, State	All Losses, irrespective of	Long Term Leaseholder	<ul style="list-style-type: none"> Cash compensation, market value of gross yield (3-year average); renewed lease in alternative plot

Asset	Specifications	Affected People	Compensation Entitlements
Ownership	severity of impact	Short Term Leaseholder	<ul style="list-style-type: none"> Cash compensation, market value of gross yield (30year average); renewed lease in alternative plot, if available
		Encroachers/squatters	<ul style="list-style-type: none"> Cash compensation equal to market value of lost harvest; access to land for lease, if available Provision of livelihood restoration assistance, either through alternative land for sharecropping or other employment type
Residential and Commercial Land		Owner	<ul style="list-style-type: none"> Land for land compensation, plot comparable in value to lost plot, or Cash compensation for affected land at full replacement cost free of taxes, registration and transfer costs
		Renter, Leaseholder	<ul style="list-style-type: none"> 1-3 months allowance
		Squatter	<ul style="list-style-type: none"> Free or leased plot on State land
Houses, Buildings and Structures		Owners of permanent structures	<ul style="list-style-type: none"> House for house swap; if replacement is lower value, cash compensation for the difference, or Cash compensation at replacement rates for affected structure and other fixed assets, based on material cost, construction and labor costs free of salvageable materials, depreciation and transaction costs. Cost of lost water and utility connections included in compensation
		Owners of temporary, structures (kiosks, stalls)	<ul style="list-style-type: none"> Approved and suitable site to re-locate
Trees	Trees affected	All affected persons, including squatters	<ul style="list-style-type: none"> Cash compensation reflecting income replacement. Economic trees value based on age category and valued at gross market value of one year income times the number of years to grow a tree to similar productivity, plus purchase price of seedlings and starting materials
Business employment	Temporary or permanent loss of business or employment	All affected persons, including squatters	<ul style="list-style-type: none"> Owner: if permanent, cash compensation equal to one year income; if temporary, cash compensation for the period of loss. Compensation based on tax declaration or official minimum salary
		Business owner	<ul style="list-style-type: none"> Allowance for lost profit during interruption, up to 3 months
Relocation	Transport and transitional livelihood costs	All affected persons affected by relocation	<ul style="list-style-type: none"> Allowance sufficient to cover transport expenses and livelihood expenses for one month due to relocation
House renters		Renters with leases	<ul style="list-style-type: none"> Three months rent at prevailing market rate and assistance in finding alternative accommodation
Community Assets			<ul style="list-style-type: none"> Rehabilitation or replacement of affected structures to pre-project function
Vulnerability		Affected persons who require special support to avail themselves of project benefits	<ul style="list-style-type: none"> Special programs providing additional compensation, allowances for adjustment, and other initiatives, based on findings of the social assessment and census of affected persons
Temporary Loss			
Land used for construction activities	Subject to negotiation between owner and contractor	Owner (private or public)	<ul style="list-style-type: none"> Contractor pays cash compensation at local commercial rental rates for duration of use Land restored to original status at end of rental Environmental safeguard requirements apply
Land for borrow pits	Subject to negotiation between owner and contractor	Owner (private or public)	<ul style="list-style-type: none"> Contractor pays cash compensation for rental and materials at market rates Land restored to original status at end of rental Environmental safeguard requirements apply

Methodology

This section describes the methodology used to identify and inventory land owners, physical structures and informal land users along the Project alignment. The approach for the identification of affected structures and land parcels relies on two main sources: (1) existing cadastre and land use data maintained by the Land Resource Agency and (2) the construction survey conducted by all designers for each individual lot at a scale of 1:2,000, in which all structures within a ribbon of ca. 120 m width following the Project alignment are detected and geo-referenced. This includes all structures within the existing ROW where works will take place in the ROWⁱⁱⁱ. (3) Roadside surveys along the entire alignment were conducted by the Consultant to identify and describe any form of informal use of the ROW or areas affected by bypass construction or other land take, which would not result in visible structures and thus go undetected by above described items (1) and (2). This type of use would e.g. involve informal agriculture (gardens, small fields, seasonal stands) encroaching on the ROW or animal or poultry husbandry.

Information on any registered plot and its location with topographical coordinates are kept in the Centres of Registration under the Ministry of Justice. A detailed description of the Land Data Management of Kazakhstan is included as Annex 6. This information is also being collected by the “State Scientific Production Centre on Land” (GosNPTsZem) under the Land Resource Agency. Designers contracted by the Committee for Roads received information on potentially affected landowners from the oblast level departments of the GosNPTsZem in the form of a 1:25,000 scale map indicating the projected road and land plots intersecting with or touching the alignment. The Designers combined these maps with information they themselves generated by topographic alignment surveys carried out as a standard measure upstream in their work. Survey results are presented in alignment maps at 1:2,000 scale.

All structures identified during these surveys were recorded, including informal structures and encroachments onto the ROW (such as fences, walls, sheds, houses, ditches, etc.). Using AutoCad software areas and spatial relations could be precisely quantified and affected land plots delineated. The same procedure was used to record and describe impacts on potentially affected houses and roadside small businesses.

For the identification of informal land users designers compared the official land use data received from GosNPTsZem with their own to-date construction survey. Thus each designer could identify structures which were built (commonly within the ROW) illegally and without formal title. Most of these structures are of commercial nature, such as cafes, restaurants and gasoline stations, but also include residences. In Annex 2 and 3 these structures are identified by their ownership status.

In order to assess costs of land to be withdrawn and structures to be demolished, Designers contracted licensed evaluators. Based on the land requirement data compiled by the designers, the evaluators contacted potentially affected parties to assess the value of their properties. Evaluation methods used to estimate compensation for structures were similar to common international practices based on (i) expenses, (ii) profits, and (iii) comparison with similar structure with a known cost. All base costs were aligned with current market values. In the case of agricultural land plots the method used was based on assessment of agricultural losses in case of withdrawal. All applied methods are approved by national Kazakh laws, norms and regulations. The compensation amounts calculated by the evaluators were negotiated between some owners and oblast CR departments. The designers claim that some land owners have signed agreements on compensation with oblast authorities, CR and Akimats, but the agreements are not binding, as negotiation will start once the acquisition process begins.

Informal land users i.e owners of structures within the ROW or on a bypass alignment without formal title will be compensated for the lost assets equally to users with title, after receiving instructions and assistance to license / legalize their businesses or residences (see also section 0). For the purpose of estimating project costs, their properties have been evaluated in the same manner as registered businesses / residences.

If existing **long term leases of State land** are terminated to acquire land for the Project (permanently or temporarily), the lease holders are compensated according to their advance payments for the leases. Furthermore, lease holders are reimbursed all expenditures and other losses related to standing crops, and investments in trees, etc.

The compensation amounts for non-agricultural lands and real estate structures on them are determined via negotiations with owners based on market prices. The market prices are calculated in accordance with norms and standard, legal methodologies by licensed evaluators. In this case, both parties must reach reasonable agreement on the compensation amount. If this does not happen, the compensation claim can be determined by the court. Full-scale inspections to refine the physical and juridical parameters of the structures will be required at the time of transaction. A detailed account for compensating losses from agricultural land acquisition is attached as Annex 7.

It is very unlikely that informal land users without long term access to land or structures, but with some conceivable use of the ROW (informal agriculture, gardens, fruit trees, animal or poultry husbandry or seasonal roadside produce stands) will be negatively affected. Should such cases arise during the acquisition process, however, they will be entitled to receive assistance to restore their previous incomes.

Institutional Arrangements

The Committee for Roads will be responsible for development and implementation of the updated RPF and future RAP. This will entail close collaboration with local officials and with the Project Management Consultant (PMC) who will be hired under the Project as an additional management and supervision entity for the Project. Concrete, on-the-ground implementation of the RAP will mostly be managed by the rayon / oblast authorities. They will be responsible for receiving, checking and processing claims and authorizing payments to affected people and enterprises.

The overall RAP and section-specific RAPs will be prepared by the PMC and implemented by the RC through rayon/oblast level officials, for the most part. Further support will come from the oblast administration, the civil works contractors and officials of local self-government, as well as the PMC. Evaluation and compensation will be managed by rayon/oblast level Commissions established for the purpose. These Commissions will include representatives from rayon/oblast administration and officials representing different relevant offices, such as agriculture, forestry, land resource management and registration. The Committee for Roads will also participate in the commissions via their local branches. For purposes of eligibility, the cut off date in any location is the adoption and disclosure of the final detailed design. Persons who occupy affected areas after that date are not entitled to any compensation provisions. The commissions will be established *before the World Bank loan for the project becomes effective*.

Once the final designs are accepted, the RC will conduct oblast-level seminars involving all participants in the acquisition process to ensure that they are familiar with Kazakhstan's laws and procedures, as well as the requirements of the World Bank for compliance with its resettlement policy.

Implementation Arrangements

Background

The CR has committed itself to meet World Bank requirements for determining eligibility and compensation. Thus, the eligibility criteria contained in OP 4.12 of the World Bank's operational policy on involuntary resettlement are the ones CR follows when determining eligible persons for compensation (See also Table 5-1). The eligibility criteria set by the World Bank are mostly in line with national Kazakh legal provisions. Therefore, the criteria for eligibility for displaced persons contained in OP 4.12 are clarified in this Updated RPF and will be further elaborated in the RAP, if additional categories of entitlement are developed. Eligible for compensation are:

- Those who have formal legal right to land (including customary and traditional rights recognized by law of the country);
- Those who do not have formal legal rights to land at the time the census begins but have a claim to such lands or assets- provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan and
- Those who have no recognizable legal right or claim to the land they are occupying (see p. 6 of OP 4.12) but are eligible for compensation for non-land assets plus assistance to restore livelihood.

Persons who encroach on the area subject to expropriation after a 'cut-off date' (i.e. after the adoption and disclosure of the detailed design) are not entitled.

Organisational Arrangements

The Project Management Consultant (PMC) will play a key role in the organizational setup for resettlement and land acquisition management during Project implementation.

According to the PMC's terms of reference (TOR) there will be safeguards specialists working in the PMC for the duration of the Project. Part of their duties and responsibilities will be the management of implementation of the RPF, the preparation of the RAP and the implementation of RAPs of all FIs. This will include continued socio-economic monitoring of implementation and impacts of RAPs along the corridor, specifically, (i) monitoring CR activities related to RAPs, including carrying out socio-economic assessments of affected persons and bypass areas, (ii) monitoring individual construction lots, (iii) liaison with Kazakh regional and local authorities on resettlement issues, (iv) contact point for grievance redress mechanism, (v) periodic reporting to World Bank on safeguards compliance status in Project implementation.

The PMC will carry out an independent assessment of the land acquisition process to inform Project management (Committee for Roads and World Bank), and prepare an annual resettlement monitoring and evaluation report to submit to the World Bank.

Specific monitoring and evaluation indicators include:

- Information campaigns and consultations with affected persons (how many, when carried out, issues discussed, issues resolved afterwards)
- Status of land acquisition and payments for compensation (number of transactions, percentage of total volume)
- Selection and distribution of replacement land areas
- Compensation for affected structures and other assets

- Assessment of livelihood impacts
- Assistance with restoration of means of livelihood
- Resolution of grievances.

The administrative oversight and monitoring and evaluation activities are included in the PMC's TOR and will be budgeted in the price quotations of the Consultants bidding for the assignment..

Resettlement Budget

The estimated budget for all land acquisition and compensation based on (incomplete) data as of 1 March 2009, is contained in Annexes 4 and 5. The total estimates sum is 5.21 Mill USD. This comprises an estimated^{iv} 1.6 Mill USD for the South Kazakhstan oblast and 3.61 Mill USD for the Kyzylorda oblast. A contingency of 50% will be added, due to ongoing cost estimations, bringing the total budget allocation to 7.82 Mill USD. The budget for restoration of drainage and irrigation structures is included in the Contractor's scope of work (SOW) and will thus be budgeted under the Contractor's quotations.

Grievance Redress

Effective grievance procedures significantly reduce the anxiety people generally experience when they involuntarily lose assets. During the land acquisition process, complaints regarding valuation, payment, support and follow-up are inevitable, and if well managed, need not pose a significant obstacle to Project implementation. All Project related complaints will follow the existing pattern and will be described in the Project's information brochures and posted in local offices:

- Affected persons take their complaints to the head of local self-government, who registers the complaint and attempts to resolve it. If the complaint is not resolved in one week, it is passed to the rayon/oblast level
- A designated person in the rayon/oblast administration receives the complaint, registers it and attempts to resolve it. If there is no resolution in two weeks, it is passed to the oblast level.
- A designated person in the oblast administration receives the complaint and attempts to resolve it. If there is no resolution within two weeks, the case will be presented to a Kazakh court and resolved according to Kazakh legislation, with the covenant, that for all project related resettlement issues the specific agreements between Government of Kazakhstan and World Bank will supersede national law.
- Moreover, a grievance focal point will be established within the PMC. The responsible staff will be the social specialist hired for the PMC, who will act as primary point of contact within the Project structure. The specialist will act as coordinator and first resolution instance, working with Committee and Contractors to find timely solutions. The grievance coordinator will maintain a log of all grievances received and their status and potential deferral. Grievances which cannot immediately be resolved are passed on to the respective rayon or oblast authorities.
- In addition to the above mechanisms several points of contact will be established within the Project. Each Contractor will be required to nominate a grievance coordinator who receives direct complaints related to temporary land use during the construction period. The complaints are logged and, if not immediately resolved, passed on to the PMC grievance coordinator.

