

Social Monitoring Report

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January 2022

Georgia: Batumi Bypass Road Project

Prepared by SMEC International Pty Limited for the Roads Department of the Ministry of Regional Development and Infrastructure of Georgia and the Asian Development Bank.

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ABBREVIATIONS

ADB	Asian Development Bank
AIDS	Acquired Immune Deficiency Syndrome
AIB	Asian Infrastructure Investment Bank
AP	Affected Person
AIDS	Acquired Immune Deficiency Syndrome
CR	Compliance Report
CSC	Construction Supervision Consultant
DP	Displaced Person
EMC	External Monitoring Consultant
EWB	East-West Highway
GoG	Government of Georgia
HH	Households
HIV	Human Immunodeficiency Virus
IA	Implementing Agency
IP	Indigenous People
IR	Involuntary Resettlement
LARF	Land Acquisition and Resettlement Framework
LARP	Land Acquisition and Resettlement Plan
LE	Legal Entity
MFF	Multi-tranche Financing Facility
RDMRDI	Ministry of Regional Development Infrastructure
NGOs	Non-Government Organizations
PAM	Project Administration Manual
PCP	Public Communication Policy
PPE	Personal Protection Equipment
SMR	Social Monitoring Report
SPRSS	Summary Poverty Reduction and Social Strategy
SPS	Safeguard Policy Statement, 2009
STI	Sexually Transmitted Illnesses
USD	United States Dollar

GLOSSARY

Compensation: Payment made in cash or kind to the project affected persons/households at replacement cost of the assets acquired for the project, which includes the compensation provided under the Land Code of the Republic of Georgia (GE Rules for Expropriation of Ownership for Necessary Public Need July 23, 1999, Civil Procedural Code of Georgia, November 14, 1997, Public Register (No 820-ILs; December 19, 2008, Recognition of Property Ownership and other subsequent rules that refers stipulated in the Land Acquisition and Resettlement Plan (LARP).

Cut off Dates: These are the dates on which censuses of the project affected persons and their assets to be affected are commenced in a particular area. Assets like houses/ structures and others which are created after the cut-off dates, and the persons or groups claiming to be affected, become in eligible for compensation and assistance.

Displaced Person (DP): Any person who has to involuntarily change his/her place of residence and/or workplace or place of business/livelihood from the current location as result of the project. This may include moving out from his/her land or building.

Encroacher: A person who has extended his property into public land; a person who has trespassed on government land, adjacent to his/her own land or asset, to which he/she is not entitled, and derives his/her livelihood or extended his/her property prior to the cutoff date.

Entitlement: Refers to mitigation measures, which includes cash payments at replacement cost or through replacement land equal in value/ productivity to the plot lost and at location acceptable to APs where feasible as stipulated in the LARP. Entitlements include compensation for structure (permanent & temporary), crops, trees, business, wage, etc., for which compensation is already paid.

Household: A household is a group of persons who commonly live together with common incomes and take their meals from a common kitchen.

Income Restoration: Refer store-building the capacity of the project affected household store-establish income sources at least to restore their living standards to the pre-acquisition levels.

Indigenous Peoples: Indigenous Peoples are those who are identified in particular geographic areas based on these four characteristics: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) an indigenous language, often different from the official language of the country or region.

Involuntary Resettlement: The unavoidable displacement of people and/or impact on their livelihood, assets, and common property resulting from development projects that create the need for rebuilding their livelihoods, sources of income, and asset bases.

Legal Entity: Legally registered enterprise established by two or several individuals or companies vested with its separate property, rights and liability such as a limited liability partnership (LLP), and joint stock company (JSC).

NGO: Non-Government Organizations (NGO) are private voluntary organizations registered with Georgian Government. There are number NGOs working in Georgia performing activities to relieve suffering, promote the interests of the poor, protect the environment, provide basic social services, or undertake community development, etc.

Participation/Consultation: Defined as a continuous two-way communication process consisting of: 'feed-forward' the information on the project's goals, objectives, scope and social impact implications to the project beneficiaries, and their 'feed-back' on these issues (and more) to the policy makers and project designers. In addition to seeking feedback on projects specific issues, the participatory planning approach also serves these objectives in all development projects: public relations, information dissemination and conflict resolution.

Physical Cultural Resources: Defined as movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Physical cultural resources may be located in urban or rural settings, and may be above or below ground, or underwater. Physical cultural resources are important as sources of valuable scientific and historical information, as assets for economic and social development, and as integral parts of a people's cultural identity and practices. Their cultural interest may be at the local, provincial or national level, or within the international community.

Project-Affected Person/Household/Legal Entities: Persons/households/Legal Entities whose livelihood and living standards are adversely affected by acquisition of lands, houses, and other assets, loss of income sources and the like, due to undertaking of the project.

Rehabilitation: Refers to improving the living standards or at least re-establishing the previous living standards, which may include re-building the income earning capacity, physical relocation, rebuilding the social support and economic networks.

Relocation: Moving the project-affected households/Legal Entities to new locations and providing them with housing, water supply and sanitation facilities, lands, schools, and others social and healthcare infrastructure, depending on locations and scale of relocation.

Replacement Cost: The Asian Development Bank's Safeguard Policy Statement (SPS) 2009 describes "replacement cost" as the method valuation of assets that helps determine the amounts insufficient replace lost assets and cover transaction costs. In applying this method valuation, depreciation of structures and assets is not taken into account. For losses that cannot easily be valued or compensated for in monetary terms (e.g. access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempt share made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the placement cost standard.

Land Acquisition & Resettlement Plan (LARP): A time-bound action plan with a budget, setting out resettlement policy, strategy, objectives, options, entitlements, actions, approvals, responsibilities, monitoring, and evaluation.

Severely Affected Households: As per SPS 2009 households/ entities losing more than 10% of his/her income/productive assets called severely affected.

Squatter: Household or person occupying public lands without legal arrangements with the Government of Georgia or any of its concerned agencies is a squatter to the lands.

Stakeholder: Refers to recognizable persons, and formal and informal groups who have direct and indirect stakes in the project, such as affected persons/households, shop owners, traders in roadside markets, squatters, community-based and civil society organizations.

State Land: State lands are public lands those are not recorded in the name of any private citizen/entity of the country. Local & Regional Governments of respective region is the custodian of all state lands within their jurisdiction.

Vulnerable Household: Households with an average per capita income below poverty line are considered vulnerable and are entitled to get the vulnerability allowance. It includes very poor, women headed household, old aged and handicapped.

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1 INTRODUCTION

1.1 Objective of the Report

1. This semi-annual Social Safeguards Monitoring Report (SMR) for Batumi Bypass Road Project in Georgia covers the period from July-December 2021. The objective of the report is to provide an overview of the progress made in the implementation of the land acquisition and resettlement (LAR) tasks in the second half of 2021. It provides information on social safeguards activities related to the preparation and implementation of the LAR plans (LARP) as well as safeguards issues raised during construction period and social impact mitigation measures. It describes the project's performance in dealing with community consultation and stakeholders' participation, impacted assets registration/records and compensation processes, and grievances received and redressed. Lessons learned and the recommendations for the implementation of safeguards component of the project in the next stage of the program are summarized at the end of the report.

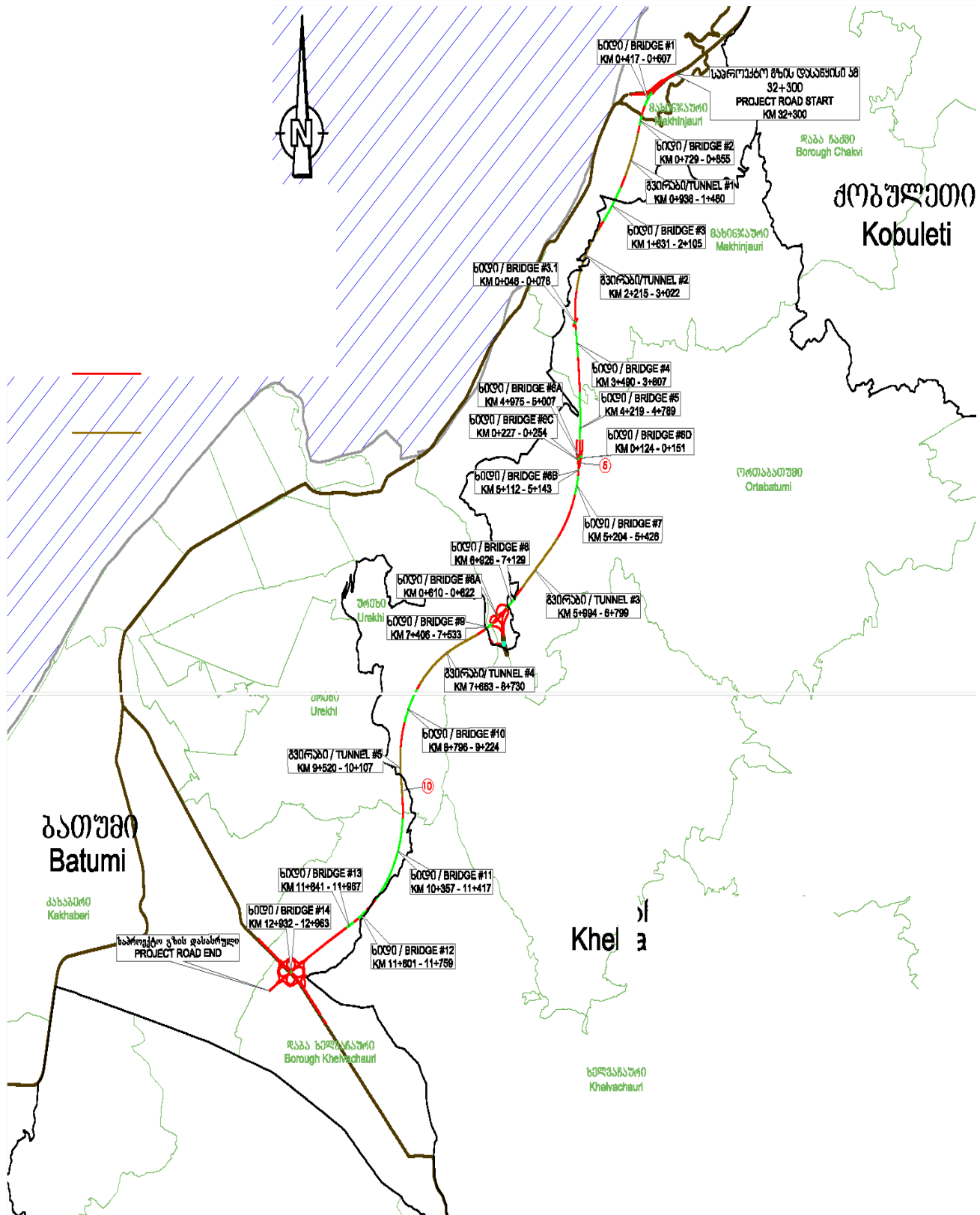
1.2 Background Information

2. Georgia, due to its geographic location, provides the shortest transit link between Central Asia and Europe. Transport plays a pivotal role in supporting the national economy, and development of the transport infrastructure is vital to increasing economy of the region through reduced transport costs and increased transit revenue. The coastal road on the Black Sea links Turkey to the south with the ports of Batumi and Poti, and onwards to Tbilisi, the Georgian capital in the east of the country. Because of heavy traffic on this road, there has been a significant increase in traffic congestion and accidents, particularly in Batumi and Kobuleti during the tourist season.

3. Batumi Bypass Road once was included in tranche 2 under Multi-tranche Financing Facility (MFF) projects in 2009 as part of the entire East West Highways (EWH), with financing from ADB. For this purpose, a LARP was prepared during feasibility stage in 2009 by the Roads Department under the Ministry of Regional Development Infrastructure in Georgia (RD-MRDI). The objectives of the LARP preparation for the bypass road construction was to assess project impacts and to plan for required compensation and rehabilitation measures of the project Affected People (APs). Later in 2011, the idea of this bypass road construction was dropped due to some cost considerations. However, again in 2015, the borrower aspired to upgrade the entire EWH. Afterwards, ADB agreed to finance the project on request of the client to revive and finance for the bypass road project. Finally, with ADB agreement, RDMRDI started preparatory activities with preparation/updating of required documents. This was followed by implementation of LARP by RD, MRDI since August 2016. In fact, the physical construction works started in March 2018 after signing contract on 29 August 2017 between RD and the contractor (Joint Venture POLAT YOL & MAPA). Construction Supervision Consultant (CSC) was mobilized on 11 September 2017 and started their activities with the design review.