All contact details and a clear description of the grievance mechanisms will be published in print media, distributed via brochures and displayed on the Committee's website before the start of any physical works in the Project area. Logs, reports and grievance resolution outcomes will be subject to external monitoring and evaluation.

During construction the individuals, whose interests are affected, as well as others, may complain on the disturbance created to the traffic, noise, intrusion to the territory and other problems. All complaints related to the Project will be considered with the help of the dispute (related to the resettlement) resolution mechanisms, which have commonly accepted structures and will be described in the information brochures on the Project and in the placards, which will be displayed in the local offices:

The Project's procedure will differ from Kazakh standard practice in the way that each of the authorized officials in the district and oblast executive offices or public authorities/local self-government (if available) will be obliged to register the complaints and follow up on the status, and report to the management of the Project (Committee and PMC, with copies to World Bank) monthly. The reports and the process of dispute resolution will be observed/monitored by the group of the external monitoring and assessment as well as the Management of the Project.

Also, the individuals dissatisfied with the attention paid to their complaints may refer to the Management of the Project. The monitoring and assessment specialist of the PMC will receive such complaints and register them. The specialist will search for possibilities to resolve the complaint, and will keep the plaintiff informed of the status of his complaint. The officials of any level that receive urgent complaints may forward the complaints, when necessary, to the Management of the Project.

results of Public Hearings

First Set of Consultations, September 2008

In September, 2009 the employees of the "GeoData Plus" LLP, represented by Mr. Babalyk E.A., a Deputy Director and Ms. Dzhunusova G.A., an Environment Specialist, Pryhodkyn I.V. GIS Specialist with the employees of the Administrations of the Committee on Transport Infrastructure Development of Kyzylorda and South Kazakhstan Regions carried out public consultations on the Preliminary Assessment of the Environmental Impact based on the Feasibility Study for the sections of the international transit corridor "West Europe-West China", to be financed by the World Bank. In the weeks preceding consultations several hundred information leaflets plus questionnaires were distributed in the course of the field studies.

A notice on the planned public hearings was published in the press:

- "Kyzylordinskiye vesti" newspaper, №115, September 10, 2008;
- "Nasybe" newspaper, №203, September 10, 2008;
- "Ontystyk Kazakhstan" newspaper, №153-154, September 10,12, 2008.

The following groups of people were invited to the Public Hearings:

- All local population, whose interests are likely to be affected during road reconstruction;
- NGOs working in the environmental and social areas;
- Representatives of the official authorities in the area of environmental design and social issues.

Public Hearings were conducted in Kyzylorda on 16.09.2008 and in Turkestan on 17.09.2008.

Seventy-seven local people participated in the Kyzylorda city hearings. During the event the local participants raised a number of issues concerning the Project implementation period/duration, compensation amounts, pedestrian crossing (walkway) arrangements etc. The audience was satisfied both with the clarifications of the specialists of GeoData Plus LLP provided in response to the questions raised and the World Bank Environmental and Social policies as a whole. There were some useful comments or recommendations from the part of the participants in regards to the design and construction stages of the Project. Thirty--five locals from Ikan and Turkestan attended the hearings in Turkestan. The issues raised were mainly related to the status of the road (free or toll), job opportunities for local people, compensation amounts, availability of the cattle droves etc. The audience was satisfied both with the clarifications of the specialists of GeoData Plus LLP provided in response to the questions raised and World Bank Environmental and Social policy as a whole. There were some useful comments or recommendations from the part of the participants in regards to the design and construction stages of the Project. The Consultant noted that at this preliminary stage of the Project (consultation on EIA TOR and general concept) interest and participation from the Project proponents was weak. The consultations were thus carried out mainly with resources and under the auspices of Geodata Plus. In contrast, the general public and affected population took a vivid interest in the Project. Apparently this campaign was one of the first instances of public disclosure of Project details. There seems to have been no effective public outreach and information performed at the Feasibility Study stage and the topic of the road renovation did not receive wide media coverage. To summarize, all the hearings conducted in the city of Kyzylorda and Turkestan, it is concluded that the local population had not been previously informed about the road reconstruction project. The main issues raised at the public consultations were the issues related to the provision of employment for local population during the reconstruction, amounts and types of compensation for land plots to be potentially acquired. At this stage there appeared to be little concern from the population to questions related to the environmental and social impact of the road renovation.

Second Set of Consultations, January 2009

In January, 2009 GeoData Plus, represented by Mr. Babalyk E. A., Deputy Director and Ms. Dzhunusova G. A., an Environment Specialist, participated in the public hearings devoted to the discussion of the Environmental Impact Assessment and Resettlement Plan the detailed design for the sections of the international transit corridor “West Europe-West China” that are to be financed by the World Bank. The main elements of the Resettlement Plan under preparation were also discussed.

The event was arranged by:

- Local executive agencies – Akimats of the Kyzylorda, Turkestan cities and villages of Temirlanovka, Shieli and Zhanakorgan;
- Territorial Roads Departments of the Roads Committee of the MTC in the Kyzylorda and South Kazakhstan oblasts;
- Designers: JSC “Institute of GeoProject”, “KazNII PI Dortrans” LLP (Kazakh Scientific-Research Institute, Design Institute of Roads Transport), “Kazakhstan Zholdary” LLP, “Shymkent KazDorProject” LLP, and “Tabys-Otsenka” LLP

A notice on the planned public hearings was published in the press:

- “Syr Boiy” newspaper, №5 (17578), January 09, 2009
- “Kyzylordinskiye vesti” newspaper, №4 (16.687), January 10, 2009;

The following groups of people were invited to the Public Hearings:

- All local population, whose interests are likely to be affected during road reconstruction;
- NGOs working in the environmental and social areas;
- Representatives of the official authorities in the area of environmental designing and social issues.

Public Hearings were conducted in the following settlements: Turkestan 15.01.2009, Temirlanovka 15.01.2009, Shiyeli 16.01.2009, Zhanakorgan 16.01.2009, Kyzylorda 17.01.2009.

Ninety-eight local people participated in the Kyzylorda city hearings. During the event the local participants raised a number of issues concerning the project implementation period/duration, compensation amounts, pedestrian crossing (walkways) arrangement, green planting, and other issues. The audience appeared to be satisfied both with the clarifications that “GeoProject Institute” LLP provided in response to the questions raised, and with the Project as a whole. There were no comments or recommendations from the part of the participants in regards to the detailed design of Section 1917-1837 km of the Route M-32. No communications were received after the hearing.

One hundred twenty-five locals attended the hearings in the Shiyeli village. The issues raised mainly related to the status of the road (free or toll), reconstruction of the irrigation systems, compensation amounts, availability of the cattle droves, arrangement of local transportation, etc. The participants appeared to be satisfied with the responses provided by the designers “GeoProject Institute” LLP, «KazNII PI Dortrans» LLP, as well as with the Project in general. No comments or recommendations were received from the participants on the detailed design of the Section 1980-1917 km of the Route M-32, and no subsequent communications were received after the hearing.

The public hearing in Zhanakorgan village hosted 117 locals. The issues discussed during this event dealt with archaeological monuments, reconstruction of the engineering infrastructure, compensation amounts, availability of cattle droves, and project implementation period, etc.

Two specific questions were raised about the future of burial places in Birlik and Ordakent settlements. The «KazNii PI Dortrans» LLP representatives assured local people that they included bypasses in the project which avoid any impact to those burial places. The attendees were satisfied with the clarifications provided by the design institutes («GeoProject Institute» LLP, «KazNii PI Dortrans» LLP) and with the Project in general. No comments or recommendations were received from the part of the participants in regards to the detailed design of the Section 2057-1980 km of the Route M-32 and no communications were received after the hearing.

Eighty-three persons participated in the hearings in Temirlanovka village. The local participants were very displeased with the proposed design of an elevated road (overpass) construction over the existing main street in the village. They openly and vocally criticized the proposed design of the 2.3 km long overpass (“We do not want to live under a bridge!”). Questions asked and concerns raised related mainly to:

1. Road construction works:

- Local road transport arrangement;
- Ensuring traffic and pedestrian safety;
- Impacts of emissions, noise and vibrations;
- Impacts of the construction works on structural stability of existing residential buildings (especially during pile driving works);
- Overall arrangements of the construction areas (especially earthworks, such as excavations for foundations), camps, workshops, storage and haulage in the geographical and social context of the village.

2. During road operation:

- Worsening of the aesthetical appearance of the village and a danger of losing cultural identity values (decrease in number of visitors in the existing museum);
- Proximity of the existing buildings to the overpass;
- Daylight and lighting issues;
- Continuous, long term impact of emissions, noise and vibration;
- Wastes generated/caused by the drivers of the transport moving on the overpass (discarded bottles, cans, cigarettes etc.);
- Maintenance of the overpass and the existing road remaining underneath;
- Ensuring safety (in case of road/car accidents and vehicles driving down from the road overpass);
- Impact of transport emissions, and whether there will be any control over the emission production and any measures to reduce such effects.

On the issue of the Shymkent bypass the local population raised fewer concerns and agreed with the general provisions of the Project related to this Section. During the public hearings in Temirlanovka village the residents of the village brought the following additional issues to the attention of the local executive agencies (Akimat), the Employer, represented by the Roads Committee of the MTC, and the designers, represented by “GeoProject Institute” LLP:

- Inadequate and untimely awareness of the local population of and involvement in the Project, especially during consideration of alternative options for Temirlanovka--a bypass;
- Uncertainty in terms of managing and implementation of land acquisition and compensation (cash or an equivalent land);

As result of the consultations the attendees strongly demanded that the Designers:

- Change the design by abandoning plans to construct the overpass over the central street of Temirlanovka village;
- Consider an alternative option for the route with the involvement of the local population.

The Public Hearings in Turkestan city were attended by 39 residents of Ikan village and Turkestan city. The following issues were raised during the gathering:

- Concerns regarding the compatibility of the proposed design with the Master Plan for the development of Turkestan city;
- Clarifications on project implementation period/schedule;
- Uncertainty in terms of managing and implementting the land acquisition and compensation (cash or an equivalent land) activities;
- Effect of emissions, noise and vibration;
- Safety of pedestrians, especially children;
- Design of sufficient number and appropriate dimension for animal underpasses;
- Ensure minimal impacts on existing irrigation systems;

In general, the local population appeared to be satisfied with the responses to their questions provided by the representatives of «Shymken-Kazdorproject» LLP, «Tabys-Otsenka» LLP and with the Project, as a whole.

The local executive agencies (Akimat) actively participated in the discussions, mostly endorsing points made by the attendees and expressing strong interest in the Designers’ changing the Project design based on comments of the local population, such as:

- Increase the dimensions of the cattle droves, and change the profile (sections) from 2mx2m to 4mx2,5m;

- Envisage safe pedestrian crossings (ground or underground) in villages where no bypasses are planned.

To summarize, all the hearings conducted in the settlements of Kyzylorda and South Kazakhstan oblasts, it is evident that the local population, in general, agrees with the main provisions of the road reconstruction Project/design. However, based on their comments, and with the aim to minimize negative impact it is recommended at the design stage:

- For the Designers to develop an alternative option for construction of the overpass in Temirlanovka village and arrange public discussion of alternatives with the local population. This has been agreed by Designers and consultations on bypass options will take place in March or April 2009);
- For the Designers to increase the number and size of the cattle droves (underpasses) in rural areas where livestock breeding is an important economic activity, and have the design approved by the local administrations;
- For the Designers to envisage arrangements for safe pedestrian crossings (ground or underground) in densely populated villages and reach agreement on the design with the local executive agencies.

At the construction stage

- The Roads Committee of the MTC should resolve the issue related to explaining to the local executive agencies, and local population the process and mechanisms of land acquisition and compensation (monetary or land replacement).

Monitoring and evaluation

The Committee will appoint a specialist for internal monitoring of resettlement, who will work closely with the PMC’s safeguards specialists and develop detailed plans and indicators for monitoring for subsequent phases of this updated RPF. The monitoring specialists will submit quarterly information about the progress of resettlement to be incorporated into Project reports. They will prepare the summary reports for the six-monthly audits by the external monitoring entity. Expenditures for this **internal monitoring** shall be incorporated into the project budget. A general system of monitoring indicators is shown in the following table.