4. The project road is designed to bypass the city of Batumi to the east, and because of the topography and urban landscape that it traverses, includes five tunnels and nineteen bridges. The road was originally designed by the South Korean engineering firm, Sambo, in 2010. The construction of the road is currently under implementation as a single civil works contract and funded by ADB (Loan No. 3520-GEO) and AIIB (Loan No. 8328-GEO).

Figure 1-1: Project Location Map



1.3 Objective and Coverage of the Monitoring

5. The major objective of this SMR is to analyze the implementation status of the LARPs and other associated social safeguards issues includes handing over the road's Right of Way (RoW) to start construction of the bypass road.
6. The ultimate objectives of the monitoring report are to:
 - a. verify status of resettlement implementation for the project that complies with the approved LARF & LARPs.
 - b. verify status of up-to-date compensation payment to APs.
 - c. verify implication of grievance redress mechanism to solve AP 's grievances & status of grievances received from the APs/local people so far.
 - d. satisfaction of APs with the process of their compensation & amount of compensated; and
 - e. Other social safeguards issues such as: wage laborers, labor issues, HIV/AIDS, grievances/complains received during construction/resolved etc.

1.4 Methodology Followed under Monitoring Program

7. The monitoring has been conducted mostly relay on the project documents LARF, LARPS, LARP addendum, CRs, monthly & quarterly reports etc. through review & analyze, compilation of necessary data from aforesaid documents. In addition, consultant also had conducted consultations/meetings among the APs and other project stakeholders of the project through regular site visits. Such consultations and meeting conducted with assistance of the CSC, Contractors, EMC, RD, PIU of MRDI and relevant other project stakeholders. The findings from the aforesaid consultations/meetings have been incorporated in this semi-annual SMR document in a cumulative manner in the paragraphs No. 3 and No. 4.

1.5 Social Safeguard/Resettlement Categorization

8. Prior to civil works implementation, the projects selected for construction or development to be Screened and Classified using ADB's classification system as follows:
 - Category A: Projects proposed for construction or development, will fall under this category, if, it caused a significant involuntary resettlement impact with a physical displacement of 200 or more persons from their residences, or 200 or more persons lose 10% or more of their productive or income generating assets, or more persons or 200 or more persons experience a combination of both
 - Category B: Any proposed subproject that includes involuntary resettlement impacts but are not deemed significant considering loss of shelter/houses or productive or income generating assets will be considered for category B.
 - Category C: A proposed subproject that has no involuntary resettlement impact.
9. As per ADB Safeguard Policy Statement (SPS 2009). Batumi Bypass Road project falls under Category A project, considering the significance involuntary resettlement issues. The project has no impact over indigenous people or the communities.

2 OVERVIEW OF THE LARPs AND ASSOCIATED IMPACTS

2.1 LARPs and Allied Documents Preparation

10. LARP prepared by MRDI, during feasibility stage was further updated/finalized in 2016 based on the feasibility study and prepared two implementations ready LARPs fulfilling requirements of ADB's SPS, 2009. These two LARPs were prepared dividing the total 13.7 Km long bypass road into two sections:

LARP-1 for Section 1 covers km0+000 - km6+700, and

LARP-2 for Section 2 covering km6+700 - km13+700.

11. These updated LARPs were approved by ADB in mid-2016. These LARPs are currently under implementation, started from August & September 2016. In the end of the 2021 the LARP was fully implemented. Afterwards, preparation an addendum for both the LARPs/ sections was required due to emergence of some new impacts (to include or exclude) caused due to adjustments of RoW through design considerations considering the existing condition. This has been followed by preparation of LARP compliance monitoring reports (CR) by an External Monitoring Consultant (EMC), deployed by the RD, MRDI to comply with the project policy. Till the reporting period, EMC prepared six (6) CRs (see the details in section 3.1).

12. The main objective of the EMC deployment was to verify whether LARPs have been implemented in compliances with the policy adopted in the LARF & LARP and compensation payment status. Accordingly, CRs prepared for the LARPs, reflecting the results of monitoring and evaluation of the implementation of land acquisition and resettlement (LAR) activities of the bypass road in accordance and compliance with the LARPs and its Addendum.

13. Following approval of LARPs, finances have been provided to the EA. Prior to the distribution of LARP finances to the APs, with legalization of APs legalizable according to the active legislation will be finalized and all APs may sign a contract agreement indicating that they accept the compensation proposed to them. If an AP does not sign the contract the case will be passed to the appropriate court to initiate expropriation proceedings. This will be done after the compensation amount, determined according to the valuation methodology outlined in this LARP, is to be deposited in escrow account. Escrow accounts was also be established for absentee APs.

2.2 Conditions for Project Implementation

14. Based on ADB policy/practice, the approval of project implementation will be based on the following LAR-related conditions:

- (i) **Signing of Contract Award:** Civil works contract will be awarded after approval of final Land Acquisition and Resettlement Plan.
- (ii) **Notice to Proceed to Contractors:** Conditional to full implementation of Batumi bypass LARP (legalization of legalizable owners, and full delivery of compensation and rehabilitation allowances) on the specific section, verified by a compliance report submitted by the External Monitor.

2.3 Summary Impact of LARPs

15. This has been mentioned earlier that after getting approval of LARP, implementation started and during implementation an addendum was required to prepare, due to consideration of some changes in inventory of losses not envisaged during project preparation/finalization of LARPs. Finally, some changes of impacts were found, which also were considered during implementation through conducting additional survey & assessment. After completion of LARPs

implementation for the partial sections of the road, the EMC prepared four CRs (2 for Section-1 & 2 for section-2) separately for both sections, where compensation payment is completed. Summary of the LAR impacts based on the approved LARPs/Sections plus LARP's Addendum is presented in Table below.

Table 2-1: Summary of Project's LAR Impacts by LARPs

N	IMPACT CATEGORY	SECTION 1 (7KM)	SECTION 2 (6.7KM)	ADDENDUM	TOTAL
1	Total affected households	245	524	20	789
2	Land acquired (in sqm)	157,145	245,778	56,495	459,418
3	Agricultural (in sqm)	131,735	146,422		278,157
4	Residential (in sqm)	116,622	196,678		131,300
5	Commercial (in sqm)	59,370	40,944		100,314
6	Household to be physically displaced	69	300	9	378
7	Severely Affected HH	193	369	21	583
8	Vulnerable HHs	92	184	5	281

2.4 Project Policy, Entitlement Matrix, and Institutional Arrangements

16. The legal and policy framework of the project on land acquisition and resettlement has been adopted to assist the APs and/or households for their lost land and assets, income, and livelihood resources. Expropriation of land through eminent domain will not be applied unless approach for acquisition through negotiated settlement fails. Compensation eligibility is limited by a cut-off date as mentioned in the LARPs for this project (the time of survey & measurement of the affected properties, valuation, socioeconomical study etc.), and this date was clearly communicated to the public and to the APs during public meetings. APs will be entitled for compensation or at least rehabilitation assistance under the Project are (i) all land users (traditionally using agricultural land) /registered landowners and tenants losing land irrespective of their title, (ii) tenants and sharecroppers irrespective of formal registration, (iii) owners of buildings, crops, plants, or other objects attached to the land; and (iv) persons losing business, income, and salaries' Implementation Arrangements:

17. ADB is the funding agency and RDMRDI is the Implementing Agency (IA) of the Project. RDMRDI has the lead responsibility for road construction, as well as implementation of this LARP through the Resettlement Unit (RU) under the Resettlement and Environmental Protection Division, RDMRDI. A Land Acquisition and Resettlement (LAR) Commission (LARC) will be assisting RU in all LAR activities. In addition, RU will be assisted by LAR Team in the rayon level also involving the local self-government bodies. In addition, a number of other government departments will play an instrumental role in the updating and implementation of Batumi bypass LARP. The National Agency of Public Registry (NAPR) within the Ministry of Justice will be assisting the Project through registration of land ownership and its transfer through acquisition agreement from landowners to the RDMRDI. The local government at Rayon and village level will also be involved. Among them: Ministry of Economy and Sustainable Development (MOESD),

Ministry of Economy and Finances of Adjara Autonomous Republic, Road Department of Adjara, local governments of municipalities, specialists of territorial organs.

2.5 Consultation Participation and Grievance Redress Mechanism

18. A Grievance Redress Mechanism (GRM) has already been established from the period of Census starting date and is available locally to allow APs to appeal any disagreeable decision, practice or activity arising from any project preparation and implementation activity. Grievance Redress Committees (GRCs) at local level involving the local government officials, representative of APs, representatives of local NGOs and consultant. APs were fully informed, through consultation meetings and representatives of territorial organs of local government, on their rights and on the procedures for addressing complaints whether verbally or in written during consultation, survey, and time of compensation, as well as throughout project implementation. Care will always be taken to prevent grievances rather than going through a redress process.

19. Consultation with likely APs in the project affected areas was conducted during the feasibility study of the Project. At the preparation of Batumi bypass LARP in detail design stage, all likely APs (available on site) were consulted through community level meetings and through individual contact at the time of census, socioeconomic survey, and detail measurement survey. Consultations continued throughout the remaining implementation period. During the reporting period the Engineer conducted 14 consultations with the APs by the project. The consultations were held one to one mostly between the residents and the representative of the Engineer and the Contractor.

2.6 Cost and Financing

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

- (i) Compensation for agricultural, pasture, and commercial land at replacement value
- (ii) Compensation for structures and buildings at their replacement cost
- (iii) Compensation for business/employment loss
- (iv) Compensation for crops and trees
- (v) Assistance for severely affected AHs
- (vi) Assistance for vulnerable groups for their livelihood restoration
- (vii) Cost for implementation of LARP

2.7 Monitoring

21. The main objective of implementation of the LARPs for Batumi Bypass Road is to improve or at least restore the social and livelihood resources of the APs at their pre-project level. The process of implementation should ensure that this objective is achieved over a reasonable time with allocated resources. Therefore, monitoring of the process of updating Batumi Bypass Road LARPs, its implementation and delivery of institutional and financial assistance to the APs has

been designed as an integral part of the overall functioning and management of the Project. RU of RDMRDI will ensure the execution of timely monitoring of the monitoring and evaluation (M&E) indicators (process, delivery, and impact indicators) of LAR tasks. The purpose of the Monitoring and Evaluation (M&E) is to provide feedback to all stakeholders on progress made in view of a timely and comprehensive implementation of the LARP and to identify problems as early as possible to facilitate timely adjustment of implementation arrangements. The objectives are to: (i) ensure that the standard of living of APs are restored or improved; (ii) ascertain whether activities are in progress as per schedule and the timelines are being met; (iii) assess whether the compensation, rehabilitation measures are sufficient; (iv) identify problems or potential issues; and (v) identify methods to rapidly mitigation of problems.

3 LARP IMPLEMENTATION

3.1 General

22. Having approval of both the LARPs by ADB, actual implementation of LARPs started in August 2016. At the beginning, RDMRDI had required to prepare an addendum (September 2017) due to emergence of some additional impacts not envisaged during LARP preparation. The major reasons of this addendum preparation were:

- During the survey/inventory of assets, some owners/APs of the affected properties didn't allow the survey team to record their inventory. After careful discussions/negotiations during LARP implementations they were convinced, and this resulted in additional resettlement needs¹.
- Some owners of residential apartments were close to alignment & they complained to RD and in certain cases (when distances are 50 m or less²) and agreed with the claims resulted additional resettlement cases.
- Some APs failed to submit required documentary evidence for inclusion in the LARP during the preparation of the document. Later, during the implementation some of them collected & produce the required documentary evidence, some of them even managed to legalize their loft spaces on the attic, which required additional survey.
- One family cemetery necessitated to relocate & required new assessment.

23. After completion of compensation payment by RDMRDI, as of the end of the reporting period (31 December 2021) EMC prepared six (6) CRs. After approval of CRs, the partial road sections were handed over to the Contractor for construction.

Table 3-1: Compliance Reports

CR1	LARP Section 2	km 6+700 to km 12+830	May 2018
CR2	LARP section 1	Km 1+750 to km 2+250	May 2018

¹ Owners of 10 land plots did not allow the surveyors to enter. Hence, allowances for this not measured /surveyed land plots were not evaluated in original LARPs but were include/d in the addendum.

² Per city planning standards СНиП 2.07.01-89, II-12-77Article 6.19, the distance from the edge of the main carriageway of the trunk road to the line regulating the residential development should be taken at least 50 m, whereas in case of the application of noise protection devices that ensure the requirements of СНиП II-12-77, at least 25 meters.