Table 0-1 Monitoring and Evaluation Matrix

Purpose	Activities	Monitoring Indicators
Identification of compensation recipients	Checking the list of compensation recipients against eligibility criteria for compensations.	Number of persons in the list of compensation recipients, who do not meet eligibility criteria (mistaken inclusion)
	Identification of persons, who may claim eligibility to compensation, but are not included in the lists of compensation recipients. Separate check should be performed on each type of compensation	Number of persons, who meet the criteria, but are not included in the list of compensation recipients (mistaken exclusion)
Controlling types of compensation	Confirmation of temporarily or permanently affected areas against the final RAP	Area of land subjected to temporary acquisition, for which compensations have been paid

Purpose	Activities	Monitoring Indicators
		Area of land subjected to permanent acquisition, for which compensations have been paid
Controlling compensation	Examination of financial documents	Number of persons, who received compensation in time and in full amount, disaggregated by compensation types
	Identification and analysis of reasons for compensations not being paid in full amount and in time	Number of persons, who did not receive compensation in time and in full amount, disaggregated by compensation types
		Number of persons, who received compensation in time, disaggregated by compensation types
		Amount of funding allocated for payment of compensations
	Identification of reasons, for which funds for compensations have been under/overspent	Rate of spending of funds allocated for compensations, % of envisaged by the final RAP
Additional compensation	Monitoring time limits of temporary land acquisition	Number of persons, on whose plots temporary acquisition needs to be extended
		Area, on which construction works will be continued after the established deadline
Household Impact (Income Restoration)	Follow up socio-economic survey of affected households (year 3)	Changes in household income/ livelihood
Consultations and participation	Determining the level of involvement, and identification of reasons of inadequate participation	Number of compensation recipients, who participated in consultations and coordination meetings at each stage of land acquisition
	Analysis of disputes' and complaints' content. Resolution of conflicts	Number of complaints
		Number of complaints granted

External monitoring:

The Management of the Project will contract an external monitoring agency for conducting a semi-annual independent evaluation of the process and results of the resettlement, which will then be discussed with the Management of the Project and used for preparation of the annual report on monitoring and evaluation for the World Bank. The external organization responsible for monitoring will decide whether the conditions of the resettlement plan during its implementation have been observed, whether the sources of income of the individuals, whose interests have been affected, were restored, and whether there occurred any unplanned or unexpected consequences of the resettlement.

The main duties and responsibilities of the external monitoring entity will be the following:

- Development of recommendations on organization and implementation of internal monitoring of resettlement, including a system of monitoring indicators, timelines and procedures, reporting forms, etc.;
- Analysis of, and preparation of recommendations on, the preliminary lists of persons, who incur damages and may be eligible to compensation;
- Analysis of RAP, payment of compensations, procedures for approving and payment of compensations, and preparation of recommendations on their compliance with the WB resettlement policy;
- Participation (as an observer) in consultative meetings on land acquisition;
- Monitoring timely allocation of funds for compensations; preparation of respective recommendations on adjustment of measures;
- Monitoring and acquisition timelines and terms of temporary land acquisition; preparation of recommendations on adjustment of timelines/terms; and
- Conducting special baseline update surveys with affected farmers who incurred damages resulting from construction works under the Project, in order to identify the level of satisfaction with types and sizes of compensations.

The budget for the external monitoring entity is expected to run to about 150,000 USD over the project lifetime and is covered by the contingencies foreseen for resettlement budget.

Annexes

Annex 1
(Overview Map of Project Area)

Annex 2
(Detailed List of Land Owners and Informal Land Users for
Kyzylorda Oblast)

Kzylorda Oblast Affected Structures

№ п/п	Owner of Structure	Owner of Land	Type of Structure	Size of Structure	Approximate age of Structure	Construction materials	Status	Current Use	Use Pattern	Building Permit?	Authority that Issued Permit	Expected Impact
1	Rystygul Botabaj	Rystygul Botabaj	286,4 м2	motel-camping	18	red brick	private	commerce	year-round	Yes	Administration	Demolition
2	TOO "Munaj-Invest"	TOO "Munaj-Invest"	116,3 м2	petrol station	8	lime sand brick	private	commerce	year-round	Yes	Administration	Demolition
3	Aldongarov D	Aldongarov D	25,6 м2	petrol station	11	concrete, lime sand brick	private	commerce	year-round	Yes	No	Demolition
4	Zhalagash Village Cooperation	Zhalagash Village Cooperation	143,9 м2	cafe	2	concrete, lime sand brick	private	commerce	year-round	Yes	No	Demolition
5	Tabanov B.	Administration of Zhalagash rayon	64,9 м2	cafe	2	concrete, lime sand brick	private	commerce	year-round	Yes	No	Demolition
6	Abdykalykova K.	No	84,6 м2	cafe	4	concrete, lime sand brick	private	commerce	year-round	Yes	No	Demolition
7	Karimova A.	Karimova A.	68,8 м2	house	38	framed cane	private	house	year-round	Yes	Administration	Demolition
8	Zhadilov M.	Zhadilov M.	92 м2	house	42	framed cane	private	house	year-round	Yes	Administration	Demolition
9	Zhadilov M.	Zhadilov M.	127,8 м2	house	2	burnt brick	private	house	year-round	Yes	Administration	Demolition
10	Dujsenova S.	Dujsenova S.	48,7 м2	cafe	8	framed cane	private	commerce	year-round	Yes	Administration	Demolition
11	Mirambekov	Mirambekov	66,7 м2	cafe	6	sun-dried brick	private	commerce	year-round	Yes	Administration	Demolition
12	Syzdykov	Syzdykov	75 м2	cafe	10	sun-dried brick	private	commerce	year-round	Yes	Administration	Demolition
13	Usenova	Usenova	64,2 м2	cafe	9	sun-dried brick	private	commerce	year-round	Yes	Administration	Demolition
14	Musaev	Musaev	108,7 м2	cafe	10	sun-dried brick	private	commerce	year-round	Yes	Administration	Demolition
15	Abzhanova Z	Abzhanova Z	90 м2	dacha	21	sun-dried brick	private	living	year-round	Yes	Administration	Demolition
16	Aldanbergenova	Aldanbergenova	88 м2	dacha	20	sun-dried brick	private	living	year-round	Yes	Administration	Demolition
17	Kishkenbaev K.	Kishkenbaev K.	82 м2	dacha	16	sun-dried brick	private	living	year-round	Yes	Administration	Demolition
18	Makhmutov E.	Makhmutov E.	103 м2	cafe	12	sun-dried brick	private	commerce	year-round	Yes	Administration	Demolition
19	Zhumalieva	Zhumalieva	91 м2	dacha	15	sun-dried brick	private	living	year-round	Yes	Administration	Demolition

Reconstruction of the section of republican road
 «Russian Federation border (to Smara) - Shymkent, through cities Uralsk, Aktobe, Kyzylorda», km 1240-2057 in Kyzylorda oblast

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
Name of Land User	User Status	Water Status	Land Use	Plot Size (ha)	Area to be Acquired (ha)	Percent Acquired (%)	Is Alternative Land being Provided?	Are Any Structures Affected (specify)	Remarks
peasant farm "Irkol"	temporary payable long-term rent	natural	pasture	24520	50.81	0.22%	no	no	
peasant farm "Akzhar"	temporary payable long-term rent	natural	pasture	10408	4.81	0.05%	no	no	
"Orzakun Ltd" LLP	temporary payable long-term rent	natural	pasture	3848	55.188	1.43%	no	no	
«Zhanazhol» LLP	temporary payable long-term rent	natural	pasture	4120	6.41	0.16%	no	no	
«Dostyk and K» agricultural cooperative	temporary payable long-term rent	natural	pasture	3245	10.83	0.33%	no	no	
Lands of aul (village) district III International	temporary payable long-term rent	natural	pasture	3592	5.22	0.15%	no	no	
peasant farm «Khaiab»	temporary payable long-term rent	natural	pasture	2180	1.66	0.08%	no	no	
Lands of aul district Aknobe	temporary payable long-term rent	natural	pasture	3210	7.19	0.22%	no	no	
peasant farm "Tazhibayev"	long-term rent	natural	pasture	435.7	14.884	3.4%	no	no	
aul district "Tan"	long-term gratuitous rent	natural	pasture	57.1	12.004	22.8%	no	no	
peasant farm "Umtyl"	private property	natural	pasture	89.1	8.644	9.7%	no	no	
peasant farm "Shagray"	long-term rent	natural	pasture	12.6	1.180	9.4%	no	no	
peasant farm "Baybek"	long-term rent	natural	pasture	12.7	1.285	10.1%	no	no	
peasant farm "Baybatan"	long-term rent	natural	pasture	72.2	10.831	15.0%	no	no	
peasant farm "N. Bayzhanova"	long-term rent	natural	pasture	48.3	2.368	4.8%	no	no	

Annex 3
(Detailed List of Land Owners and Informal Land Users for South
Kazakhstan Oblast)

№ п/п	Name of Landowner	User Status	Water status	Land Use	Plot size (ha)	Areas to be acquired (ha)	Percent acquired (%)	Is alternative land being provided?	Are any structures affected (specify)
1	2	3	4	5	6	7	8	9	10
"Shymkent Kazdorproject Ltd." Turkestan 35 land plots									
1	"Oil company "KOR" JSC	owner	irrigated	petrol station	0.084	0.084	100	no	petrol station
2	Safarov A.	owner	irrigated	concrete fence				no	concrete area, greenery
3	Дуйсенбай Г. Д.	owner	irrigated	structure	0.1	0.00177	1.77	no	fence, shed
4	Abdullaev R.	owner	irrigated	structure				no	concrete base, fence
5	Amirova S.	owner	irrigated	fence	0.2457	0.2457	100	no	fence
6	Abdullaev N.	owner	irrigated	fence	0.298566			no	fence
7	Tursunov M.	owner	irrigated	residence	0.3675	0.3675	100	no	residence
8	Turahanov K.	owner	irrigated	structure	0.25	0.0131	5.24	no	structure
9	Abdulakimov A.	owner	irrigated	structure	0.369	0.369	100	no	structure
10	Isitova Z.	owner	irrigated	fence	0.146	0.0124	8.5	no	fence
11	Abdulmalikuly Zh.	owner	irrigated	structure	0.1216	0.1216	100	no	unfinished building, shed
12	Zhymauly A.	owner	irrigated	structure	0.1	0.1	100	no	shed, fence
13	Jusupov A.	owner	irrigated	structure	0.2234	0.0357	15	no	structure
14	Omarov A.	owner	irrigated	structure	0.423	0.423	100	no	shed, fence
15	Bekenova Zh.	owner	irrigated	structure	0.199	0.199	100	no	residence
16	Abdrakhmanov F.	owner	irrigated	structure	0.25	0.25	100	no	shed, fence
17	Kurbanaliev A.	owner	irrigated	structure	0.105	0.105	100	no	unfinished building
18	Albayev S.	owner	irrigated	structure	0.15	0.15	100	no	shed, fence
19	Yusupov B.	owner	irrigated	structure	0.032	0.032	100	no	shop, storehouse
20	Hakimov I.	owner	irrigated	structure	0.09	0.09	100	no	shed, fence
21	Saparov M.	owner	irrigated	structure	0.1793	0.0077	4.3	no	garage, sauna
22	Abdilqadyruly A.	owner	irrigated	structure	0.277	0.0275	9.9	no	shed, fence
23	Abdalimov O.	owner	irrigated	structure	0.2851	0.2851	100	no	shed, fence
24	Musabekov N.	owner	irrigated	structure	21.6	21.6	100	no	unfinished building
25	Dadasheva F.	owner	irrigated	structure	0.2137	0.2137	100	no	shed, fence
26	Malbayev Sh.	owner	irrigated	structure	0.48985	0.48985	100	no	shed, fence
27	Zhumanov A.	owner	irrigated	structure	0.15			no	unfinished building
28	Orazbekov K.	owner	irrigated	structure				no	structure
29	Orynbasarov K.	owner	irrigated	structure	0.5	0.068	13.6	no	shop, canteen
30	Umarov S.	owner	irrigated	structure	0.2958	0.0218	7.4	no	residence
31	Beisenova A.	owner	irrigated	structure	0.2	0.0043	2.15	no	shed
32	Anetbekova S.	owner	irrigated	structure	0.05			no	building
33	"Munayinvestgroup" JSC	owner	irrigated	structure	0.1	0.1	100	no	petrol station
34	Nakipov B.	owner	irrigated	structure	0.1	0.1	100	no	fence
35		owner	irrigated	structure				no	shop