CR3	LARP section 1	Km 0+00 to km 0+750 & km 2+250 to km 6+700	October 2018
CR4	LARP section 2	km12+830 to km 13+340	August 2019
CR5	LARP section 1	km 0+850 to km 1+750	April 2019
CR6	LARP section 1	km 0+750 to km 0+850	March 2021

24. The physical construction activities of the bypass road started in March 2018 after signing contract between RD and the contractor (Joint Venture POLAT YOL & MPA) on 29 August 2017 with subsequent approvals of all the CRs in due course by ADB & RDMRDI. On the other hand, the CSC has mobilized on 11 September 2017 and started their activities with the design review. Subsequently, CSC, mobilized their two Social and Resettlement Specialists (national and international) respectively in March and mid-October 2018. The responsibility of the CSC Social Specialists is to monitor the LARP related and other social safeguards issues covering the total project implementation periods on behalf of the RDMRDI and to produce monitoring reports periodically for the RDMRDI to submit to ADB in addition to monthly & quarterly reports, as well.

3.2 LARPs Implementation Status up to the Reporting Period

25. Implementation status of the LARPs for the aforesaid partially completed sections under LARPs 1 & 2 assessed under the current report prepared by the CSC Consultant for RDMRDI. This SMR has been prepared reflecting the overall implantation status of LARPs under Batumi bypass road Project.

26. It is important to note that at this stage of project implementation, RDMRDI, the IA made compensation payment to the APs for their lost properties only for the sections cleared to make encumbrance free for handing over to start construction activities by the contractor. To comply with ADB policy, EMC also conducted compliance monitoring exercise with required report preparation, which were subsequently approved by ADB for those sections, completed LARPs implementation and compensation payment as well.

27. Currently, the land acquisition and resettlement in the project is fully completed at 100%. The remained land plot with cadastral code [redacted] at section km12+870 - km12+980 was expropriated in July 2021. The mentioned will be reported via CR. Also, two land plots at Interchange No. 3 (CL210 and CL204) have been already acquired in August 2021. As of 31 December 2021, the Contractor has access to the following sections of the construction site:

- ✓ May 2018 - km 6+700 - km 12+830
- ✓ May 2018 – km1+750– km2+250
- ✓ October 2018 - km0+000-km0+650 and km2+250-km6+700
- ✓ April 2019 - km 0+850 – km 1+750
- ✓ August 2019 - km12+830 – km 13+325 except land plot with cadastral code [redacted] at section km 12+860 – km 12+980.
- ✓ 28 January 2021 - land plot with cadastral code [redacted] (Bridges 6A, 6C, 6D area) owned by [redacted] which was not accessible due to protest from the owners. It was required to expropriate the property.
- ✓ March 2021 – km 0+650 – km 0+850

- ✓ March 2021 – Km 2+960
- ✓ June 2021 – km 2+805, km 6+694 and km 8+085 (Tunnels No. 2, No. 3 and No. 4 Exit areas). Also, the land plot with cadastral code [redacted] at Interchange No. 3 (CL210).
- ✓ July 2021 - km12+870 - km12+980. The land plot with cadastral code [redacted] was required to be expropriated.
- ✓ September 2021 - the land plot with cadastral code [redacted] adjacent to Km 2+330.

28. Table below is focused on the LARP implementation status of the handed over sections. As it is visible there is some difference between the impacts planned under LARPs versus actual implementation. The major causes of such changes were due to errors in cadastral measurements, which required additional survey on some significant numbers of APs and their properties. The aforesaid survey & investigations resulted some changes, which are reflected in the EMC Reports in detail.

Table 3-2: Implementation Status of LARPs 1 and 2

Project Impacts	Section 1 - km0+000 - km6+700		Section 2 – km 6+700-km 13+340		Implementation Status
	As per approved LARP only	Actual Implementation	As per approved LARP only	Actual Implementation	
No. of affected Plots	527	341	1135	897	Implementation completed
Affected land Area in sqm.	231,024	229,127	388,688	379,066	Implementation completed
No. of affected HHs	187	185	400	448	Implementation completed
No. of affected HHs with structures	163	161	409	407	Implementation completed
Crops & perennials	158	157	264	264	Implementation completed
HHs to relocate	67	66	298	298	Implementation completed
HHs Severely impacted	180	180	371	129	Implementation completed
Vulnerable HHs impacted	77	11	185	79	Implementation completed

3.3 Land Acquisition Issues Raised during Construction Activities

29. During implementation of the works, several claims were received from residents concerning the adverse impacts of from construction activities. Therefore, considering the actual site situation, requirements of EIA, LARP and ADB policy in total 12 houses were added to the LARP (for details please refer to the table below). The road sections were already handed over to the Contractor and to avoid adverse impacts from construction works the families were

temporarily relocated until completion of acquisition procedures (see para 35 on required next steps to ensure the IR safeguards compliance regarding these cases).

Table 3-3: List of the Houses Included in the LARP

NO	LOCATION	CATEGORY OF IMPACT	STATUS
1	km9+600 top of tunnel N5	As a result of Preconstruction survey, it was identified that the house was depreciated and living there was dangerous for the family members. Vibration caused by blasting may have negatively impacted the stability of the house. Therefore, the family was temporary relocated since the commencement of blasting at the mentioned section (May 2019) before completion of acquisition procedures.	Acquired
2	A2 Bridge No. 3	<p>He was complaining that vibration by construction activities caused damages to his property. Vibration and noise levels were measured several times during the operation of pile drilling machine at A2. No vibration was observed. After that upon commencement of construction of access road to Tunnel Portal No. 2 The resident continued to claim about vibration from construction equipment. As a follow up vibration was measured once again and preconstruction survey report was prepared.</p> <p>The Employer sent Samkharauli Forensics Bureau for assessment of the condition of the building. Based on the conclusion of the expert it was decided to include the house in the acquisition list.</p>	Acquired
3	Km0+520	<p>1. From the north the residential house is bordered by existing Kobuleti-Batumi Road where the design considers road widening works, particularly: construction of entrance (CL103) and exit (CL102) ramps to the main road (CL100). The shortest distance between the house and RoW is 29.03m. At section km0+581 of CL103 design considers construction of d=1.5m culvert, the side berm of which goes beyond the border of RoW. As per the Design water collected by the culvert flows in the nearby valley through the slope (as per the geological conclusion attached to the statement land slide processes are developed) and Mr. [redacted] yard. It should be mentioned that currently it is the same situation as due to absence of drainage channels, surface water from the existing road is flowing in the yard of Mr. [redacted] causing frequent floods of the territory.</p> <p>2. From the East the house is bordered by main Project Road (CL100) and from the south by Electric Station. The shortest distance between the house and RoW of main Project Road (CL100) is 23.47m.</p> <p>3. While being negatively impacted due to close location with existing Kobuleti-Batumi Road, construction and exploitation of Project Road (CL100) on another side of the residential house shall deteriorate living conditions of [redacted] Family as they will be left in between of two roads. Letter to the Employer recommending acquisition of the house was sent. The case was considered by the Commission, and it was decided to acquire the house. However, the solution of this issue extended as the AP did not agree to offered compensation and the negotiations over the compensation amount are on-going. Finally,</p>	Acquired

NO	LOCATION	CATEGORY OF IMPACT	STATUS
		acquisition was finalized, and AP accepted the compensation amount. The house is acquired.	
4	On top of exit portal of tunnel No. 5	<p>He was complaining that vibration by blasting works has damaged his house. The measurements of the vibration only reached threshold of cosmetic damage therefore, the citizen was offered compensation for cosmetic damage. During observation the development of cracks was not identified and there is no structural damage to the house.</p> <p>Road Department invited Samkharauli Forensics Bureau for assessment of the property. It was concluded by the expert that the house is in the landslide zone, and it is dangerous to live there. The property was included in LARP. Before completion of acquisition procedures, the AH was temporarily relocated. Temporary relocation agreement was signed on 18.01.20.</p>	Acquired
5	Bridge No. 12-13	Settlement of temporary embankment caused land bulging that damaged the structure of the house	Acquired
6	On Top of the entrance portal of Tunnel No.2	<p>Two families' residential houses were affected by the blasting-drilling works at the tunnel No. 2. The citizen was claiming that blasting hardly damaged his house. The international Expertise Bureau visited the place and assessed it. After the expertise conclusion the residential house of the resident was acquired.</p> <p>The resident's residential house was located at the left side of the Tunnel No.2. During the drilling-blasting works at the tunnel, the part of soft soil has been collapsed. As a result, the house of the resident was damaged. The cracks appeared on the ground, as well at the residential house. The family was temporarily relocated. After the long-term monitoring, the acquisition of the citizen's residential house was decided.</p>	Acquired

30. It is stated in the LARP (Chapter 1.2, para 21), that "The ROW, including an allowance for buffer zone per government regulation (for houses and land plots) extends 25m, measured from the edge of carriageway to the adjoining property boundary." Moreover, clause 476 of EIA requires that houses within the 25m distance from the road edge should be included in the LARP³.

³ 476. In addition to these 490 houses, 25 houses fell within 25 m of the edge of the road on either side. These were not modeled as the Road Department intends to remove all houses within 25 m of the edge of the road. These houses will be thus included in the LARP.

31. The mentioned issue was discussed during the visits of ADB mission and as per their and instruction of the Employer the Engineer updated the list of the structures located in the distance of 25m from the road edge and submitted to the Employer for further actions.

Table 3-4: List of the Structures Affected by Exceeding Anticipated Noise Level Located Within the Distance of 25m from the Road Edge

NO	CHAINAGE (KM)	DISTANCE FROM EDGE	IN LARP YES/NO	REMARKS
1	0+785	19.9	Yes	The process of inclusion in LARP is in progress.
2	1+000	24.7	No	Acquired
3	0+960	0.0	No	This case will be processed after completion of portal design of Tunnel No. 1. The construction method will be selected based on the soil type. Based on these impacts will be assessed and relevant mitigation measures adopted like temporary resettlement, etc.
4	1+620	21.4	Yes	Acquired
5	1+640	19.6	Yes	Acquired
6	1+770	24.4	Yes	Acquired
7	1+680	15.4	Yes	Acquired
8	1+700	16.6	Yes	Acquired
9	1+880	13.8	Yes	Acquired
10	2+950	6.93	Yes	Acquired during the reporting period.
11	2+950	6.93	No	The structure is not residential and belongs to the same owner.
12	4+520	17.7	Yes	Acquired
13	4+600	10.5	Yes	Acquired during the reporting period.
14	4+660	21.3	Yes	Acquired
15	8+640	19.2	Yes	Acquired
16	10+745	8.12	No	The process of inclusion in LARP is in progress.
17	11+000	24.2	No	The process of inclusion in LARP is in progress.

NO	CHAINAGE (KM)	DISTANCE FROM EDGE	IN LARP YES/NO	REMARKS
18	11+160	25.88	No	The process of inclusion in LARP is in progress.
19	11+200	6.75	No	The process of inclusion in LARP is in progress.
20	11+300	16.36	No	The process of inclusion in LARP is in progress.
21	11+460	22.5	Yes	Acquired
22	2+290	19.9	No	The process of inclusion in LARP is in progress. Not included in the original list of EIA.
23	11+880	20.7	Yes	Acquired
24	4+660	9.34	Yes	Acquired
25	12+00	6	Yes	Acquired. Not included in the original list of EIA.
26	Bridge 12-13	17.8	Yes	Acquired. Not included in the original list of EIA.

32. Furthermore, additional land acquisition was required for relocation works of high voltage electric lines, construction of tunnel shafts and piling system at the entrance portal of tunnel No.2. The progress is provided in below Table 3-5.

Table 3-5: Status of land acquisition for relocation high voltage electric lines, tunnel shafts and pile system at the entrance portal of tunnel No. 2

No	Section	Cadastral Code	Status
Relocation of high voltage electric lines			
1	Km12+769	05.35.22.510	Acquired
2	Km6+040	22.22.16.084	Acquired
3	Km4+680	22.22.09.741	Not acquired
4	Km4+680	22.22.09.742	Not acquired
5	Km4+320	Km4+320	BOT – no need of acquisition.
6	Km0+660	05.34.25.637	Acquired
Construction of Tunnel shafts			
1	Emergency exit of Tunnel No.2 (km2+508)	05.34.22.668 05.34.22.307	Acquired

No	Section	Cadastral Code	Status
2	Emergency exit of Tunnel No.3 (km6+500)	No acquisition is required	Detailed design is to be provided
3	Emergency exits of Tunnel No.4 (km8+085)	22.24.08.002	Acquired
		22.24.03.998	
Pile system at the Entrance (km2+250 – km2+310) of Tunnel No.2			
1	km2+250-km2+310	22.21.09.530	Acquired
2	km2+250-km2+310	22.21.09.353	No acquisition is required
3	km2+250- km2+310	22.21.09.381	No acquisition is required

33. A detailed inventory of the houses located within 25m from the road edge has been done following the maps included in Environmental Impact Assessment report in total 26 houses.

34. Inventory of the impacts caused by necessity of relocation high voltage power lines and tunnel shafts as well as need of construction pile system at the entrance portal of Tunnel No. 2 was done following the detailed design documents which were provided by the Contractor and approved by the Engineer and the Employer.

35. For impact assessment independent professional appraiser was engaged. Compensation was calculated by current market rates following the steps described in Chapter 2.2 of Land Acquisition and Resettlement plan. No CAP and/or LARP addendum was prepared for these cases prior the acquisition process, thus all the above- described cases (additional land plots acquired/being acquired and listed in tables 3-3 to 3-5) will be documented in detail through the Compliance Report prepared by the external monitor to confirm the compliance with LARP and SPS provisions (the recruitment process of external monitoring consultant is almost completed and she will be on board in January 2022). Given the mobilization status of EMC, the CR for the above-mentioned cases is planned to be prepared at the end of February 2022. For any new impacts, CAP and/or LARP addendum will be prepared and have to be approved by ADB prior the implementation.

3.4 Temporary Resettlement and Land Leasing Cases

36. During the Project implementation several cases have been identified where the negative impact caused by construction activities could not have been mitigated by other measures but temporary resettlement of impacted HHs. Totally there are twenty-two cases of temporary relocation out of which only three are on-going.

37. During the reporting period the Contractor temporarily relocated 1 HHs due to excess noise levels. The mentioned will also be reported via CR.

Table 3-6: Temporary Resettlement Cases Identified through the Project Implementation

No	Duration of Agreement	Location	Category of Impact	STATUS	Relocated by	Follow up
1	02.02.2019 – 02.01.2020	Km12 stone column construction area	Excess noise	Completed	Contractor	Included in LARP. Acquired
2	20.05.2019 – 20.11.2019	Km 9+800 Tunnel No. 5	During preconstruction survey the Engineer's and the Contractor's teams observed that the house was structurally so damaged that it may not stand even small vibration.	Completed	Contractor	Included in LARP. Acquired
3	08.08.2019 – 08.04.2020	Bridge No. 5	Excess noise levels, dust, vibration caused by pile drilling machine	Completed	Contractor	Included in LARP. Acquired.
4	14.08.2019 – 14.04.2020			Completed	Contractor	Included in LARP - Acquired.
5	12.08.2019 – 15.05.2020			Completed	Contractor	Included in LARP - Acquired.
6	11.12.2019 – 11.04.2020	Bridge No. 12-13	Settlement of temporary embankment caused land building that damaged the structure of the house	Completed	Contractor	Included in LARP - Acquired.
7	11.12.2019 – 11.06.2020				Contractor	Included in LARP - Acquired.
8	11.12.2019 – 11.06.2020				Contractor	Included in LARP - Acquired.
9	13.12.2019 - 13.01.2021				Contractor	in January 2021 Acquired

No	Duration of Agreement	Location	Category of Impact	STATUS	Relocated by	Follow up
10	13.12.2019 – 13.01.2021				Contractor	in January 2021 Acquired
11	17.12.2019 – 17.10.2020				Contractor	Included in LARP - Acquired.
12	24.01.2019 – 28.05.2020	Bridge No. 12-13	Disturbance by construction activities. The AP had daughter with rare skin disease and required calm environment.	Completed	Contractor	The house is included in LARP. Acquired.
13	26.02.2020 – 26.04.2020	Bridge No. 3	Excess noise levels, dust, vibration caused by pile drilling machine. The house is located near to the construction site. Negative impact could not be mitigated.	Completed.	Contractor	Included in LARP. Acquired.
14	28.02.2020 – 28.04.2020	Bridge No. 3	Excess noise levels, dust, vibration caused by pile drilling machine. The house is located near to the construction site. Negative impact could not be mitigated.	Completed.	Contractor	Included in LARP. Acquired
15	23.03.2020 – 23.05.2020	Tunnel No.4	High levels of the vibration were observed putting in danger the house stability.	Completed	Contractor	No vibration is observed in the house and there is no structural damage from blasting activities.
16	08.06.2020 – 30.09.2020	Bridge No. 4	There are three vulnerable persons living in the house and even slight increase of the	Completed	Contractor	The noisy activities were completed

No	Duration of Agreement	Location	Category of Impact	STATUS	Relocated by	Follow up
			noise levels can impact their health.			
17	26.08.2020 – 30.09.2020		Noise levels.			
18	26.08.2020 - 30.09.2020		Noise levels.			
19	01.09.2020 – on-going	Bridge No. 7	Safety issues. When going to school the children should cross the construction site.	On-going	Contractor	The construction works at the mentioned territory is still on-going. Thus, for the safety of the children, the family is still temporary relocated.
20	18.03.2021 – on-going	Km12+500	High noise levels	On-going	Contractor	
21	01.05.21	Km12+500	High noise levels	Completed	Contractor	
22	07.07.2021 – on-going	Tunnel No.4	High noise levels	On-going	Contractor	

38. For construction of the road, bridge and diversion roads and establishment of campsites, the project may require some lands outside ROW. LARPs do not cover diversion roads, camp sites and quarries. According to the LARP, compensation would be paid as per policy of the LARP for the temporary impacts if found during construction.

39. Currently, the Contractor has hired 22,606 sq. m. territory with three buildings from Technoservice, Ltd for establishment of the Campsite and 70,035 sq. m. from the Ministry of Finances and Economics of the Republic Adjara for installation of plants.

40. Furthermore, the Contractor entered rental agreements with local residents for various purposes. The summary of rental agreements is provided in the table below. Most of the agreements were effective for 12-month period, while remaining were one-time agreements, without any indication of the period of land use.

Table 3-7: Summary of Temporary Impacts

No	Location	Areas	Status	Purpose of Land Use	Lease Agreement Conclusion Date
1	Makhvilauri	70	Completed	Local diversion road (BR-11/P19)	18.09.2018

No	Location	Areas	Status	Purpose of Land Use	Lease Agreement Conclusion Date
2	Makhvilauri	300	Completed	Local diversion road (BR-11/P19)	25.09.2018
3	Makhvilauri	5004	Completed	Local diversion road (BR-11/P19)	26.11.2018
4	Makhvilauri	750	Completed	Material Storage Area	01.11.2018
5	Makhvilauri	1001	Completed	Land Storage Area	N/A
6	Pheria	2597	Completed	Land Storage Area	20.02.2020
7	Makhvilauri	879	Completed	Land Storage Area	04.04.2020
8	Makhvilauri	991	Completed	Land Storage Area	04.04.2020
9	Gantiadi	1677	On-going	Beam Transportation Area (BR-4)	01.06.2021 - present

4 GRIEVANCE REDRESS MECHANISM AND GRIEVANCE REDRESS STATUS

4.1 Formation of Grievance Redress Committee

41. A GRM for the project already been established, abide by the LARF policy and currently are working to allow the APs to appeal any disagreeable decision, practice or activity arising from land or other assets compensation, or any other aspect of project implementation. APs have been fully informed of their rights and of the procedures for addressing complaints, whether verbally or in writing, during consultation, survey etc. and they will also be informed at time of payment of compensation.

42. A Grievance Redress Committee (GRC) under the GRM also established at the community level (village/community authority) to resolve complaints and grievances through community participation. The Local GRC was established on 14 June 2016, to receive written as well as verbal grievances. The GRC has been formed with representatives from RDMRDI, local Gamgeoba, APs, women APs, and appropriate local NGOs to allow voices of the affected communities to be heard and ensure a participatory decision-making process. GRC decisions will be on a majority basis and will be publicized among the local communities. If the complainants are not satisfied with the GRC decisions, they can always file their cases in court.

43. GRCs formed with an office order from the Ministry of MRDI comprising the following persons/officials:

Representatives of local authorities (Gamgeoba):

1. Merab Mikeladze – village Makhinjauri
2. Vazha Tsitsandze – village Gantiadi

3. Avtandil Tarieladze – village Kapreshumi
4. Irakli Turmanidze - village Salibauri
5. Beglar Abashidze – village Peria
6. Shalva Zakaradze – village Makhvilauri

Representatives of Roads Department of Adjara:

1. Merab Gvarishvili – Roads Department of Adjara (GRC Secretary)
2. Giorgi Gvaramadze – Advisor of Head of Department RDMRDI.

Representatives of Local NGOs

1. Georgian National Academy of Science, Land Resource Management Commission (NGO)
2. Institute of development of regional and local government (NGO)

Representatives of Local Community

1. Guram Iremadze – Village Sameba
2. Elguja Guguladze – Village Peria
3. Nugzar Dumbadze – Khelvachauri rayon
4. Pezli Tsulukidze - Khelvachauri rayon

4.2 Grievances Received & Redressed up to Reporting Period at Level 1 (GRCE)

44. A total of 197 persons have submitted 11 categories of grievances to the GRC out of which 116 grievances have been resolved as of 31 December 2021. People now mostly (71Nos.) applied for damage to their assets caused by construction activities out of which 28 have been closed. Out of remaining 43 cases 21 cases are pending with the Contractor; 16 cases are forwarded to RD and other cases are from tunnel blasting zones. 39 Aps request inclusion of their residential structures or land plots in the acquisition list, out of which 29 cases are closed. 28 APs express dissatisfaction due disturbance by noise/vibration and dust out of which 13 cases closed. Left cases are from the tunnel N2, tunnel N3 and tunnel N4 areas.

45. Cases from Tunnel blasting zones will be finalized upon completion tunnel construction activities.

Table 4-1: Summary of the Grievances by Category with Status of Resolution Received up to Reporting Period at Level 1 (GRCE)

N	Nature of Grievances	No of Total Grievances	Result		Remarks
			Open	Closed	
1	Inclusion in LARP	39	10	29	
2	Compensation Rate	12	0	12	
3	Registration/ownership status	7	0	7	
4	Damage to infrastructure/Assets	71	43	28	16 cases are from tunnel blasting zones.

N	Nature of Grievances	No of Total Grievances	Result		Remarks
			Open	Closed	
5	Disturbance by noise/vibration/dust/flood	28	15	13	9 cases are from tunnel blasting zones.
6	Crop Compensation	7	2	5	
7	Loss of access road	12	7	5	
8	Recruitment/Employment	1	1	0	
9	Road upgrading	2	2	0	
10	Loss of Business	1	0	1	
11	Other	17	1	16	
	Total	197	81	116	

Table 4-2: Summary of the grievances by category with status of Resolution received during the Reporting Period (01.07.21 – 31.12.21) at Level 1 (GRCE)

N	Nature of Grievances	No of Total Grievances	Result		Remarks
			Open	Closed	
1	Damage to infrastructure/Assets	9	7	2	
2	Disturbance by noise/vibration/dust/flood	0	0	0	
3	Loss of access road	3	1	2	
4	Crop Compensation	2	1	1	
	Total	14	9	5	

4.3 Grievances Received and Redressed up to Reporting Period at Level 2 (GRCN)

46. A total of 82 persons have submitted 10 categories of grievances to the GRC out of which 56 grievances have been resolved by 31 December 2021, 20 are open and 6 have been put on "Tech. hold". People now mostly (34Nos.) applied for inclusion in the acquisition list out of which 22 have been closed. 19 APs express dissatisfaction due to damage they received because of construction activities, out of which 8 cases have been closed and 1 is put on "Tech. hold".

Table 4-3: Summary of the Grievances by Category with Status of Resolution Received up to Reporting Period at Level 2 (GRCN)

N	Nature of Grievances	No of Total Grievances	Result		Remarks
			Open	Closed	
1	Inclusion in LARP	34	10	24	
2	Compensation Rate	8	2	6	
3	Registration/ownership status	3	0	3	
4	Damage to infrastructure/Assets	20	6	14	
5	Disturbance by noise/vibration/dust/flood	3	2	1	
6	Crop Compensation	3	1	2	
7	HSE Concerns	5	3	2	
8	Loss of Business	3	1	2	
9	Restriction or loss of access road	2	0	2	
10	Other	1	1	0	
	Total	82	26	56	

Table 4-4: Summary of the Grievances by Category with Status of Resolution Received during the Reporting Period (01.07.21 – 31.12.21) at Level 2 (GRCN)

N	Nature of Grievances	No of Total Grievances	Result		Remarks
			Open	Closed	
1	Inclusion in LARP	1	0	1	
2	Damage to infrastructure/Assets	1	1	0	
3	Crop Compensation	0	0	0	
4	Loss of business	0	0	0	
5	Compensation rate	0	0	2	
6	HSE concerns	1	0	0	
	Total	3	2	1	

4.4 Issues Identified during Construction at Project Area

47. During ongoing road construction, some issues & concerns were reported by the local residents relating damage/threats to their houses, tree cutting, using land beyond acquisition boarder, excess noise & vibration, dust pollution etc. These issues were verified with necessary discussions with the concerned house/plot owners. Among concerns/issues found true, contractor has been advised to take necessary mitigation measure for proper solution of such problems with negotiation with the concerned parties & paying compensation, as necessary. If not under the Jurisdiction of Contractor, those cases to be referred to RD for timely & proper mitigations.