36	Alatay E.	private property	irrigated	for construction of petrol station, service point and canteen	0.024	0.024	100	no	-
37	Altybay Z.	private property	irrigated	for personal subsidiary plot	0.15	0.150	100	no	-
38	Government Unit "South Kazakhstan regional office of roads and infrastructure development of Committee for roads and infrastructure development of MOTC	permanent land use	irrigated	for planting of greenery on territory adjacent to road	0.23	0.171	74	no	-
39	Government Unit "South Kazakhstan regional office of roads and infrastructure development of Committee for roads and infrastructure development of MOTC	permanent land use	irrigated	for planting of greenery on territory adjacent to road	0.43	0.429	100	no	-
40	Government Unit "South Kazakhstan regional office of roads and infrastructure development of Committee for roads and infrastructure development of MOTC	permanent land use	irrigated	for planting of greenery on territory adjacent to road	0.21	0.209	100	no	-
41	Government Unit "South Kazakhstan regional office of roads and infrastructure development of Committee for roads and infrastructure development of MOTC	permanent land use	irrigated	for planting of greenery on territory adjacent to road	0.08	0.080	100	no	-
42	Government Unit "South Kazakhstan regional office of roads and infrastructure development of Committee for roads and infrastructure development of MOTC	permanent land use	irrigated	for planting of greenery on territory adjacent to road	2.42	0.849	35	no	-
43	Sadvakasov Zh.	private property	irrigated	for personal subsidiary plot and construction of residence	0.1009	0.091	90	no	-
44	Ashirova N.	private property	irrigated	for personal subsidiary plot and construction of residence	1.0089	0.091	9	no	-
45	Pazilbekova S.	private property	irrigated	for personal subsidiary plot and construction of residence	1.0098	0.091	9	no	-
"Geoproekt" Institute Ordabasinsk 155 land plots									
46	Bekturov T.	private property	irrigated	for construction of petrol station and canteen	0.100	0.00864	8.6%	no	yes
47	Malikov Sh.	private property	irrigated	for personal subsidiary plot	2.000	0.01078	0.5%	no	yes
48	Sapyrbek T.	private property	irrigated	for construction of café and shop	0.0400	0.00267	6.7%	no	yes

49	Berdaliev T.	private property	irrigated	for construction of petrol station	0.0600	0.04111	68.5%	no	yes
50	Zhadigerov S.	private property	irrigated	petrol station	0.0200	0.01236	61.8%	no	yes
51	Ryskulov I.	temporary payable long-term rent	irrigated	for construction of shop	0.1000	0.09238	92.4%	no	yes
52	Mustafin A.	private property	irrigated	vulkanization, mini-market and tea room	0.1000	0.09898	99.0%	no	yes
53	Toleu A.	private property	irrigated	for public service point	0.0130	0.00489	37.6%	no	yes
54	Bazarbay M.	private property	irrigated	for construction of shop and canteen	0.0864	0.00052	0.6%	no	yes
55	Zhadigeruly S.	private property	irrigated	for construction of canteen	0.0200	0.00993	49.7%	no	yes
56	Kalykul N.	private property	irrigated	for construction of agricultural products shop	0.0500	0.01772	35.4%	no	yes
57	Omar T.	private property	irrigated	for construction of canteen	0.0150	0.00612	40.8%	no	yes
58	Esirkep T.	private property	irrigated	for construction of canteen	0.1000	0.02445	24.5%	no	yes
59	Kambarov K.	private property	irrigated	petrol station	0.1000	0.00039	0.4%	no	yes
60	Ayapov B.	temporary payable long-term rent	irrigated	for construction of canteen and shop	0.0220	0.01135	51.6%	no	yes
61	Ayapov S.	private property	irrigated	for public service point	0.0600	0.01565	26.1%	no	yes
62	Dosbayev M.	private property	irrigated	for construction of petrol station	0.1000	0.05270	52.7%	no	yes
63	Tolykbekov B.	private property	irrigated	for construction of vulkanization	0.0120	0.00436	36.3%	no	yes
64	Uzbekova P.	private property	irrigated	for construction of canteen	0.0080	0.00485	60.6%	no	yes
65	Tokabolat U.	private property	irrigated	for construction of canteen	0.0330	0.03300	100.0%	no	yes
66	Sharafieva S.	private property	irrigated	for construction of canteen	0.0384	0.00080	2.1%	no	yes
67	Zhanataiuly S.	private property	irrigated	for construction of shop	0.2000	0.04122	20.6%	no	yes
68	Muratbekov O.	private property	irrigated	for construction of grocery	0.1000	0.00471	4.7%	no	yes
69	Bekbolatov Zh.	private property	irrigated	for planting of greenery	0.0040	0.00341	85.4%	no	yes
70	Daniyar A.	private property	irrigated	for construction of service unit and vulkanization	0.0400	0.00690	17.3%	no	yes
71	Kazangap K.	private property	irrigated	for existing building	0.1164	0.02447	21.0%	no	yes
72	Onlasov K.	private property	irrigated	for existing building	0.1519	0.01448	9.5%	no	yes
73	Isahov A.	private property	irrigated	for construction of petrol station and shop	0.1500	0.06297	42.0%	no	yes

74	Ahanova K.	private property	irrigated	for construction of cgrocery	0.0065	0.00297	45.7%	no	yes
75	Kondybay M.	private property	irrigated	for personal subsidiary plot and construction of residence	0.1500	0.00534	3.6%	no	yes
76	Rysky G..	private property	irrigated	for construction of cgrocery	0.0293	0.01172	40.0%	no	yes
77	Abdrahimov M.	private property	irrigated	for personal subsidiary plot and construction of residence	0.1389	0.00364	2.6%	no	yes
78	Abdikadyrova A.	private property	irrigated	for construction of cgrocery	0.1485	0.00005	0.0%	no	yes
79	Ahanov T.	temporary payable long-term rent	irrigated	for existing shop	0.1480	0.02456	16.6%	no	yes
80	Rahashuly A.	private property	irrigated	for personal subsidiary plot and construction of residence	0.0833	0.02564	30.8%	no	yes
81	Ayap B.	temporary payable long-term rent	irrigated	for existing shop	0.0368	0.00009	0.3%	no	yes
82	producers' cooperative Adil	private property	irrigated	for construction of shop	0.0033	0.00334	101.3%	no	yes
83	producers' cooperative Adil	private property	irrigated	for construction of shop	0.0017	0.00248	145.8%	no	yes
84	Kaldybay B.	temporary payable long-term rent	irrigated	for existing shop	0.0075	0.00750	100.0%	no	yes
85	Darmenbay R.	temporary payable long-term rent	irrigated	for construction of shop	0.0072	0.00720	100.0%	no	yes
86	Bibatyrova M.	temporary payable long-term rent	irrigated	for existing service poin	0.0080	0.00135	16.9%	no	yes
87	Tokabolat U.	private property	irrigated	for construction of canteen and mini- market	0.0044	0.00440	100.0%	no	yes
88	Tokabolat U.	private property	irrigated	for construction of canteen and mini- market	0.0286	0.02863	100.1%	no	yes
89	Aitazhanov M.	private property	irrigated	for personal subsidiary plot and construction of residence	0.0672	0.00880	13.1%	no	yes
90	Kulymbet S.	private property	irrigated	for reconstruction of bus stop with kiosk	0.5625	0.00553	1.0%	no	yes
91	Patsayeva Zh.	Right for private property for land plot	irrigated	for construction of canteen	0.1000	0.00442	4.4%	no	yes
92	Omar K.	private property	irrigated	for personal subsidiary plot and construction of residence	0.0300	0.01401	46.7%	no	yes

93	Tolykbekov K.	private property	irrigated	for construction of shop	0.0300	0.01384	46.1%	no	yes
94	Tuzubekov K.	private property	irrigated	camping	0.4000	0.50231	125.6%	no	yes
95	Tuzubekov K.	private property	irrigated	for construction of shop	1.5000	0.10725	7.2%	no	yes
96	Tuzubekov K.	private property	irrigated	for construction of shop	0.4000	0.13926	34.8%	no	yes
97	Tuzubekov K.	private property	irrigated	for construction of shop	0.4000	0.10869	27.2%	no	yes
98	Tursynbekova K.	private property	irrigated	for existing building	0.2373	0.07940	33.5%	no	yes
99	Buratay S.	private property	irrigated	for construction of canteen	0.0210	0.00705	33.6%	no	yes
100	Sariyeva A.	private property	irrigated	for construction of shop and canteen	0.0200	0.00978	48.9%	no	yes
101	"Kuanysh nury" LLP	private property	irrigated	for construction of petrol station	1.0500	0.22741	21.7%	no	yes
102	Alatay E.	private property	irrigated	for existing shop	0.0240	0.01956	81.5%	no	yes
103	Sartaykyzy A.	temporary payable long-term rent	irrigated	for parking	0.0959	0.02089	21.8%	no	yes
104	Torebek I.	private property	irrigated	for personal subsidiary plot and construction of residence	0.0923	0.00134	1.5%	no	yes
105	Akmolda A.	private property	irrigated	for construction of grocery	0.0056	0.00123	22.0%	no	yes
106	Esenkulova B.	private property	irrigated	for construction of grocery	0.0040	0.00082	20.5%	no	yes
107	Abdiev N.	private property	irrigated	for personal subsidiary plot and construction of residence	0.1245	0.00392	3.1%	no	yes
108	Kerimbek M.	private property	irrigated	for construction of petrol station	0.1200	0.03785	31.5%	no	yes
109	Ukibas B.	private property	irrigated	for existing shop	0.0025	0.00245	98.1%	no	yes
110	"Yntymak"	common land use	irrigated	for construction of shop	0.0260	0.02610	100.4%	no	yes
111	Mahamedova I.d.	private property	irrigated	for personal subsidiary plot and construction of residence	0.1102	0.00093	0.8%	no	yes
112	Baimusaully B.	private property	irrigated	for existing shop	0.0050	0.00256	51.3%	no	yes
113	Mahmutov T.	private property	irrigated	for personal subsidiary plot and construction of residence	0.0307	0.00427	13.9%	no	yes
114	Bitemirov K.	private property	irrigated	for construction of grocery	0.0160	0.00000002	0.0%	no	yes
115	Guseinova N.	private property	irrigated	for personal subsidiary plot and construction of residence	0.1400	0.03404	24.3%	no	yes
116	Ukibas B.	private property	irrigated	for construction of grocery	136.0000	0.01354	0.0%	no	yes

117	Erduali Y.	private property	irrigated	for personal subsidiary plot and construction of residence	0.0413	0.02197	53.2%	no	yes
118	Agataev A.	private property	irrigated	for construction of grocery	0.0165	0.00889	53.9%	no	yes
119	Agataev A.	private property	irrigated	for construction of grocery	0.0105	0.00373	35.5%	no	yes
120	Isa R.	private property	irrigated	for construction of grocery	0.0021	0.00208	99.0%	no	yes
121	"BAKYT-M.N.-7" LLP	private property	irrigated	for construction of grocery	0.6300	0.04194	6.7%	no	yes
122	Sagimbekova H.	private property	irrigated	for construction of café	0.0114	0.00480	42.1%	no	yes
123	Ontyzbayeva L.	private property	irrigated	for construction pharmacy	0.0096	0.00961	100.1%	no	yes
124	Eitayeva K.	temporary payable long-term rent	irrigated	for construction of resort area	0.0527	0.03923	74.4%	no	yes
125	Eitayeva K.	temporary payable long-term rent	irrigated	for construction of service unit	0.0340	0.02622	77.1%	no	yes
126	Sultanhanova K.	private property	irrigated	for construction of grocery	0.0160	0.00971	60.7%	no	yes
127	Aktayeva G.	private property	irrigated	for construction of grocery	0.0300	0.02692	89.7%	no	yes
128	Alzakhova P.	private property	irrigated	for personal subsidiary plot and construction of residence	0.1178	0.00231	2.0%	no	yes
129	Yusupova G.	private property	irrigated	for existing shop	0.0120	0.00000	0.0%	no	yes
130	Ukibas B.	private property	irrigated	for construction of shop	0.0034	0.00299	87.8%	no	yes
131	Safarbayev K.	temporary payable long-term rent	irrigated	for planting of greenery	0.0100	0.00025	2.5%	no	yes
132	Guisenova N.	private property	irrigated	for construction of shop	0.0241	0.00034	1.4%	no	yes
133	Begaiyl Zh.	private property	irrigated	for existing shop and planting of greenery	0.0594	0.01809	30.5%	no	yes
134	Salimbekoba H.	private property	irrigated	for personal subsidiary plot and construction of residence	0.0908	0.00618	6.8%	no	yes
135	Kopbayeva T.	private property	irrigated	for existing shop	0.0076	0.00094	12.4%	no	yes
136	Kazsym Zh.	private property	irrigated	for existing auto parts shop	0.0630	0.00206	3.3%	no	yes
137	Zhangazyev U.	private property	irrigated	for construction of grocery	0.0001	0.00002	39.1%	no	yes
138	Seidauly D.	temporary payable long-term rent	irrigated	for shop	0.4025	0.01860	4.6%	no	yes
139	Omirbek S.	temporary payable long-term rent	irrigated	for existing shop	0.0640	0.00124	1.9%	no	yes

140	Tapchanov Sh.	private property	irrigated	for personal subsidiary plot and construction of residence	0.0931	0.00646	6.9%	no	yes
141	Davshanov K.	private property	irrigated	for personal subsidiary plot and construction of residence	0.1095	0.00945	8.6%	no	yes
142	Kubey A.	private property	irrigated	for existing shop	0.0800	0.00605	7.6%	no	yes
143	Akhmetova T.	private property	irrigated	for existing shop	0.0475	0.00242	5.1%	no	yes
144	Akhmetova T.	private property	irrigated	for existing shop	0.0072	0.00071	9.9%	no	yes
145	Alzahova P.	private property	irrigated	for construction of auto parts shop and service unit	0.0070	0.00169	24.1%	no	yes
146	"Ordabasy" rural consumer cooperative	private property	irrigated	for existing shop	0.0493	0.00757	15.3%	no	yes
147	Baymusayev Sh.	private property	irrigated	for construction of shop	0.0060	0.00603	100.5%	no	yes
148	Baymusayev Sh.	private property	irrigated	for construction of shop	0.0060	0.00597	99.4%	no	yes
149	Kasym Zh.	private property	irrigated	for construction of grocery	0.0012	0.00036	30.0%	no	yes
150	Sarymbet B.	private property	irrigated	for construction of grocery	0.0240	0.00423	17.6%	no	yes
151	Abish A.	private property	irrigated	for construction of grocery	0.0160	0.00082	5.1%	no	yes
152	Bekeeva N.	private property	irrigated	for existing shop	0.1200	0.01600	13.3%	no	yes
153	Nasurlayeva Zh.	private property	irrigated	for construction of grocery	0.0120	0.01011	84.2%	no	yes
154	Berdaliyeva T.	private property	irrigated	for construction of petrol station	0.0600	0.03358	56.0%	no	yes
155	"Ak Altyn"	temporary payable long-term rent	irrigated	for peasant farm	305.000	0.042	0.0%	no	yes
156	Adilbekov R.	temporary payable long-term rent	irrigated	for peasant farm	3.400	0.502	14.8%	no	-
157	Tauasarov S.	temporary payable long-term rent	irrigated	for peasant farm	2.400	0.275	11.5%	no	-
158	Ernazarov A.	temporary payable long-term rent	irrigated	for peasant farm	2.000	0.154	7.7%	no	-
159	Otaubekov K.	temporary payable long-term rent	irrigated	for peasant farm	7.000	0.199	2.8%	no	-
160	Begindikov D.	temporary payable long-term rent	irrigated	for peasant farm	10.100	0.118	1.2%	no	-
161	Kozhantayev Zh.	temporary payable long-term rent	irrigated	for peasant farm	6.400	0.000	0.0%	no	-
162	Satybaldiyev A.	temporary payable long-term rent	irrigated	for peasant farm	3.500	0.005	0.2%	no	-
163	Shegebayev K.	temporary payable long-term rent	irrigated	for peasant farm	3.600	0.010	0.3%	no	-

164	Kunbolat E.	temporary payable long-term rent	irrigated	for peasant farm	3.000	0.151	5.0%	no	-
165	Kunbolatly O.	temporary payable long-term rent	irrigated	for peasant farm	1.000	0.048	4.8%	no	-
166	Maksatbekov A.	temporary payable long-term rent	irrigated	for peasant farm	1.500	0.090	6.0%	no	-
167	Ayazbek R.	temporary payable long-term rent	irrigated	for peasant farm	2.000	0.312	15.6%	no	-
168	"Yughlopkoprom" LLP	temporary payable long-term rent	irrigated	for peasant farm	12.700	0.012	0.1%	HET	-
169	Ryshtay K.	temporary payable long-term rent	irrigated	for peasant farm	1.000	0.248	24.8%	no	-
170	Kenzhebey Zh.	temporary payable long-term rent	irrigated	for peasant farm	1.500	0.236	15.8%	no	-
171	Bakbergenova G.	temporary payable long-term rent	irrigated	for peasant farm	11.800	1.673	14.2%	no	-
172	"Cotton copmany" LLP	temporary payable long-term rent	irrigated	for peasant farm	648.000	0.037	0.0%	no	-
173	Koshan Zh.	temporary payable long-term rent	irrigated	for peasant farm	1.640	0.412	25.1%	no	-
174	Zhangutov K.	temporary payable long-term rent	irrigated	for peasant farm	0.100	0.059	59.2%	no	-
175	Tazhtayev T.	temporary payable long-term rent	irrigated	for peasant farm	5.000	0.602	12.0%	no	-
176	Ashirbay S.	temporary payable long-term rent	irrigated	for peasant farm	18.800	0.541	2.9%	no	-
177	"Otyñ" LLP	private property	irrigated	for peasant farm	51.000	0.123	0.2%	no	-
178	"Ak-Kaiyn" producer's cooperative	temporary payable long-term rent	irrigated	for peasant farm	273.000	0.266	0.1%	no	-
179	"Ak-Kaiyn" producer's cooperative	temporary payable long-term rent	irrigated	for peasant farm	160.000	0.158	0.1%	no	-
180	Kuan LLP	private property	irrigated	for peasant farm	10.000	0.312	3.1%	no	-
181	Argynbek K.	temporary payable long-term rent	irrigated	for peasant farm	4.900	0.096	2.0%	no	-
182	Akhmetova A.	temporary payable long-term rent	irrigated	for peasant farm	0.030	0.014	46.4%	no	-
183	Bektursyn E.	temporary payable long-term rent	irrigated	for peasant farm	11.900	1.863	15.7%	no	-
184	"Dihan"	common land use	irrigated	for peasant farm	45.500	0.017	0.0%	no	-

185	Temirlan	temporary payable long-term rent	irrigated	for peasant farm	507.880	0.608	0.1%	no	-
186	"Dostyk"	temporary payable long-term rent	irrigated	for peasant farm	494.620	2.381	0.5%	no	-
187	"Kursay" producer's cooperative	common land use	irrigated	for peasant farm	38.900	0.504	1.3%	no	-
188	Government Unit "South Kazakhstan regional office of Committee for transport infrastructure development of MOTC	permanent land use	irrigated	for planting of greenery on territory adjacent to road	14.340	0.053	0.4%	no	-
189	Government Unit "South Kazakhstan regional office of Committee for transport infrastructure development of MOTC	permanent land use	irrigated	for planting of greenery on territory adjacent to road	1.900	0.077	4.1%	no	-
190	Government Unit "South Kazakhstan regional office of Committee for transport infrastructure development of MOTC	permanent land use	irrigated	for planting of greenery on territory adjacent to road	2.540	0.245	9.6%	no	-
191	Government Unit "South Kazakhstan regional office of Committee for transport infrastructure development of MOTC	permanent land use	irrigated	for planting of greenery on territory adjacent to road	0.200	0.179	89.7%	no	-
192	Government Unit "South Kazakhstan regional office of Committee for transport infrastructure development of MOTC	permanent land use	irrigated	for planting of greenery on territory adjacent to road	0.210	0.002	1.2%	no	-
193	Government Unit "South Kazakhstan regional office of Committee for transport infrastructure development of MOTC	permanent land use	irrigated	for planting of greenery on territory adjacent to road	3.760	1.598	42.5%	no	-
194	Government Unit "South Kazakhstan regional office of Committee for transport infrastructure development of MOTC	permanent land use	irrigated	for existing road	24.152	0.880	3.6%	no	-
195	"Arys-Turkestan canal and Bugun reservoir" subsidiary of South Kazan Republican State Enterprise for water industry "Yugvodhoz" of Committee for water industry Ministry of Agriculture	temporary payable long-term rent	irrigated	for existing canal		0.200		no	-
196	"KAZAKHTELEKOM" JSC	temporary payable long-term rent	irrigated	for existing radio relay station		0.023		no	-
197	"Fire fighting service of South Kazakhstan Oblast"	Right for permanent payable long-term rent	irrigated	for existing building		0.007		no	-

198	"Fire fighting service of South Kazakhstan Oblast"	Right for permanent payable long-term rent	irrigated	for existing building	0.47596	0.062	12.9%	no	-
199	Ontustyk sy sharuashylygy	permanent land use	irrigated	for existing canal	232000	0.052	0.0%	no	-
200	Ontustyk sy sharuashylygy	permanent land use	irrigated	for existing canal	318000	0.107	0.0%	no	-
"Geoproekt" Institute Baidibensk rayon 16 land plots									
1	Kadyrov O.	private property	irrigated	for construction of petrol station	0.080	0.009	11.31%	no	yes
2	Pazyl B.	private property	irrigated	for construction of petrol station	0.150	0.124	82.58%	no	yes
3	Bakirov B.	private property	irrigated	for construction of petrol station	0.100	0.100	100.00%	no	yes
4	Sadykova K.	private property	irrigated	for shop	0.050	0.001	1.37%	no	yes
5	Bakirov B.	private property	irrigated	for existing shop	0.020	0.020	97.75%	no	yes
6	Bakirov B.	private property	irrigated	for multy purpose public service	0.400	0.399	99.81%	no	yes
7	Birzhanov A.	private property	irrigated	for peasant farm	4376.800	34.895	0.80%	no	-
8	"Bereke"	temporary payable rent	irrigated	for peasant farm	438.000	2.732	0.62%	no	-
9	Omarov E.	temporary payable rent	irrigated	for peasant farm	45.640	0.434	0.95%	no	-
10	Katpayev T.	temporary payable rent	irrigated	for peasant farm	14.580	0.113	0.77%	no	-
11	"B.Zh.K. Kyzyl-Sengir" LLP	temporary payable rent	irrigated	for peasant farm	326.320	0.237	0.07%	no	-
12	Producer's cooperative "Atamaken 12 "	temporary payable common long-term rent	irrigated	for peasant farm	499.290	0.539	0.11%	no	-
13	Baikonyrdekov S.	temporary payable common long-term rent	irrigated	for peasant farm	46.700	0.198	0.42%	no	-
14	"Atameken-A.T.M." LLP	temporary payable common long-term rent	irrigated	for peasant farm	219.350	0.019	0.01%	no	-
15	Government Unit "South Kazakhstan regional office of roads and infrastructure development of Committee for roads and infrastructure development of MOTC	permanent land use	irrigated	for planting of greenery on territory adjacent to road	1.900	1.201	63.24%	no	-
16	Government Unit "South Kazakhstan regional office of roads and infrastructure development of Committee for roads and infrastructure development of MOTC	permanent land use	irrigated	for planting of greenery on territory adjacent to road	13.320	0.607	4.56%	no	-

"Kazakhstan Zholdary" JSC Sairam rayon 153 land plots									
1	Peasant farm "Balsybay" Kalybayev B.	permanent land use	irrigated	for construction of shop and café	0.1000	0.0993	99	no	-
2	Tan sultan	private property	irrigated	for construction of residence, personal subsidiary plot and office building	12.0000	0.6523	5	no	-
3	Kulbaijly T.	private property	irrigated	for peasant farm	11.3400	2.6694	24	no	-
4	Peasant farm "Saparbek" Nurtayev S.	permanent land use	irrigated	for peasant farm	3.5100	0.0293	1	no	-
5	private clinic "Ak niet"	permanent land use	irrigated	for cultivation of herbs	14.0400	0.6708	5	no	-
6	Amirbekuly E.	temporary payable long-term rent	irrigated	for peasant farm	6.0000	0.0419	1	no	-
7	"Ak Mol Nur" LLP	temporary payable long-term rent	irrigated	for peasant farm	45.2900	0.8063	2	no	-
8	Dauletbahov D.	temporary payable long-term rent	irrigated	for peasant farm	2.9200	0.1623	6	no	-
9	Binaliyev A.	private property	irrigated	for peasant farm	5.8000	0.0491	1	no	-
10	Baidildayev N.	private property	irrigated	for peasant farm	8.0000	0.3517	4	no	-
11	Bekbolatova R.	private property	irrigated	for peasant farm	13.6900	0.6087	4	no	-
12	"DAR-SS" LLP	private property	irrigated	for peasant farm	13.3000	2.4631	19	no	-
13	Eshtayev K.	private property	irrigated	for peasant farm	5.3000	1.8904	36	no	-
14	Tlenov S.	private property	irrigated	for peasant farm	11.6800	1.6344	14	no	-
15	Chuvashova K.	private property	irrigated	for peasant farm	6.0300	0.2344	4	no	-
16	Berdibekov A.	private property	irrigated	for peasant farm	4.3200	0.9218	21	no	-
17	Bekmuratov Z.	private property	irrigated	for peasant farm	2.5600	0.1054	4	no	-
18	"Tan Sultan" LLP	private property	irrigated	for peasant farm	6.3700	0.1653	3	no	-
19	Alzhanova Zh.	private property	irrigated	for peasant farm	9.2500	0.3075	3	no	-
20	"Ramazan-Yug" LLP	private property	irrigated	for construction of office building, storehouse, shop, parking, carwash, residence	17.0000	1.9364	11	no	-
21	Mirzabekov M.	private property	irrigated	for peasant farm	9.4900	0.2835	3	no	-
22	Mirzabekov E.	private property	irrigated	for peasant farm	4.6700	0.1321	3	no	-
23	Mirzabekov K.	private property	irrigated	for peasant farm	16.2400	0.4658	3	no	-
24	Alzhanov B.	private property	irrigated	for peasant farm	2.0000	0.7175	36	no	-
25	"Oshakty" producer's cooperative	temporary payable long-term rent	irrigated	for peasant farm	300	0.1423	0.047	no	-
26	Amirbekov E.	temporary payable long-term rent	irrigated	for peasant farm	3.5100	0.2162	6	no	-
27	Moldashev N.	private property	irrigated	for peasant farm	1.5000	0.1584	11	no	-
28	Zharkynbekov B.	private property	irrigated	for peasant farm	1.5000	0.3744	25	no	-
29	Zhorabayeva L.	private property	irrigated	for construction of office building, storehouse, shop, parking, carwash, residence	1.0000	0.6522	65	no	-
30	Ukumbayev S.	temporary payable long-term rent	irrigated	for peasant farm	5.0000	1.8923	38	no	-
31	Tulemetov K/	private property	irrigated	for peasant farm	47.0000	1.5887	3	no	-
32	Kavlashev M.	private property	irrigated	for peasant farm	18.0000	0.0169	0	no	-