(i) cases occurred during the reporting period

48. Km 2+340, The citizen whose residential house was located on top of the Tunnel No. 2 with vertical distance of 17.8m between the Tunnel arch and house. From 24 June 2021 the construction activities were stopped at the Tunnel No. 2 due to the issues raised by the resident. Before the commencement of the construction activities the Contractor installed benchmarks for slope monitoring and made preconstruction survey of the house by marking the cracks with plaster. The blasting activities of the Tunnel No.2 has started on 1 June 2021 with low powder factor. Upon observing the movement of settlement of D12 benchmark point which is close to the house (nearest house 20 to 30 metres) the Contractor inspected the house again and observed that the cracks have increased, and plasters have opened. Therefore, the Engineer instructed the Contractor to temporary relocate the family. However, the family refused to be temporarily relocated. Thus, before the examination of the house by the Expertise Bureau the blasting works were suspended.

49. The Bureau issued decision that the house will receive negative impact during construction works and it is dangerous to carry on construction activities there. Therefore, Road Department decided to acquire the property. The works continued at the Tunnel No. 2 after acquisition of the property. (See Table 3-3– List of the Houses Included in the LARP)

50. Km 2+380 the citizen whose residential house was located at the left side of the Tunnel No.2 axis, at a distance of 6.60 m. The depth of from the Tunnel arch to the house is 19.50 m. During the drilling-blasting works at the tunnel, the part of soft soil has been collapsed. As a result, the house of the resident was damaged. The cracks appeared on the ground, as well at the residential house. The family was temporarily relocated. After the soft ground collapse the benchmarks underwent deformation at all points. One of the benchmarks deformations reached 46 mm. on 12 October 2021, the soft soil collapse was observed repeatedly. This action increased the settlement at the mentioned benchmark. Thus, After the long-term monitoring of the house, the Road Department decided to acquire the property. (See Table 3-3 – List of the Houses Included in the LARP)51. On km 2+400 due to the soft soil collapse at the Tunnel No. 2 the residential house and the cottage of the citizen that are located at the left side of the Tunnel were damaged. The cracks appeared on the cottage's concrete foundation, and they are widening in the size. the foundation of the cottage owned by the Citizen is damaged and it is not subject to restoration. Moreover, the citizen's cottage (Residential House) is located within the Strict Monitoring (Structure Damage Risk) zone. Also, the residential house of the citizen is being monitored. Currently, the house does not have any structural cracks but only cosmetic ones. However, after the completion of the Tunnel No.2 NATM works, it will be necessary to repeatedly inspect the Citizen's house to determine the degree of damage to the building. The well of the citizen also has gone dry. For this reason, the temporary water supply has been arranged to them and to other 8 families that experienced the same issue.

51. On km 3+870 – km 3+920, the citizen whose residential house had been already acquired under the scope of the project, stops the Construction works of Pipe culvert No. 21. The citizen has an unregistered land plot adjacent to her house, where she is cultivating fish at section km

3+870 - 3+920 (CL100). Totally she owns several basins for this purpose. The Citizen claims that the Construction works damaged her fish farm and the land plot. Also, the construction of the access road to her land plot is not possible. Thus, the resident asks for the land plot acquisition. As the land plot in her use is not registered on the citizen's name, the acquiring of the plot could be delayed for some time. The process of the land acquisition is still on-going.

52. In November 2021, the 9 households at Makhvilauri district claimed that their residential houses were damaged due to the blasting-drilling works at the Tunnel No.2. The Contractor was instructed to examine aforementioned citizens' residential houses, also to monitor the houses, meticulously to arrange the geodetic points and crack checkers on the cracks, and to examine the vibration rate at the mentioned section during the blasting works at the tunnel. The Contractor is implementing the instructions given by the Engineer. The monitoring of the houses is still on-going.

(ii) long-time pending cases that still not solved

53. On 15 November 2020 experts from Levan Samkharauli Expertise Bureau visited the house of the citizen, who is complaining that his house was cracked because of vibration caused by construction activities of Bridge No. 3. According to the conclusion from Samkharauli Forensics Bureau the house has I category damages and is suitable for living. Therefore, in February 2021 the Employer instructed the Engineer and the Contractor to proceed the monitoring of the impact of construction activities. As per the agreement before the commencement of the construction works at the mentioned area, the Contractor put the plasters at the cracks on the building. After the finish of the works, Post-Construction Survey was conducted. The Survey revealed that no cracks have developed at the residential house. The cracks observed in the house were fully consistent with the Pre-Construction Survey conducted on 2 August 2019.

54. In April 2020 the citizen claimed that the land plot under his ownership was damaged due to the construction activities (BR-10). In accordance with the agreement between the Contractor and another resident the Contractor dumped the soil in the land plot of the mentioned citizen whose land plot is bordering the land plot of the Complainant. During heavy rains the soils was washed out in the land plot of complainant damaging perennial trees and soil quality. The citizen was also claiming that the access to his land plot was restricted and was requesting compensation for stand down of crops.

55. After several site visits and meetings with AP the following mitigation measures were agreed:

- (i) the Contractor shall compensate for the loss incurred by the Complainant due to sliding of the material from the adjacent resident's land plot.
- (ii) The improvement of current condition of access road is impossible and the Employer will compensate stand down of the crops.
- (iii) Access road will be improved after completion of the main works at Bridge 10 which is May 2021.

56. As on the reporting period the Contractor cut the trees in the land plot. The resident received the stipulated compensation in full amount for his claims. Moreover, the access road to his land plot was arranged on 14 October 2021. Despite aforementioned, the complainant claims that the stipulations of the agreement are not fully implemented.

57. The embankment construction activities recommenced since 1 March 2021 at section km12+100 – km12+600. The Engineer has instructed the Contractor to update preconstruction survey reports and conduct monitoring of the impact in three houses where the owners were and are complaining that construction activities may possibly damage their properties. The Contractor updated preconstruction survey reports and marked the cracks with plaster to proceed the

monitoring. However, some of other local residents have also complained that land bulging has occurred in their land plots. The citizen's residential house, as well the land plot of the second resident, was damaged due to the treatment of the soft soil by means of stone column installations. The visit of the Levan Samkharauli National Forensics Bureau should be arranged to determine the real impact of the land bulge to the citizens possessions.

58. During the reporting period excavation of Tunnels No. 3 and No. 4 completed. Excavation of emergency exits was obstructed due to land acquisition issues and will recommence soon. The Contractor is implementing monitoring of vibration caused by blasting works in different houses. Since October 2019 37 complaints were received from local residents claiming that new cracks were developed in their houses due to tunnel construction activities.

59. Out of 37 complaints so far 9 are closed after the measurements of the vibrations. The complainants were living out of the defined risk zones around 300-400m away from the tunnel construction areas and the measurements did not show any vibration during blasting. Other cases are closely monitored by the Contractor and after completion of construction activities the final assessment will be issued.

(iii) long-time pending cases that were resolved

60. Adjacent to the Tunnel No. 1. Exit Portal the construction works were stopped since the previous reporting period. During implementation of portal preparation works the Contractor's and the Engineer's teams have observed landslide processes which put in danger stability of the house and small private cemetery owned by the local family. The Engineer recommended the Employer that before continuing tunnelling works it is required to relocate the cemetery and acquire the house. Thus, after the negotiations with the local residents the decision of cemetery relocation was obtained. The works were implemented successfully, all 32 graves were relocated, arranged, and embellished according to the existing rules.

61. Out of two land plots in the Project RoW at Interchange No. 3 (CL210 and CL204) both are acquired. The resident after the long period of documentation gathering processes presented the document that proved his usage of the land. Thus, as the land plots that fall under the right of way of the Project Road was acquired. Thus, the Contractor got access to the land plot and the construction works on the mentioned area are resumed.

62. Local residents have raised some issues concerning damage to their properties caused by construction activities. These issues require the Contractor's follow-up. The Engineer has already notified and give instruction to the Contractor to solve the below mentioned cases.

Table 4-5: Summary of Pending Social Issues Raised by the Local Residents

No.	Reference No.	Subject and Description	Follow-up	Status/Comment
1	5015001/2/1101 dated 04.11.19	HH adjacent to stone column area expressed dissatisfaction as her land plot was flooded due to inadequate drainage at the construction site. As a result, plants and fence were damaged, and drainage channels inside the land plot were blocked by material from the construction site.	The Contractor reported by letter No. GEO/BB/965-20 dated 14 March 2020 that he could not access the land plot and some of the damage was not caused by construction activities. However, during a site inspection the Engineer's representative observed otherwise. Currently the channels are cleaned,	Closed 11.12.21

No.	Reference No.	Subject and Description	Follow-up	Status/Comment
			and the fence has been restored by the Contractor.	
2	5015001/2/1235 dated 18.01.20	AP resident adjacent to entrance portal of tunnel No. 5 complains that the material from the construction site slid onto his land plot. Moreover, large stones also rolled down onto the land plot. As a result, plants were damaged.	No actions reported by the Contractor. The Complainant complained in Court.	
3	5015001/2/2128 dated 13.07.21	Family residing adjacent to exit portal of tunnel No. 3 is complaining that polluted water from the tunnel site is directly flowing into his land plot. The flooding also damaged the access road to the land plot.	The Contractor reported in letter No. GEO/BB/964-20 dated 14 March 2020 that the land plot was cleaned, and the large stones were removed. Water was also diverted from the land plot. However, during a site inspection it was observed that the land plot is still being flooded from the construction site. Furthermore, the polluted water from the tunnel construction site is causing withering of the trees. The access road also needs to be restored. The citizen registered the mentioned land plot on his name at the Public Registry.	<p>In December 2020 the Complainant registered the land plot and referred to the Employer by complaint. Letter with instruction was sent to the Contractor again.</p> <p>The Contractor tried negotiations. However, the AP disagreed with the compensation offer.</p> <p>As the land plot lacks possibility of access road construction, the citizen requested the acquisition of the land. Although, after the long examination, it was determined that land plot even from the beginning lacked the access road. Thus, the Contractor was requested to reimburse the damage caused to the citizen's land plot. The</p>

No.	Reference No.	Subject and Description	Follow-up	Status/Comment
				Contractor was notified regarding the above-mentioned on 27 December 2021.
4	5015001/2/2297 dated 08.10.21	Family resident adjacent to bridge No. 8 is complaining that her land plot was flooded several times due to pipes of inadequate size inserted by the Contractor with the purpose of construction access road to the Site.	<p>The Contractor reported by letter GEO/BB/946-20 dated 5 March 2020 that an additional pipe was installed, and outlets were widened. Since then, the land plot of the complainant was not flooded again. However, due to frequent flooding prior to the remedial works, several mandarin trees have withered. The Complainant is requesting compensation for damaged trees.</p> <p>The Contractor offered AP compensation 3000 GEL. However, she refused the offered and filed another complaint.</p> <p>The Contractor will invite Samkharauli Forensics Bureau for assessment of the damage. The progress will be reported in the monitoring report for the next period. The Bureau visited the place, though they refused to examine the place for the second time. The resident has not submitted the conclusion of the Bureau, which was arranged by them.</p> <p>The resident seeks for mediation, though the mediation is complicated because of the citizens attitude towards the Contractor's and the Engineers staff.</p> <p>The resident still complains regarding the river flow on her land plot. She seeks for</p>	<p>The resident repeatedly presented the complaint regarding the inactivity of the Contractor. Based on the claim the Contractor had not held any useful negotiation with the citizen. Pursuant to the Contractor's response, they had a dialogue with the citizen, though the citizen in reality had a complain concerning the flooding of her land plot that was caused due to the heavy rains. Also, the Contractor asked the citizen to present the expertise bureau decision to determine the damage. Somehow the resident refused to do the mentioned. The issue is still on-going.</p>