33	Tolebayer S.	temporary payable long-term rent	irrigated	for peasant farm	2.0000	0.4029	20	no	-
34	Esaliyeva G.	temporary payable long-term rent	irrigated	for peasant farm	3.0000	0.0199	1	no	-
35	Esaliyeva G.	private property	irrigated	for peasant farm	1.8000	0.3008	17	no	-
36	Botbayev A.	private property	irrigated	for peasant farm	2.0000	0.1565	8	no	-
37	Orazbayev N.	private property	irrigated	for peasant farm	1.4200	0.1753	12	no	-
38	Kuandykov S.	private property	irrigated	for peasant farm	6.6100	0.1639	2	no	-
39	Omarov T.	temporary payable long-term rent	irrigated	for peasant farm	8.5200	0.2412	3	no	-
40	Naurzybayer Zh.	private property	irrigated	for peasant farm	5.4400	0.1542	3	no	-
41	Rahimov K.	private property	irrigated	for peasant farm	8.5200	0.2202	3	no	-
42	Ormanova B.	private property	irrigated	for peasant farm	4.1200	0.1278	3	no	-
43	Zhamankulov S.	private property	irrigated	for peasant farm	8.0500	0.2448	3	no	-
44	Rakhimov N.	private property	irrigated	for peasant farm	1.4100	0.0431	3	no	-
45	Bekmyrza S.	private property	irrigated	for peasant farm	23.6241	1.2205	5	no	-
46	Meirbekov N.	temporary payable long-term rent	irrigated	for peasant farm	9.3000	0.0395	0	no	-
47	peasant farm "Akpeil"	permanent land use	irrigated	for peasant farm	7.8500	0.3300	4	no	-
48	Tursynbayev N.	temporary payable long-term rent	irrigated	for peasant farm	5.8000	0.6061	10	no	-
49	Turahmetov S.	temporary payable common long-term rent	irrigated	for peasant farm	3.1200	0.0459	1	no	-
50	"Tan Sultan" LLP	private property	irrigated	for peasant farm	12.6000	1.2141	10	no	-
51	Tlenchich S.	temporary payable long-term rent	irrigated	for peasant farm	4.0700	0.4140	10	no	-
52	Zhaparov K.	private property	irrigated	for peasant farm	12.5100	0.1429	1	no	-
53	Amantayev T.	private property	irrigated	for peasant farm	12.3200	0.0689	1	no	-
54	Nurimov A.	private property	irrigated	for peasant farm	13.5200	0.3839	3	no	-
55	Orazbekova B.	private property	irrigated	for peasant farm	6.1300	0.0705	1	no	-
56	Babashova K.	private property	irrigated	for peasant farm	5.5800	0.1437	3	no	-
57	Abdieyev Sh.	private property	irrigated	for peasant farm	8.8600	0.2360	3	no	-
58	Sarsenov A.	private property	irrigated	for peasant farm	8.1300	0.0017	0	no	-
59	Aitanov M.	private property	irrigated	for peasant farm	7.2200	0.9249	13	no	-
60	Shyldebayer M.	private property	irrigated	for peasant farm	8.9700	0.1888	2	no	-
61	Meirbekova G.	private property	irrigated	for peasant farm	5.0000	0.4157	8	no	-
62	Kozhabayev B.	temporary payable long-term rent	irrigated	for peasant farm	4.3000	0.6708	16	no	-
63	Sakhayeva E.	private property	irrigated	for peasant farm	18.0000	0.2954	2	no	-
64	Ibragimova A.	private property	irrigated	for personal subsidiary plot, residence, office building and storehouse	2.6300	0.4340	17	no	-

65	Nazarbayeva H.	private property	irrigated	for construction of petrol station, café, office building and residence	0.4704	0.4704	100	no	-
66	Nazarbayeva H.	private property	irrigated	for construction of petrol station, café, office building and residence	0.1762	0.1753	100	no	-
67	Nazarbayeva H.	private property	irrigated	for construction of petrol station, café, office building and residence	3.2830	1.5316	47	no	-
68	Ilesov K.	temporary payable long-term rent	irrigated	for peasant farm	3.5000	0.2146	6	no	-
69	"Kainarbulak" producer's cooperative	temporary payable long-term rent	irrigated	for peasant farm	34.5300	2.4613	7	no	-
70	"Tav Sultan" LLP	private property	irrigated	for peasant farm	5.4600	2.7192	50	no	-
71	Zhetpisbayeva A.	private property	irrigated	for peasant farm	0.7400	0.1879	25	no	-
72	Zhetpisbayeva A.	private property	irrigated	for peasant farm	6.7600	4.3204	64	no	-
73	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
74	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0289	29	no	-
75	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
76	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
77	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
78	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
79	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
80	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0642	64	no	-
81	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0007	1	no	-
82	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-

83	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
84	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
85	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
86	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
87	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0801	80	no	-
88	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0290	29	no	-
89	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0001	0	no	-
90	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
91	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
92	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
93	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
94	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
95	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
96	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
97	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0991	99	no	-
98	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0790	79	no	-
99	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
100	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1080	0.1079	100	no	-
101	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1060	0.1065	101	no	-
102	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1050	0.1049	100	no	-

103	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.0560	0.0561	100	no	-
104	Tuleshov N.	temporary payable long-term rent	irrigated	for peasant farm	21.0600	0.0834	0	no	-
105	Garipova N.	private property	irrigated	for peasant farm	80.0000	2.5898	3	no	-
106	"Almaz" LLP	private property	irrigated	for construction of office building and residence	10.0000	2.5319	25	no	-
107	"Oshakty-2030" producer's cooperative	temporary payable long-term rent	irrigated	for peasant farm	222.5000	1.0313	0	no	-
108	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0155	16	no	-
109	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.00001	0	no	-
110	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0981	98	no	-
111	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
112	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0922	92	no	-
113	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0696	70	no	-
114	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0423	42	no	-
115	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0106	11	no	-
116	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0043	4	no	-
117	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0261	26	no	-
118	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0509	51	no	-
119	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0753	75	no	-
120	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0981	98	no	-
121	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0999	100	no	-
122	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0885	88	no	-

123	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0715	72	no	-
124	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0389	39	no	-
125	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0055	5	no	-
126	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0028	3	no	-
127	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0365	37	no	-
128	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0800	80	no	-
129	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.1000	100	no	-
130	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1000	0.0841	84	no	-
131	"Almaz" LLP	private property	irrigated	for construction of office building and residence	0.1560	0.0688	44	no	-
132	Garachayev N.	temporary payable long-term rent	irrigated	for peasant farm	36.5800	0.1514	0.4	no	-
133	Garachayev N.	temporary payable long-term rent	irrigated	for peasant farm	2.3600	0.6547	28	no	-
134	Erzhanov O.	private property	irrigated	for peasant farm	20.0000	0.8421	4	no	-
135	Smat-ShT	temporary payable long-term rent	irrigated	for peasant farm	225.0000	4.2442	2	no	-
136	"Taskeshu" producer's cooperative	temporary land use	irrigated	for peasant farm	1575.3200	16.9042	1	no	-
137	Koltyshev A.	temporary payable long-term rent	irrigated	for peasant farm	1.4100	0.0357	3	no	-
138	"Bereke-El" producer's	temporary payable long-term rent	irrigated	for peasant farm	325.4000	3.0358	1	no	-
139	Moldashev N.	private property	irrigated	for peasant farm	13.5200	0.5062	4	no	-
140	Aituarov M.	private property	irrigated	for peasant farm	6.1500	0.4942	8	no	-
141	Ziyashov A.	temporary payable long-term rent	irrigated	for peasant farm	23.0100	3.4301	15	no	-
142	"AINAR-ASTY" producer's cooperative	temporary payable long-term rent	irrigated	for peasant farm	86.2400	2.4704	3	no	-

143	"AINAR-ASTY" producer's cooperative	temporary payable long-term rent	irrigated	for peasant farm	228,21	4.6325	2	no	-
144	"Almaz" LL	private property	irrigated	for construction of office building and residence	9.9500	0.2697	3	no	-
145	Ranova Sh.	temporary payable long-term rent	irrigated	for peasant farm	3.4800	1.1588	33	no	-
146	Ranova Sh.	temporary payable long-term rent	irrigated	for peasant farm	4.0400	0.0229	1	no	-
147	Baidibekov E.	temporary payable long-term rent	irrigated	for peasant farm	3.9000	0.2375	6	no	-
148	"AINAR-ASTY" producer's cooperative	temporary payable long-term rent	irrigated	for peasant farm	127.0800	3.0164	2	no	-
149	"AINAR-ASTY" producer's cooperative	temporary payable long-term rent	irrigated	for peasant farm	64.1700	0.4641	1	no	-
150	Munashev A.	temporary payable long-term rent	irrigated	for peasant farm	75.0000	2.8950	4	no	-
151	"Almaz" LL	private property	irrigated	for construction of office building and residence	9.7500	0.4638	5	no	-
152	Government Unit "South Kazakhstan regional office of CR MOTC RK"	permanent land use	irrigated	for planting of greenery on territory adjacent to road	0.2200	0.0493	22	no	-
153	Government Unit "South Kazakhstan regional office of CR MOTC RK"	permanent land use	irrigated	for planting of greenery on territory adjacent to road	0.1500	0.1500	100	no	-
"Kazakhstan Zholdary" JSC Shymkent 64 land plots									
1	Abdikarimov O.	private property	irrigated	for existing residence	0.0800	0.0120	15	no	-
2	Moldash B.	private property	irrigated	for existing residence	0.0999	0.0110	11	no	-
3	Saipbayev B.	private property	irrigated	for individual housing construction	0.1000	0.1000	100	no	-
4	Musirov E.	private property	irrigated	for existing residence	0.1000	0.0019	2	no	-
5	Musirov E.	private property	irrigated	for existing residence	0.1000	0.0020	2	no	-
6	Turebekova N.	private property	irrigated	for construction of shop and storehouse	0.0247	0.0130	53	no	-
7	Turebekova N.	temporary payable long-term rent	irrigated	под озеленение прилегающей территории на своем земельном участке	0.0502	0.0198	40	no	-

8	Individual entrepreneur Bekbayev K.	private property	irrigated	for existing kiosk	0.0005	0.0005	100	HEP	yes
9	Public association "South Kaz-n regional association of hunters and fishers"	temporary payable long-term rent	irrigated	for construction of mini-market	0.0400	0.0084	21	HEP	-
10	Public association "South Kaz-n regional association of hunters and fishers"	temporary payable long-term rent	irrigated	for construction of mini-market		0.0112	28	no	-
11	Public association "South Kaz-n regional association of hunters and fishers"	temporary payable long-term rent	irrigated	for construction of mini-market		0.0078	19	no	-
12	Public association "South Kaz-n regional association of hunters and fishers"	temporary payable long-term rent	irrigated	for construction of mini-market		0.0076	19	no	-
13	"Yunet-7" LLP	temporary payable long-term rent	irrigated	for land improvement	0.0400	0.0400	100	no	-
14	Baimahanov M.	private property	irrigated	for construction of motel complex	2.0000	0.0313	2	no	-
15	Salibayeva L.	private property	irrigated	for existing residence	0.0730	0.0075	10	no	-
16	Tokbergenov T.	private property	irrigated	for construction of two-stored shop	0.0100	0.0100	100	no	-
17	Berdimetov U.	private property	қоршағамар	for construction of auto center and planting of greenery	0.0300	0.0297	99	no	-
18	Shartayeva M.	private property	қоршағамар	for construction of auto-center, service point and shop	0.0300	0.0300	100	no	-
19	Yakubekov K.	private property	irrigated	for construction of auto-center, service point and shop	0.0300	0.0300	100	no	-
20	Mamedaliyev A.	private property	irrigated	for construction of auto-center, planting of greenery	0.0300	0.0257	86	no	-
21	Orynbasarova K.	private property	irrigated	for re-equipment of uninhabited building into shop	0.0133	0.0020	15	no	-
22	Orynbasarova K.	private property	irrigated	for construction of play center	0.0036	0.0036	101	no	-
23	Orynbasarova K.	private property	irrigated	for existing residence	0.0666	0.0007	1	no	-
24	Turgynbayev A.	private property	irrigated	for café (national dish)	0.0064	0.0028	43	no	-

25	Yusupov A.	private property	irrigated	for existing residence	0.1000	0.0033	3	no	-
26	Zhakeev A.	private property	irrigated	for construction of service point, café, carwash, office and shop	0.0306	0.0114	37	no	-
27	"Astana-Motors Shymkent" LLP	private property	irrigated	for construction of shop and public service point	1.5000	0.0048	0	no	-
28	Sertayeva B.	temporary payable common long-term rent	irrigated	for café (national dish)	0.0030	0.0030	100	no	-
29	Sertayeva B.	temporary payable long-term rent	irrigated	for construction of shop and canteen	0.0201	0.0202	100	no	-
30	Anarbayeva M.	temporary payable common short-term rent	irrigated	for parking	0.3196	0.1708	53	no	-
31	Baimuhambetova K.	temporary payable short-term rent	irrigated	for existing residence	0.1152	0.0005	0	no	-
32	Kuanyshbekova B.	private property	irrigated	for construction of residence	0.1000	0.0069	7	no	-
33	Saidullayev R.	private property	irrigated	for existing residence	0.0953	0.0021	2	no	-
34	Saidullayev I.	private property	irrigated	for existing residence	0.0994	0.0037	4	no	-
35	Abdikadyrova M.	temporary payable short-term rent	irrigated	for planting of greenery	0.1407	0.1398	99	no	-
36	Abdikadyrova M.	private property	irrigated	for construction of shop, service unit, carwash and café	0.1604	0.0984	61	no	-
37	Yuldashov A.	private property	irrigated	for individual housing construction	0.0931	0.0006	1	no	-
38	Begimbetova M.	private property	irrigated	for existing residence	0.0609	0.0046	8	no	-
39	Begimbetova M.	private property	irrigated	for existing residence	0.0609	0.0049	8	no	-
40	Abdullayeva A.	private property	irrigated	for existing residence	0.0706	0.0031	4	no	-
41	Irismetova Sh.	private property	irrigated	for existing residence	0.1000	0.0189	19	no	-
42	Rahkhmankulov B.	private property	irrigated	for existing residence	0.0913	0.0080	9	no	-
43	Sultanbekova K.	private property	irrigated	for existing residence	0.1000	0.0215	22	no	-
44	Nurzhanov S.	private property	irrigated	for existing residence	0.0800	0.0019	2	no	-
45	Ergeshov M.	private property	irrigated	for existing residence	0.1000	0.0005	1	no	-
46	Muratov A.	private property	irrigated	for existing residence	0.1000	0.0101	10	no	-
47	Kazahbayev M.	private property	irrigated	for existing residence	0.1000	0.0100	10	no	-
48	Baymuhanov A.	temporary payable long-term rent	irrigated	for existing residence	0.1879	0.0075	4	no	-

49	Ucenbayev Zh.	private property	irrigated	for existing residence	0.0678	0.0017	3	no	-
50	Muratov B.	private property	irrigated	for existing residence	0.0759	0.0023	3	no	-
51	Muhanova B.	temporary payable long-term rent	irrigated	for peasant farm	79.6700	0.2444	0	no	-
52	Muhanova B.	temporary payable long-term rent	irrigated	for peasant farm	28.5800	0.1641	1	no	-
53	Government unit "Department for housing and communal services, passenger transportation and roads of Shymkent"	permanent land use	irrigated	for construction of carwash	0.0100	0.0053	53	no	-
54	Sharipbayev H.	temporary payable long-term rent	irrigated	for shop	0.0022	0.0022	100	no	-
55	Sharipbayev H.	private property	irrigated	for existing residence	0.1584	0.0274	17	no	-
56	Abdikarimova K.	temporary payable long-term rent	irrigated	for construction of shed	0.0208	0.0065	31	no	-
57	Abdigapparov P.	temporary payable long-term rent	irrigated	for existing shop	0.0026	0.000030	1	no	-
58	Estimesov T.	private property	irrigated	for reconstruction of petrol station	0.0600	0.0587	98	no	-
59	Sorokin V.	temporary payable long-term rent	irrigated	for existing office building	0.1015	0.0021	2	no	-
60	Tazhimetov N.	private property	irrigated	for existing residence	0.0996	0.0178	18	no	-
61	Tashmetov N.	private property	irrigated	for existing residence	0.0840	0.0251	30	no	-
62	Moldabekov D.	private property	irrigated	for cultivation and production of agricultural products	3.0000	0.0121	0	no	-
63	"Kazakhtelekom" JSC	temporary payable long-term rent	irrigated	for installment of distributor box of telephone network "Broad Access "MCAI"	0.0007	0.0008	107	no	-
64	Muslimova Z.	temporary payable long-term rent	irrigated	for parking	0.0260	0.0034	13	no	-
					564,741.83	368.93			
	Government land					8.16			

Total 474 land plots. 152 plots have structures subject to demolition

Annex 4
(Preliminary Cost Summary for Kyzylorda Oblast)

Kzylorda Affected Private and Privately Operated Lands

№	Road section	number of land users			Acquired land (ha)			structures to be demolished		Compensation (Thousand tenge)		
		perman ent	temporary	total	permanent	temporary	total	number	compensation, thousand tenge	permanent	temporary	total
1	2	3			4.00	5.00						
1	1240 - 1398	1	0	1	613.53		613.53	-		-	-	-
2	1398 - 1578	6	0	6	994.72	0.00	994.72	1	28,054.0	28,091.00	0.00	28,091.00
3	1578 - 1702	12	7	19	318.87	93.29	412.16	1	22,325.0	203,667.5 3	1,156.42	204,823.95
4	1702 - 1807	27	27	54	526.72	433.92	960.64	4	12,705.6	40,863.84	12,016.8 0	52,880.64
5	1807 - 1837	19	0	19	185.19		185.19	6	14,362.5	19,527.52	0.00	19,527.52
6	1837 - 1917	6	0	6	340.35		340.35	4	3,614.4	3,614.37	0.00	3,614.37
7	1917 - 1980	21	0	21	224.86		224.86	0		90,532.94	0.00	90,532.94
8	1980 - 2057	13	0	13	499.19		499.19	4	4,419.9	25,744.42	0.00	25,744.42
Total		105	34	139	3,703.42	527.22	4,230.64	20	85,481.3	412,041.62	13,173.2 2	425,214.84

Kzyl Orda Oblast Affected State Lands

№	Road section	State land acquired (ha)			Compensation (Thousand tenge)		
		permanent	temporary	total	permanent	temporary	total
1	2	3	4				
1	1240 - 1398	613.53		613.53	0.00	0.00	-
2	1398 - 1578	994.72	0.00	994.72	0.00	0.00	0.00
3	1578 - 1702	266.42	0.00	266.42	0.00	0.00	0.00
4	1702 - 1807	221.28	146.32	367.60	0.00	0.00	0.00
5	1807 - 1837	164.39	0.00	164.39	6,866.02	0.00	6,866.02
6	1837 - 1917	339.58	0.00	339.58	0.00	0.00	0.00
7	1917 - 1980	103.85	0.00	103.85	1,171.97	0.00	1,171.97
8	1980 - 2057	473.74	0.00	473.74	0.00	0.00	0.00
Total:		3,177.50	146.32	3,323.82	8,037.99	0.00	8,037.99

Annex 5
(Preliminary Cost Summary for South Kazakhstan Oblast)

South Kazakhstan Affected Private Lands

Road section	number of land users			Acquired land (ra)			Structures to be demolished		Compensation, thousand tenge		
	permanent	temporary	total	permanent	temporary	total	Number	Compensation, thousand tenge	permanent	temporary	total
2057 - 2135 km Turkestan city	310	0	310	172.04	0.00	172.04	35	81,216.80	н/д	-	-
2135 - 2231 km	177	0	177	59.89	0.00	59.89	116	469,050.4	76.83		76.83
2231 - 674 km (Shymkent bypass)	185	0	185	150.93	0.00	150.93	1		194,985.33		194,985.33
2231 - 2260 km	77	0	77	3.68	0.00	3.68	0		37,149.27		37,149.27
Total	749	0	749	386.54		386.54	152	550,267.2	232,211.43	0.00	232,211.43

South Kaakhstan Affected State Lands

Road section	State land acquired (ha)		
	permanent	temporary	total
2	4.00	5.00	
2057 - 2135 km Turkestan city	47.10		47.10
2135 - 2231 km	5.27		5.27
2231 - 674 km (Shymkent bypass)	0.20		0.20
2231 - 2260 km	0.03		0.03
Total	52.61		52.61

Annex 6
(Kazakh Land Management Procedures)

State (National) Land Cadastre in the Republic of Kazakhstan has the source of data/information on lands and land users

Kazakhstan is the state that has blossomed within the 15-year period, the development of which may be characterized as an “explosion” (big boom). Nowadays Kazakhstan grew into an independent country with own laws, economy, and businesses/corporations, shares/stocks of which have found ways to the international markets. The rise in the economy of Kazakhstan has led to the same “explosive” (wide and active) use of the state-of-the-art information technologies.

During the last seven years the GIS has turned into a highly effective instrument for solving problems/issues of the government, large companies and the society, in general. Kazakhstan has proved the well-known and worldwide-tested thesis of the ESRI President on the critical importance of early application of the GIS in the land cadastre. The basic data obtained through the land cadastre provide excellent possibilities for fast and wide implementation of the GIS in other spheres.

GIS of the ESRI have been used in Kazakhstan for a long time. However, it should be noted that the breakthrough in using the ArcGIS happened at the moment of deciding to develop the Automated Information System of the State Land Cadastre (AIS SLC) on this software platform. This project has been implemented by the State Scientific and Production Centre for Land Resources and Land Tenure (land planning) of the Republic of Kazakhstan (GosNPSZem) and Kazakhstan’s Center of GIS.

The land cadastre uses the GIS as the basis/foundation for a large scale and a common-for-the-whole-country AIS SLC-system, which is also being acknowledged (studied) by other countries as an example.

First sample of this system has been implemented in 2002 and consisted of only two sub-systems: «Unified State Land Register » and «Land Balance». Year by year the number of subsystems has been growing, and the existing ones have been modernized. By the end of 2006 the system included 13 sub-systems.

The sub-system «Payments for Lands» provides for the calculations of payments for lands, and controls the related earnings. Main functions executed by the sub-system include:

- Calculation of the land taxes;

- Calculation of the rental fees;

- Calculation of the estimates for the services provided;

- Preparation of the full package of reports, schemes, diagrams on the actual payments.

The subsystem «Land Auctions and Payments» computerizes (automates) organization and conducting of the auctions (biddings) on land or related rights (tenancy rights). Main functions executed by the subsystems:

- Preparation of the land auctions;

- Conducting of land auctions;

- Processing and execution of the transactions (deals).

Subsystem «Cadastral Document Exchange» fulfils all tasks related to the document exchange management. Main functions of the subsystem:

- Document registration;

- Record management;

- Document search;

- Document storage;

- Control over document execution.

A new system has been launched in 2007 countrywide. New subsystems are being developed as libraries only to match the new structure. Two new subsystems will be developed this year: «Land planning design» - a subsystem aimed at computerizing the land

use planning processes. «Archive» - a subsystem responsible for storing and reading cadastral cases and other documents related to the land cadastre.

The state land cadastre is a system of data on the natural and business (economic) conditions of the lands of Kazakhstan as well as their location, targeted use, size and borders of the land plots, their quality characteristics, registration of land use and cadastral value of the land plots and other required information.

One of the components of the land cadastre is the land-improvement (meliorative) cadastre of the irrigated lands, which represents a system of data related to the reclamation condition of the irrigated lands, evaluation of their quality characteristics by natural and irrigation conditions, and the registration of the use of such lands.

Land cadastre management in the Republic of Kazakhstan is carried out by the central authorized body.

The State Land Cadastre of the Republic of Kazakhstan (land cadastre of the republic, oblasts, districts and cities of oblast significance) is the constituent part of the National System of Cadastres of the Republic of Kazakhstan and is carried out according to a unified system on the whole territory of Kazakhstan.

State Land Cadastre of the Republic of Kazakhstan is executed (maintained) by the specialized Republican State Entities of the (DGP) «GosNPSZem».