No.	Reference No.	Subject and Description	Follow-up	Status/Comment
			compensation and the construction of the retaining wall.	
6	5015001/2/1358 dated 03.04.20	XXXXXXXXXX is complaining that the Contractor violated the RoW border and used part of his land plot for construction of an access road.	The Contractor has removed damaged layer of soil, spread topsoil and fenced the land plot. The owner signed the contract.	Closed 17.09.21
7	5015001/2/2413 dated 24.11.21	The Complainant XXXXXXXXXX provided conclusion from LEPL Levan Samkharauli National Forensics Bureau where it is stated that the damage to the Complainant's house is caused by the construction activities of the Project Road.	On 26.02.21 The Contractor has sent vibration readings and monitoring data to Samkharauli Forensics Bureau. As the Contractor refuses their liability, the Engineer requested to present the whole correspondence that the Contractor held with the Samkharauli Forensics Bureau.	The Contractor after the long correspondence has refused their responsibility. Thus, the Engineer requested from the Contractor to arrange impartial Expertise by their own. The issue is still on-going. The Contractor has to present their response on the mentioned issue.
8	5015001/2/1472 dated 05.06.20	The material from Tunnel Construction site is flowing into the private land plot.	The Contractor invited Independent Expert to assess condition of the trees. It was concluded that no trees were harmed. The Contractor is now going to clean the land plot and close the Complaint. The progress will be reported in the report for the next monitoring period.	
9	5015001/2/1620 dated 01.09.20	Family adjacent to Bridge No. 3 raised concerns regarding the damage to her private property. The fact was confirmed by field survey conducted by the Engineer.	No actions reported by the Contractor. The Contractor cannot contact the owner as the indicated number is wrong. Evidently the owner is not living in Batumi.	
10	5015001/2/1849 05.02.21	Concerning claim from citizen XXXXXXXXXX due to damage he received during flooding on 2	By 9 October 2020 the Contractor implemented the following:	

No.	Reference No.	Subject and Description	Follow-up	Status/Comment
		October 2020.	<ul style="list-style-type: none"> • Replaced old pipe with the pipe of bigger dimensions. • Cleaned the riverbed. • Strengthened the bank works by soil backfilling on one part of the land plot. Strengthening works of the remaining part was impossible due to soil dumped by the Contractor. <p>The AP is requesting strengthening of the remaining section which was delayed due to no accessibility.</p>	
11	5015001/2/2127 13.07.2021	Concerning claim from citizen XXXXX about the damaged residential house induced from the Construction Works.	The Contractor presented the Pre-Construction Survey. The monitoring of the house is still on-going.	
12	5015001/2/2282 04.10.2021	Concerning claim from citizen XXXXX about the damaged access road induced from the Construction Works.	The Contractor submitted the situational plan of the future access road to the land plot. The Engineer requested to submit the whole Project details and BOQ of the access road.	
13	5015001/2/2485 22.12.2021	Concerning claim from citizen XXXXX about the damaged land plots and plants induced from the Construction Works.	The Contractor concluded the agreement with the citizen regarding the use of her land plot and compensation for the trees. Pursuant to the Contractor the compensation has been already paid.	The Engineer on 24 December 2021 requested from the Contractor to submit the copy of the signed agreement in a timely manner.
14	5015001/2/2201 25.08.2021	Concerning claim from citizen XXXXX about the damaged asbestos pipe induced from the Construction Works.	The Contractor restored the pipe in place and cleaned the territory, upon the completion of the construction works.	Closed 11.12.21

No.	Reference No.	Subject and Description	Follow-up	Status/Comment
15	5015001/2/2315 15.10.21	Regarding the claim of XXXXXX. The resident claims that the apartment that is located in Kveda Sameba is damaged due to the drilling-blasting works at the Tunnel No. 2.	No actions reported by the Contractor. The Contractor is checking the vibration rate at the place.	The apartment is located at the distance of 253.59 from the road edge. The extended part of the building has the huge crack that is induced due to the poor construction. The Municipality City Hall was notified about the issue as well.
16	5015001/2/2358 28.10.21	Regarding the claim of XXXXXX. The citizen claims that the drilling-blasting works at the Tunnel No. 2 damaged his residential house.	The Engineer notified a Contractor regarding the claim and provided instructions for the action.	
17	5015001/2/2368 03.11.21	Regarding the claim of XXXXXX. The applicant mentioned that the water supply system was repeatedly damaged due to the construction works of the Batumi Bypass Road Project.	The Engineer notified the Contractor about the issue. After the inspection of the problem, the Contractor refused their responsibility. As they mentioned they are not liable for unknown utility lines that cannot be identified in the official state systems.	Closed 4.10.21
18	5015001/2/2425 27.11.21	Regarding the claim of the citizen XXXXXX. According to the citizen the access road to his land plot was blocked due to the Batumi Bypass Road Project.	The Contractor notified that the access road has been arranged to the land plot.	Closed 20.12.21
19	5015001/2/2425 27.11.21	Regarding the claim of the citizen XXXXXX. The access road to his land plot was canceled due to the Batumi Bypass Road Project.	The Contractor notified that available local road in the vicinity is the most convenient and suitable way to use as an access road and an arrangement of the new access road is not possible due to the existing landscape.	Closed 11.12.21

No.	Reference No.	Subject and Description	Follow-up	Status/Comment
20	5015001/2/2477 and 5015001/2/2478 17.12.21	Regarding the claim of the brothers XXXXXX. The citizens claim that the drilling-blasting works at the Tunnel No. 2 damaged their residential houses. . Moreover, the citizen suggests that the drinking water available for their family may disappear due to the above-mentioned blasting works.	The Engineer notified a Contractor regarding the claim and provided instructions for the action.	
21	5015001/2/2505 30.12.21	Regarding the claim of the citizen XXXXXX. The citizen claims that the Contractor entered her land plot without permission and caused the damage to the bamboo trees. The Citizen is also interested in whether the arrangement of the access road to her land plot is considered.	The Engineer notified a Contractor regarding the claim and provided instructions for the action.	

5 OTHER SOCIAL SAFEGUARDS COMPLIANCE ISSUES

5.1 Maintaining Core Labor Standard

63. As per the Contractor informed, they have engaged 332 personnel, out of which 81 (24.39%) are foreigners and 251 (75.60%) Georgian nationalities. As for the Subcontractors out of 244 employees 50 (20.49%) are foreigners, while 194 (79.50%) are local.

64. Despite the Engineer's requests the Contractor still fails to provide complete information required by the Engineer as per relevant clauses of GCC. During the reporting period the Engineer's team conducted survey between the workers of the Contractor with simple questionnaire. As per the monitoring the Worker receive the salary timely, and they are paid for overtime working hours.

65. As a follow up the Employer has instructed the Contractor to comply the requirements of the GCC and instruction of the Engineer.

66. The Contractor has 10 hours working day (from 8 a.m. to 7 p.m.) plus alternative Sundays which amounts to 60-70 hours per week, exceeding the requirement of Georgian Labour Code which sets maximum 48 working hours per week. In such case Contractor should compensate overtime working hours with higher rate or give an employee day-off.

67. The complaint from citizen F former employee of the Contractor is still unresolved. The Complainant referred to the Engineer requesting the information about the incident that occurred on 31 August 2019. As per his statement during the incident he received personal injury and as result he has developed permanent disability and is unfit for work. The Engineer checked the incident report provided by the Contractor and contradicting the statement

of there is nothing mentioned about permanent disability developed as a result of the injury. Therefore, the Engineer instructed the Contractor to provide comprehensive report about the occurred accident with all the supporting documents including medical records of the injured person. Moreover, the Engineer reminded the Contractor about the requirements of Article 21 [Right of Data Subjects to request the Information] of LAW OF GEORGIA ON PERSONAL DATA PROTECTION and instructed to provide the complainant with the requested information as soon as possible. On 24.06.2020 he filed another claim requesting compensation for the damaged received at the workplace which is regulated by Clause “e” of article 10 of Organic Law of Georgia on Labour Safety and Decree No. 48 (9.02.99) of the Georgian President. However, the Complainant has not yet provided any medical document proving that he definitely received trauma.

68. As on latest information negotiation between the lawyers of the Contractor and Complainant are on-going.

69. was damaged in the area of the right ankle during the removing of the metal formwork. The person was treated at home during 21 days with the instructions of the doctor.

5.2 Child Labor in the Project Activities

70. During field monitoring period, no child labor (below the age of 18 years) was found engaged in the project works.

5.3 Forced or Compulsory Labor

71. All workers are deployed according to their eligibility and willingness. The female workers who are mostly engaged in cooking and cleaning are also deployed based on their eligibility and willingness.

5.4 Discrimination in Respect to Employment

72. During monitoring, no discrimination identified among the workers in terms of gender, locality, nation or religion, wages/salary.

5.5 Health and Safety and HIV/AIDS Awareness Program

73. The Contractor has arranged a medical office and employed Doctors for the treatments of the staffs/employees of the contractor.

74. The Contractor has appointed an accident prevention officer at the Site, who is responsible for maintaining safety and protection against accidents. He was found available on site every day.

75. To comply with the requirements of clause 6.7 of GCC the Contractor is conducting trainings for Site staff and labor and their families in connection to Sexually Transmitted Infections (STI) and Sexually Transmitted Diseases (STD) including HIV/AIDS on a quarterly basis. However, due COVID19 situation the trainings are not conducted on regular basis. During the reporting period the training was conducted only once in April 2021.

76. The Contractor took all proactive measures to prevent the spread of COVID-19 on the construction site. Employees are provided with personal protective equipment, medical mask etc. To raise awareness information posters related to COVID-19 are placed in the camp area. According to the COVID-19 status in Georgia, the company has purchased number of adequate of medical masks. Safety department handed over the masks to employees regularly. The Contractor immediately informed the Engineer that some staff was affected by COVID 19 and

they were put away into quarantine as preventive measure from the rest of the personnel on the same day.

77. The Engineer had three COVID-19 cases during the reporting period:

- (i) On 14 July Mr. _____, the local social/resettlement specialist has been tested positive on Covid-19. He was a closed contact with COVID-19 infected person. Mr. _____ were in self-isolation for 14 days. He has returned to the work after the full recovery from Covid-19.
- (ii) The driver Mr. _____ was a closed contact with COVID-19 infected person. On 9 November he was tested positive on Covid-19. He spent 14 days in self-isolation. He has returned to the work after the full recovery from Covid-19.
- (iii) The Engineer's local tunnel engineer Mr. _____ had a close contact with COVID-19 infected person. On 6 December he was tested positive on Covid-19. Mr. _____ moved into the covid hotel and stayed there for 2 weeks. After the full recovery he was back to the Project.

78. 16 new COVID-19 cases have been reported to the Engineer by the Contractor during the reporting period.

5.6 Status of Recruitment/Mobilization of Safeguard Team

79. CSC Consultants mobilized two positions of Social/Resettlement Specialist of them one National (NRS) and one International Social/Resettlement (IRS) for the project in March & October 2018 respectively. Currently, due to the implications for mobilization of IRS, solely NRS continuing works and are assisting/supporting RDMRDI with constant monitoring, in connection to resettlement program implementation with other social safeguards issues of the project. However, input of the IRS has a provision of 13 months intermittent inputs (9 months of Field Input and 4 months of Home Input) over the project implementation, while the NRS with 33.2 months of Field Input. The RDMRDI established a Resettlement Division & Resettlement Unit at the PIU level with requisite officers & staffs from beginning of the project to carry out & support to implement resettlement & rehabilitation of APs and other safeguards issues of the project covering total project implementation periods.

5.7 Project Social Safeguard Performance

80. From the beginning of the project implementation to till the current reporting period, 'PIU's RU team are working. Since mobilization of CSC consultant's experts are working on social/resettlement safeguards issues. Both the PIU & CSC experts are conducting required survey/investigations at the project site with necessary consultation with the stakeholders including beneficiary and affected people of the subproject with monitoring considering social safeguard issues. However, till the reporting periods, all the APs have been paid their due compensation with proper resettlement & rehabilitations for the partial road sections and already handed over to the contractor. The contractors are carrying out physical construction on those sections of the road. The remaining road sections currently under implementation of LARP through paying compensation to the APs. However, CSC's Resettlement Specialists are constantly monitoring resettlement & social safeguards issues, accordingly, they are preparing & submitting monthly, quarterly & Biannual monitoring reports to RDMRDI/PIU regularly.

81. No semi-annual SMR was prepared since project starting of LARP implementation to June 2018. So as required, after mobilization, IRS with assistance of the NRS & guidance from RDMRDI/PIU prepared first semi-annual SMR covering the periods from beginning of project implementation to June 2018. This current report be considered as the eight SMR in connection to LARPs implementation & related social safeguards issues of the project.

5.8 Compliance with Safeguard Covenants of Loan Agreement

82. Covenants of the loan agreement between ADB and MRDI that related to resettlement and social safeguards presented below in a tabular matrix form with the status of compliances up to the reporting period.

6 CONCLUSIONS AND NEXT STEPS

83. The Batumi Bypass Road Project implementation is ongoing, where resettlement and safeguards compliance is an important and highly valued aspect. The LARPs implementation program started by RDMRDI, since last half of 2016. The implementation of LARPs, as mentioned in the LARF, LARPS and project conditionality is complying with provisions to monitor both internally and externally of the entire resettlement implementation. In this connection, LARPs implementation compliance monitoring was conducted and prepared six (6) CRs for the implementation of completed parts of the road.