Compilation of the data on the land cadastre is carried out with the help of the topographic-land-surveying, aerospace, mapping, land, land survey works, soil and geobotanical surveys, land monitoring activities, quantitative and qualitative land inventory, compilation of the land-cadastral case for the specific land plot, preparation of the land-cadastral maps and constitutive document in regards to the land plot.

The data obtained from the land cadastre serve as a basis during planning of the use and protection of the lands, land tenure (land management), assessment of the economic operations and conducting other activities related to the use and protection of lands as well as during formation of the unified (single) national land register, running (maintaining) legal and other cadastres, identification of the amount of payments for lands, cost considerations related to the land plots as part of the real asset and value of the land as part of the natural resources.

A unit for measuring and storing of the data of the state land cadastre is a land plot, allotted within certain (closed) boundaries, and registered accordingly on the name of an individual or entity, a Party to the land jural relations.

All lands on the territory of Kazakhstan regardless of the ownership types on the lands and the purpose of use are subject to the state cadastral registration.

The information in the state land cadastre is the official information. The information on the withdrawn lands, and that on the individuals whose rights and interests will be affected in the result of the Project implementation, have been obtained from the land cadastre in reply to the official written request, and is an absolutely established fact as of the date of receipt of this information.

Annex 7
(Compensation Procedures for Agricultural Losses)

Compensation for Agricultural Lands

Agricultural lands are those lands that are provided for agricultural needs or meant for such purposes.

From among the agricultural and arable lands we can point out those occupied by roads, communications, ameliorative network, buildings and structures necessary for well functioning of the agricultural sector, as well as other lands.

Agricultural lands require special protection. Utilization of these lands for purposes unrelated to the agricultural production is allowed in exceptional cases.

Ploughlands, fallows, lands under perennial plantings, hayfields and pastures belong to the group of agricultural lands.

Tilled soils (agricultural lands) – a land plot systematically cultivated and used for sowing agricultural crops, including perennial grasses as well as pure bare fallows. However, hayfields and pastures under current crops (during three years, not more), and ploughed with the root-improving purposes, as well as row spacing of gardens (orchards) used under crops, do not fall under this category.

Fallow – a land plot, which was used as an agricultural land (tilled soil), and stopped being utilized for over a year, from Autumn, for agricultural purposes.

Perennial Plantings – land plots occupied with man-made wood, brush wood, booshy (fruit) perennial plantations meant for producing horticultural, technical and medical products as well as for decoration of the territory.

Natural hayfields and pastures – lands systematically used for mowing and animal grazing.

Hayfields and improved (reclaimed) grasslands – sections of the hayfields and grasslands (pastures) with new grass canopy created by ways of sprigging.

Watered pastures – grasslands with water sources (lakes, rivers, earth reservoirs, irrigation or watering channels, pipe of shaft wells), which have a capacity to supply water of a proper quality to an adequate cattle stock.

Agricultural lands may be irrigated and non-irrigated.

Irrigated lands are those lands that are suitable for agricultural use and irrigation (watering), having permanent or temporary irrigation systems linked to the irrigation sources, which irrigate these lands with the outflow (runoff) of at least 75 percent in the best growing periods in accordance with the existing norms of system efficiency.

The lands of the liman (basin) irrigation are those that have water-retaining shaft, water regulating dikes and other hydrotechnical structures, which block and re-distribute on these sections the snow water and summer floods, as well as the water provided from the irrigation or supply channels for the purposes of the soil irrigation.

Loss recovery in agricultural production

When withdrawing the agricultural lands to utilize for purposes unrelated to agriculture or forestry, the damage/loss extent is identified in the context of a land utilization planning project (business), which serves a basis for the local authorities' decision on granting adequate rights for land plots.

The extent (volume) of losses, subject to compensation, are identified based on the norms, which allow reclamation of new lands or improving the quality of the lands to reach same productivity as it used to be prior to the withdrawal or the depreciation of the lands.

Norms for compensation of agricultural production losses, caused by the withdrawal of the agricultural lands for the purposes unrelated to agriculture, are established by the Government of Kazakhstan.

The losses are compensated in full volume when agricultural lands are temporarily withdrawn on a condition of recultivation for using in non-agricultural and non-forestry purposes.

In case of application of the fertile soil layer on inefficient or non-productive lands, to be paid out of resources of the legal or physical entity acquiring same land plot, the compensation of losses will include also the amounts spent for the rehabilitation of the lands, and will be paid in the order established by the legislation of RK.

The volume of compensation is agreed with the individual interested in land acquisition, and is processed in the form of an Act, which is then approved by the Decision of the local authorised entity on Granting Rights for a Land Plot.

The volume of losses related to deterioration of the lands is determined in percents of norms proportionally to the degradation of the lands (according to the cadastral valuation of lands) in cases unrelated to the conversion of lands from one type to another.

In case of conversion of the land types, from one to another, given the deteriorated quality of lands, the volume of losses is determined based on the difference in the norms assigned to the relevant type of land.

Compensation of the losses, caused by the depreciation of the land in the result of the activities of organizations or individuals, is produced in a judicial order on the basis of the legal action (plea) of the authorised agency of the oblast or district (or the city of oblast significance) at the land's location.

With the aim to create conditions for development, construction and reconstruction of the facilities related to the road transport it is allowed to reserve lands in the order prescribed by the transport legislation of the Republic of Kazakhstan.

If the land is in the private possession, the State may require (demand) its return only for designated purposes, including road construction, and only after paying compensations to the owner for the lost property and other losses. No one may be deprived of his/her property in any way, other than the court decision. The land plot in exceptional cases may be forcibly disposed for the state's (public) use as per the court decision, when other ways of satisfaction of these needs are not feasible/possible, and on a condition of providing the equivalent compensation (replacement) of the lost property. Compulsory acquisition, for the public use, of a land plot provided for a temporary use, and if the granted rights have not been purchased/acquired from the State by the land user, is fulfilled without purchasing (acquisition) of a land-user right. The land users are compensated in full for the losses suffered, and also, upon their choice, they may be provided another land plot.

In the Republic of Kazakhstan in private possession may be the land plots for farming purposes, personal subsidiary plots, foresting, gardening, individual and summer cottage housing, as well as those provided for construction purposes, or areas built-up with industrial and non-industrial buildings, including residential buildings (buildings, structures), including lands meant for maintenance of the buildings (structures) in accordance with their purposes.

In private possession of the non-state legal entities of the Republic of Kazakhstan may be the lands provided for the purposes agricultural production, foresting, construction or areas built-up with industrial and non-industrial, including residential, buildings (structures), as well as lands provided for the maintenance/servicing of the buildings (structures) in accordance with their target purposes.

Granting private property rights (entitlement) for the agricultural land plot is fee based. Citizens and non-governmental legal entities interested in acquiring ownership rights for a land for farming purposes, agricultural production and forestry, are entitled to:

Obtain the ownership rights for lands at the price equal to the cadastral (evaluated) value of the land;

Obtain ownership rights for a land at the privileged (favourable) price defined based on its cadastral (evaluated) value.

The dimension (limit) of the privileged price for the land plots in different administrative territories is determined by the Republic of Kazakhstan. In this case the owner has a right to closing any deals with the land, which are not prohibited by the legislation of the Republic of Kazakhstan, subject to expiration of the restriction period for deals with land, acquired at a privileged price, which is two years for each ten percent of the decreased cadastral value. Such restriction does not apply to pledging of such lands.

Payment of the amounts to the state (government) for the land purchased at the privileged price may be done in instalments up to ten years upon submission of a written application by the person acquiring the property right for the land.

Those who purchased lands on an “instalment” basis may not close any deals (sale, leasing, or gratuitous (free) use, transfer in the form of an input or dues/fees into the Nominal Capital of the Commercial Entities) until a complete pay-off of the redemption fee (purchasing price) for the land. The rights for closing deals with the land sold in instalment at the privileged price is allowed upon expiration of the restriction timeline for concluding deals with the land, which is the day of the full payment of the whole amount of the land’s purchasing price to the government.

Mortgage of the land plot by the described entities (persons) is allowed when at least fifty percent of the redemption fee has been paid. In such a case only the fully paid o.

Road construction is one of the few justified reasons for the compulsory withdrawal of the land, including purchase of lands that are in private possession or discontinuation of the long-term lease agreements. (Land Code of the RK, Article 84.). If the land is being used in accordance with the lease agreement the land users are compensated in full for the losses occurred, as well as they may be provided other land plots subject to their interest (desire). Though availability of the lands of the equal value (equivalent) to replace the withdrawn land plots may differ from district to district.

Land, in exceptional cases, may be withdrawn in a forced manner for the public (state) purposes upon the court decision when no other ways are feasible and upon a condition of providing an equivalent compensation.

Compulsory withdrawal of the lands of the owners and non-state land users (given that the rights for land utilization have been acquired by them) for public purposes, is executed in the form/order of redemption (purchasing).

The owner of the land or the non-state user should be informed in writing one year prior to the forthcoming acquisition, by the Entity responsible for the decision on redemption/acquisition, if the owner or the land user do not agree to release the land earlier. (Land Code of RK , Article 85).

The owner or the non-state land user, in case of the compulsory land withdrawal for the public needs, from the moment of receiving a notification with the decision on redemption (purchasing) or achieving an agreement on the price or court’s decision on the redemption, may execute his rights for the land and execute required expenditures to ensure the targeted use of the lands. However the owner or the land user bears the risk of applying to him the expenses and losses connected with the new construction, expansion or reconstruction of the buildings (structures) on these lands in the mentioned period.

If the owner of the land or the land user can not use the remaining portion of the land for the same targeted purposes, in the result of the compulsory withdrawal of a part of the land for the public needs, then the whole land plot should be purchased/acquired from that Owner (Land Code of RK, Article 86).

Annex 8
(Selected Photos)

A: Section Shymkent - Turkistan



Figure 1: Typical road section N of Shymkent city. The ROW is planted with a shelter belt of tall trees, which is more or less continuous with occasional breeches. The adjacent countryside is used agriculturally (without irrigation) and for extensive livestock grazing.

Small villages and settlements along the road are fairly frequent (every 5-10 km)



Figure 2: Typical landscape on the roadside between Shymkent and Turkistan, with Yurts in the foreground and large corn fields in the back. The yurts serve as temporary quarters for agricultural workers and are well (50-100 m) outside the ROW.



Figure 3: Crossing of Arys river at Temirlanovka village. Bypasses options are being investigated and designed on either side of the village.



Figure 4: Detail from Arys river crossing, view to SE (upstream).



Figure 5: Typical village along M32, the houses being set back a distance from the road (about 100-150 m) with a bet of trees and grass sheltering the village from the road.

B: Section Turkistan-Kyzyl Orda Oblast Border



Figure 6: Near the boundary between South Kazakhstan and Kyzylorda Oblasts the vegetation reflects the progressively arid climate. During a few weeks per year (usually in spring) snowmelt and rains can cause high surface runoff, resulting in a distinct drainage pattern.

It is worth noting the vast land reserves along the highway corridor.



Figure 7: Typical road section just South of the Kyzylorda Oblast boundary. Due to the arid climate shelter belt vegetation is absent.

Notably, the road corridor is combined with other infrastructure, in this case parallel running power lines.

C: Section Kyzyl Orda / Shymkent Oblast Border – Kyzyl Orda / Aktobe Oblast Border



Figure 8: Route M32 on the outskirts of Kyzylorda City, traversing mixed residential, commercial and industrial areas.



Figure 9: Typical small village between Kyzylorda and Aralsk.



Figure 10: Second Syrdarya crossing at the town Jozhaly.



Figure 11: Over long distances M32 as well as the railway, power lines and pipelines run parallel to each other, thus forming a wider “infrastructure corridor”.

The surrounding landscape has little productive value and becomes progressively arid around the Aral sea and N towards the Aktobe Oblast boundary. Photo taken near Baikonur.



Figure 12: Typical roadside station near Aralsk. The structures are well removed from the ROW and will not be affected by construction works.

Annex 9
(Endnotes)

ⁱ This group of persons does exist but as a result from field surveys undertaken so far is not expected to suffer significant negative impacts. Land close to the road is not used for informal agriculture and is not essential for animal husbandry. Thus reclamation of the ROW will not affect this type of informal livelihoods. Where new bypasses will be built the land take is insignificant in comparison to the existing reserves of rangeland and grazing lands. The crucial element of social mitigation will not be to replace lost land, but to ensure unhindered and safe movement of animals across the alignment. This will be solved by means of animal underpasses, which will be dimensioned, located and spaced in consultation with local PAPs.

ⁱⁱ Quote from Minutes of Negotiations: "In particular, the Delegation agreed that not only land ownership (properties) but also use of land (activities) in the affected areas will be properly compensated."

ⁱⁱⁱ There are sections of the current ROW which will be bypassed, thus encroachers in these sections would not be identified, but neither affected by the project.

^{iv} Cost data have only been estimated at this stage due to the number of owners involved and data for Turkestan are absent. Data provided by GD and CR on 12/3/2009. This does not include all sections of the road to be covered by the Project.