84. However, during construction activities due to redesigning of tunnel shafts and entrance portal of tunnel No. 2 (pile system), also because of the soft soil collapse at the Tunnel No. 2 and need for relocation high voltage utility lines acquisition of additional land was required. 14 residential properties were acquired due to adverse impacts caused by construction activities that could not be mitigated otherwise. Additionally, as per requirements EIA and LARP residential structures located within 25m from the road edge were included in LARP.

85. It is worth mentioning that during the reporting period old cemetery owned by , family was relocated. For these new impacts corrective action plan and addendum should be prepared and they should be covered by compliance reports of External Monitoring Consultant.

86. Project's GRM is functioning. There are 197 complaints received at Level 1 and 82 complaints – at level 2. However, there is delay in resolution process of the complaints. This specifically relates to the complaints related to the impacts from blasting activities and it requires some time for monitoring of the vibration.

87. This is the eight semi-annual SMR (covering the period of July- December 2021) prepared by the CSC Consultant for RDMRDI by the CSC's Resettlement Specialist. However, monthly and quarterly progress monitoring report are regularly produced and submitted by the NRS, since her mobilization in March.

88. In sum, it may be concluded that the RDMRDI teams working hard to make payment (compensation and other additional grants and benefits) to the APs timely with mitigation of grievances. Till date, the LARP implementation for the partial sections comprises road ROW completed with required relocation of affected households before handing over land to the contractor for construction. Handover of the land plot with cadastral code 05.35.22.723 at section km12+860 - km12+980 and two land plots at interchange No. 3 have already been acquired. It was revealed from the monitoring of LARPs implementation, substantial progress in connection to LARP implementation has been done in compliance to the ADB & project policy.

7 BAKURTSIKHE–TSNORI BYPASS ROAD SECTION

7.1 Introduction

89. Tbilisi-Bakurtsikhe-Lagodekhi international road (S-5) connects Tbilisi with Lagodekhi city, the state border with Azerbaijan, as well as with the towns of Kakheti region. The traffic and road

safety problems, as well as environmental impacts (noise, vibration, emissions) are significant particularly on Bakurtsikhe-Tsnori section of this road, where the currently existing alignment runs through the villages of Bakurtsikhe, Kardenakhi, Anaga and Vakiri. Vibration caused by large heavily loaded trailers conveying cargo from Turkey to Azerbaijan often causes damages to roads and roadside residential dwellings. The road technical standards are not met and there is no way for their improvement without substantial demolition of the existing infrastructure (houses, plots, etc.).

90. The Roads Department (RD) of the Republic of Georgia is planning to construct a new road in the Tbilisi-Bakurtsikhe-Lagodekhi international road: Bakurtsikhe-Tsnori section (15.6 km). The project consists of building a new road bypassing the densely populated villages along the existing road. Feasibility Study for the project has been prepared by Kocks Consult GmbH in August 2018 under the WB financing. Within this Feasibility Study, Kocks Consult GmbH has prepared the Resettlement Action Plan (RAP) in World Bank (WB) format. The RAP is approved by the WB and RD MRDI in June 2019.

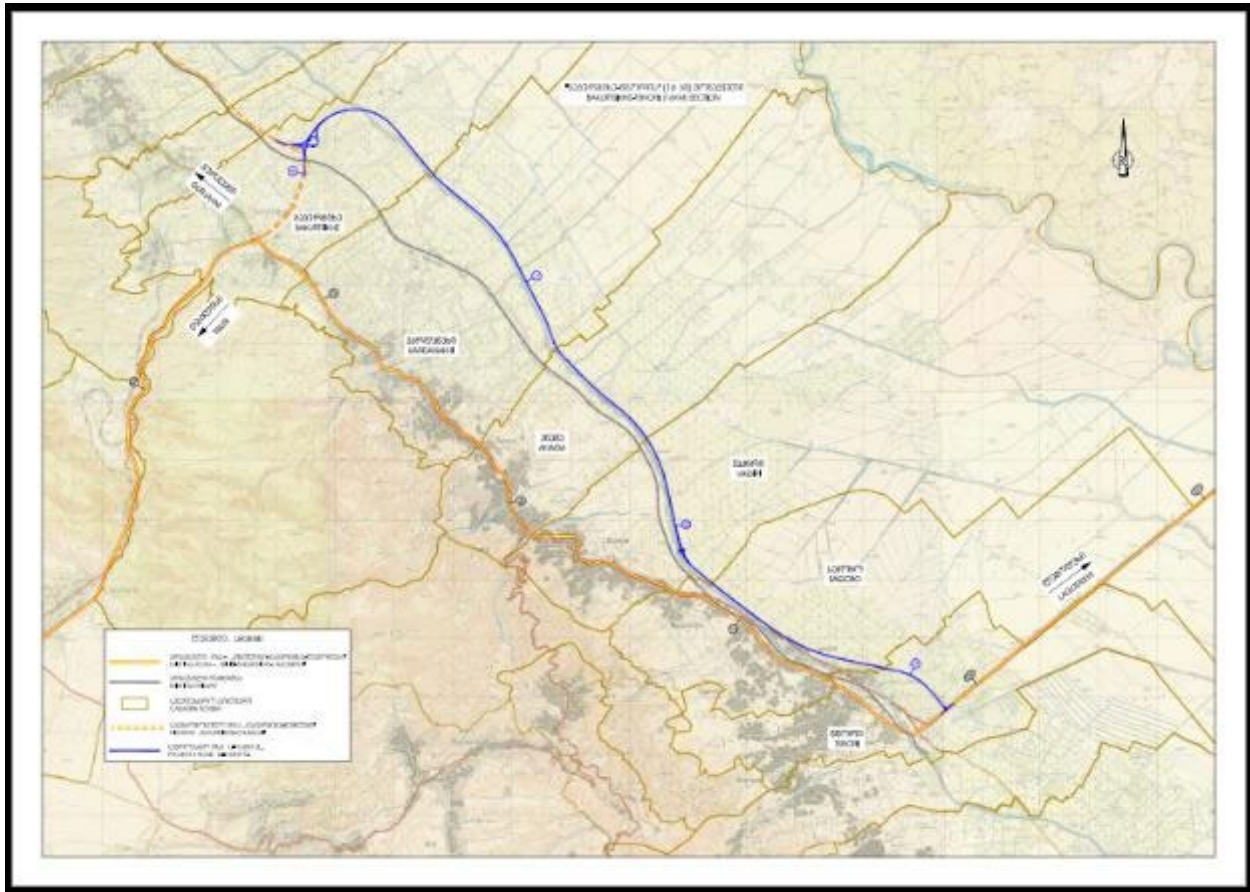
91. Impacts along these road sections will entail acquisition 705,735 sq.m of land from 916 plots, including 899 private plots and 17 public land plots. Private plots will be compensated while public plots will not. Of the total private land 891 have status of agricultural (arable) land (647,932 sq.m) and they are actually used for crop cultivation, tree planting or other agricultural needs. 5 land plots (9,440 sq.m) have status of agricultural (residential) land, although they are not currently used for residential or agricultural needs. Abandoned houses are located on these plots. Three land plots (3,123 sqm) have commercial-agricultural status and are used for nursery of plant saplings. The project has impact on 720 AH (1787 individuals). All of these mentioned 720 AH are losing land. Only three AH lose their buildings that are not used as residential (abandoned old houses and ancillary buildings). No physical relocation is planned under this LARP. There are no AH losing business, employment and other sources of income. The total number of affected trees is equal to 131,524. Total number of affected grape-trees is 119,621. No agricultural tenants or businesses will be affected. 615 AHs are deemed as severely affected AH (households losing > 10% of their income or productive land) and 28 AHs are recognized as the vulnerable AH (poor and women headed AHs). Given these impacts the project under this LARP is classified as "A" for resettlement.

92. As per ADB Safeguard Policy Statement (SPS 2009). A project falls under Category A project, considering the significance involuntary resettlement issues. The project has no impact over indigenous people or the communities.

7.2 Census and Impact Assessment

93. The project road Bakurtsikhe-Tsnori is 16 km long and will detour from the densely populated villages and run through the arable agricultural land parcels that belong to the residents of six settlements of Gurjaani and Sighnaghi municipalities of Kakheti region: villages Bakurtsikhe and Kardanakhi of Gurjaani municipality and villages Vakiri, Anaga, Sakobo and city of Tsnori of Sighnaghi municipality.

Figure 7-7-1: Project Location Map



94. The total width of the road corridor is 13m. The road consists of the two lane carriageway and the shoulders. The selected design elements for the cross section of the project road are as follows:

Number of lanes: 2

Lane width: 3.50 m

Carriageway width: 7.00 m

Width of paved shoulder: 2.50 m

Total road width: 13.00 m

95. The resettlement impacts and inventory of losses have been estimated within this 13m width corridor. A detailed inventory of all the impacts has been done following the final alignment as per detailed engineering design.

7.3 Socio-Economic Information

96. A census of 100% of the AHs available on site was conducted to enumerate the APs. The census and socio-economic survey was conducted with regard to all located project affected households. Some householders residing in Tbilisi were interviewed in person, while others working abroad were interviewed through telephone and Skype calls. An extended socio-economic survey covers 99.6% of the total AHs covered in census. The objective of the

socioeconomic survey was to gather general information on socioeconomic condition of the affected people. The socioeconomic information of the affected population as per census and socioeconomic survey is presented hereunder.

7.4 Legal and Policy Framework

97. The legal and policy framework of the Project is based on national laws and legislations related to Land Acquisition and Resettlement (LAR) in Georgia and ADB's Safeguard Policy Statement 2009. Based on the analysis of applicable laws and policies and ADB's Policy requirement, project related LAR principles have been adopted.

7.5 Grievance Redress Mechanism

98. A grievance mechanism will be established to allow an AP appealing any disagreeable decision, practice or activity arising from land or other assets compensation. APs will be fully informed of their rights and of the procedures for addressing complaints whether verbally or in writing during consultation, survey, and time of compensation. Care will always be taken to prevent grievances rather than going through a redress process. This can be done through careful LAR design and implementation, by ensuring full participation and consultation with the APs, and by establishing extensive communication and coordination between the affected communities, the RDMRDI, and local governments in general.

99. The RDMRDI GRM consists of a temporary, project-specific units established at the local (municipal) level in project affected municipalities and regular system established at RDMRDI. Local Grievance Redress Mechanism (LGRM) is being established at municipal level as a project-specific instrument, which is functional only for the period of the project implementation. Grievance Redress Commission (GRC) is formed as permanently functional informal structure within the RDMRDI to ensure grievance review, resolution and record. GRC is operational since 2012. Grievance resolution is a three-stage process, including:

Stage 1 – Grievance resolution at the local level and LGRM

100. Stage 1 of the grievance resolution process comprises collection of the grievances that have been submitted at the local level (to affected Municipalities; CW Contractor; RDMRDI local representatives etc.) and review and resolution of the grievances that could be administered at the local level without engagement of central GRC. The type of complaints that could be resolved at the local level include usually construction related environmental and social impacts, like damage of assets, community infrastructure, dust emissions or noise impacts, traffic safety issues etc. LGRM has no competence to resolve many LAR related issues, like verification of the inventory of losses and repeated valuation of lost assets, but LGRM and stage 1 process should be efficient support for collecting such type grievances and directing them to the RDMRDI central office for further review and resolution under the GRC (stage 2 process). All type of grievances that have not been successfully resolved at the LGRM level through the Stage 1 process, will be redirected to the GRC with the supporting documents describing the efforts of LGRM to resolve the grievance.

Stage 2 – GRC review of AP's complaint

101. For Stage 2 of grievance resolution process the RDMRDI has established a Grievance Redress Commission (GRC) as a formal mechanism that will be called upon each time a complaint reaches the Stage 2. GRC notifies the AP about the receipt of the grievance within 10 days, reviews the written complaints of APs, which were not satisfied at Stage 1 or are not of competence of LGRM and, within one month, informs the AP about the decision in compliance

with the Administrative Code of Georgia. If the complainant is not satisfied with the decision of GRC, then she or he may proceed with court.

Stage 3 – Court decision

102. If complainants are not satisfied with the decision of the GRC, they have the right to bring the case to the court. The aggrieved AP can take a legal action not only about the amount of compensation but also any other issues, e.g. occupation of their land by the contractor without their consent, damage or loss of their property, restrictions on the use of land/assets, etc. The decision of the court is final.

103. The information regarding the grievances received during the LARP implementation will be presented via the CR.

7.6 LARP Implementation

104. The time bound implementation schedule of the LARP has been prepared in consultation with the RDMRDI. All activities related to LAR have been planned to ensure that compensation is paid prior to displacement and commencement of civil works construction. The most important acquisition activity, relating to the privatization process in Georgia, is the legalization of legalizable owners of the identified land parcels for acquisition. The legal status of affected land parcels in the project road in Gurjaani and Signagi Municipalities have been identified through title search during the land acquisition and resettlement survey and documentation work in December 2017 - January 2018 and verified and updated during May/June 2019. The titled, non-titled and legalizable owners of land parcels to be acquired have been identified in the survey.

105. The Resettlement Unit of the RDRD under RDMRDI sets up relevant institutions and line up ETCIC, LARC, Working Group/LAR Team, GRC and the like for the Project. Upon completion of the draft LARP from the detail design consultant, the RDRD reviews and approve the document including compensation rates. RD will submit the approved LARPI to ADB for approval. Meanwhile, RDMRDI will implement actions for legalization of legalizable owners listed in the ACS of LARP (ACS) at the field level. All arrangements will be set for signing the contract agreement with the APs and the process will be executed for land purchase and compensation agreements. The capacity building exercise will be enhanced during this stage. Representative of the APs. After completion of legalization of all legalizable owners of land parcels under LARP, RDMRDI will award civil works contracts (signing of contract awards). The initial LAR activities will be the following:

- (i) Establishment of LAR Institutions;
- (ii) Updating of LAR Budgets and ACS;
- (iii) Confirmation of updated impact data and of compensation amounts; and
- (iv) Approval of LARP by ADB and Government.

106. The activities listed below will be undertaken during actual implementation of LARP:

- (i) Sub-division of project affected land parcels and acquisition of portion with project ROW added with orphan land where such need is confirmed;
- (ii) Signing of land acquisition and compensation agreements with APs and completion of sales transactions registration at the NAPR on the name of AP and RDMRDI;
- (iii) Establishing special accounts (i.e. escrow account) to deposit compensation amounts allocated under the budget for absent, missing APs, including the land parcels whose legitimate possessors could not be located by then;

- (iv) Capacity building training of LAR institutions, APs and NGOs;
- (v) Grievance resolution (xvi) Requisition to TRRC for payment of compensation and allowances;
- (vi) Transfer of compensation and allowance to APs' bank account;
- (vii) Relocation of affected structures/ assets;
- (viii) Ongoing Internal Monitoring;
- (ix) External Monitoring and preparation of Final Compliance Report; and
- (x) Notice to proceed for Civil works construction.

107. The LARP implementation commenced in January 2020 and to date 71.64% of acquired project affected land parcels are covered under 13 segments (12.54 km) of entire 16.8 km long road section. The 13 segments as shown in table 1 below will be covered under CR 1 where LARP implementation has been accomplished to 644 land parcels and all 475 eligible AHs were issued full compensation in accordance with stipulations of the approved ADB LARP.

Table 7-1: Implementation Status of LARP

Description	No. of CR	Segment Per CR	Start Km	End Km	Length (Km) of Segment	No. of Parcel	No. of AH	Date of ADB Approval
Entire Bakurtsikhe-Tsnori new bypass covered under the approved LARP	N/A	N/A	0.0	16.8	16.8	916		Jun-19
Compliance Report No. 1 (CR 1)	CR 1	Segment 1	0+000	2+350	2.35	111	75	To be submitted in 2022
		Segment 2	2+600	3+000	0.40	24	18	
		Segment 3	3+050	3+640	0.59	30	23	
		Segment 4	3+900	5+800	1.90	104	72	
		Segment 5	6+300	8+250	1.95	107	68	
		Segment 6	8+350	9+000	0.65	30	24	
		Segment 7	9+050	9+500	0.45	16	15	
		Segment 8	10+000	10+450	0.45	16	10	
		Segment 9	11+000	11+700	0.70	38	34	
		Segment 10	11+800	13+000	1.20	62	53	
		Segment 11	13+100	13+900	0.80	50	40	
		Segment 12	15+050	15+550	0.50	29	24	
		Segment 13	16+200	16+800	0.60	27	19	
Sub-total	CR 1	13 Segments			12.54	644	475	
Remaining								
Compliance Report No. 2 (CR 2)	CR 2	Segment 14	2+350	2+600	2.35			To be prepared upon completion of LAR activities
		Segment 15	3+000	3+050	0.40			
		Segment 16	3+640	3+900	0.59			
		Segment 17	5+800	6+300	1.90			

Description	No. of CR	Segment Per CR	Start Km	End Km	Length (Km) of Segment	No. of Parcel	No. of AH	Date of ADB Approval
		Segment 18	8+250	8+350	1.95			
		Segment 19	9+000	9+050	0.65			
		Segment 20	9+500	10+000	0.45			
		Segment 21	10+450	11+000	0.45			
		Segment 22	11+700	11+800	0.70			
		Segment 23	13+000	13+100	1.20			
		Segment 24	13+900	15+050	0.80			
		Segment 25	15+550	16+200	0.50			
Sub-total	CR 2	12 Segments			4.26			
Total		25 Segments			16.80			

8 POTI – GRIGOLETI: CONSTRUCTION OF POTI BRIDGE AND ACCESS ROADS

8.1 Introduction

108. The Roads Department (RD MRDI) of the Republic of Georgia has approached ADB proposing to construct a new bridge crossing the Rioni River in Poti, Western Georgia. The project consists of constructing a new short section of road approximately 2.5 km in length including the bridge which will be some 500 m in crossing the Rioni River. The executing agency for the project will be the Ministry of Regional Development and Infrastructure (MRDI) and the Implementing Agency will be MRDI's Roads Department (RD). MRDI will be the Employer for the civil works contracts.

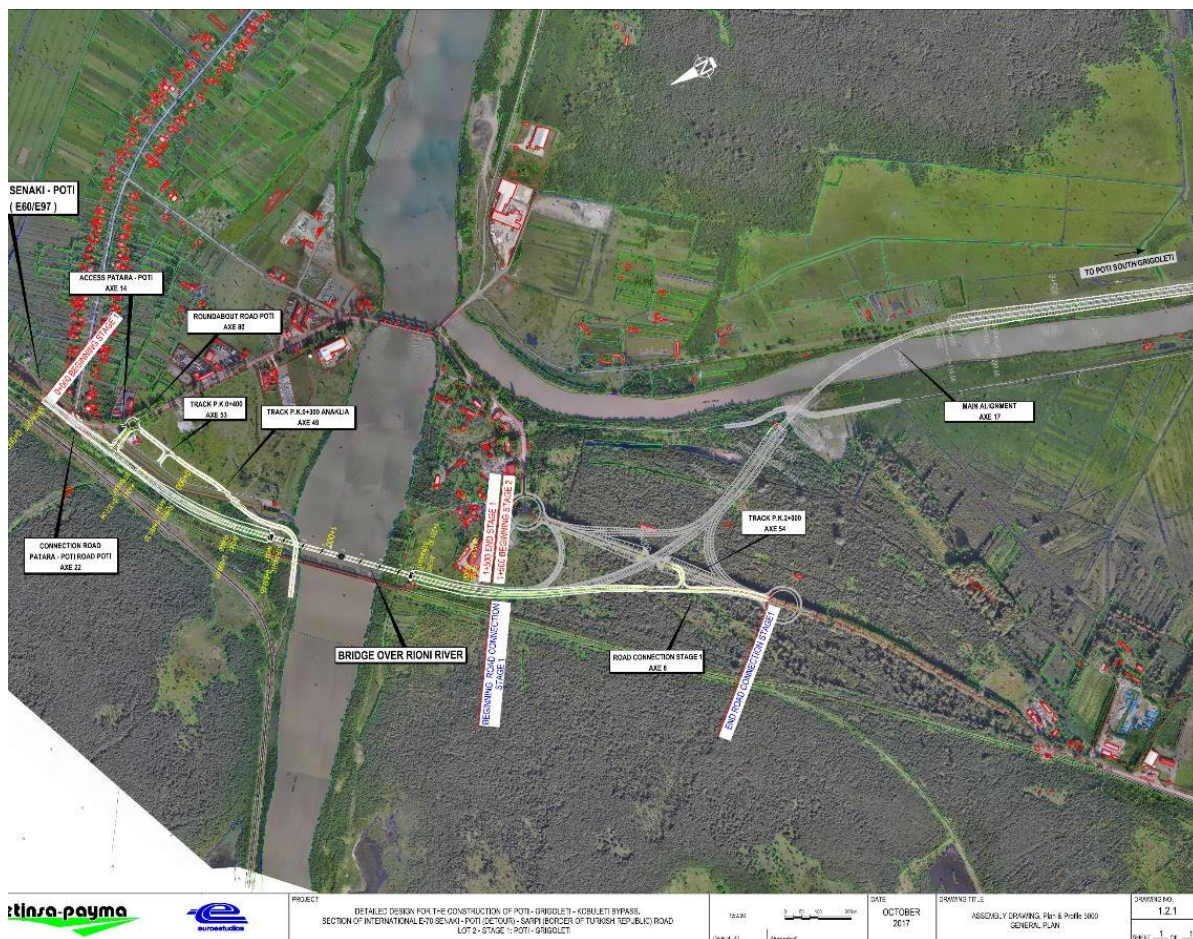
109. The initial RAP for this project has been prepared by the RD MRDI Consultants (Gamma Consulting) under the EIB financing. Further development of the project under the ADB financing required review of this RAP and its update in ADB format compliant with SPS 2009. An international social safeguards (resettlement) specialist has been engaged to carry out due diligence on the new project bridge and road section. The major tasks of this specialist is to assist RD MRDI in finalizing the draft Land Acquisition and Resettlement Plan (LARP) for Poti Bridge project suitable for ADB financing and consistent with ADB's Safeguards Policy Statement 2009.

110. LARP was prepared by RD MRDI under the assistance of the international social safeguards (resettlement) specialist hired by ADB and is final. It is based on detailed design and the requirements of the ADB Safeguards Policies update (2009). Its objective is to plan and implement LAR for the short road section (2.5km) including the 500m length bridge over the river Rioni. The LARP has been prepared through update of the factual data presented in initial RAP, revision of certain approaches used during the RAP preparation and restructuring the document in compliance with the SPS 2009.

111. Impacts along these road sections will entail acquisition 33,647 sq.m of land from 30 plots, including 14 private plots and 16 public land plots. Private plots will be compensated while public

plots will not. Of the total private land 7 have status of agricultural (arable) land (5,082 sq.m), although they are not actually used for crop cultivation, tree planting or other agricultural needs. 4 land plots (7,097 sq.m) have status of agricultural (residential) land, although they are not currently used for residential or agricultural needs. Three land plots (3,488 sqm) have non-agricultural status. One of these plots is used for business (gas filling station). The project has impact on 12 AH and 1 company (59 individuals). All of these mentioned 12 AH and 1 company are losing land. Only 1 AH loses his buildings (abandoned and not finished residential house and ancillary building), 4 AHs are losing fences. There are no AH losing crops, trees, business, employment and other sources of income. No agricultural tenants or businesses will be affected. No physical relocation is planned under this LARP. The 11 AHs are deemed as severely affected AH (households losing > 10% of their income or productive land) and 2 AHs are recognized as the vulnerable AH (women headed AHs). Out of the total of 12 AH and 1 private company, 11 AHs and 1 company are holders of legal land titles for their plots (12 plots) and 2 AHs are holders of legalizable plots (2 plots). Out of this 1 AH loses 2 land plots of different categories – 1 registered and 1 legalizable plot. Given these impacts the project under this LARP is classified as “B” for resettlement.

Figure 8-1: Project Location Map



8.2 Socio-Economic Information

112. A census of 100% of the AHs available on site was conducted to enumerate the APs. A sample socio-economic survey was included in the project area covering 8 households which is approximately 61.5% of the total AHs covered in census. The objective of the socioeconomic survey was to gather general information on socioeconomic condition of the affected people. The socioeconomic information of the affected population as per census and socioeconomic survey is presented hereunder.

8.3 Legal and Policy Framework

113. The legal and policy framework of the Project is based on national laws and legislations related to Land Acquisition and Resettlement (LAR) in Georgia and ADB's Safeguard Policy Statement 2009. Based on the analysis of applicable laws and policies and ADB's Policy requirement, project related LAR principles have been adopted.

8.4 Grievance Redress Mechanism

114. A grievance mechanism will be established to allow a AP appealing any disagreeable decision, practice or activity arising from land or other assets compensation. APs will be fully informed of their rights and of the procedures for addressing complaints whether verbally or in writing during consultation, survey, and time of compensation. Care will always be taken to prevent grievances rather than going through a redress process. This can be done through careful LAR design and implementation, by ensuring full participation and consultation with the APs, and by establishing extensive communication and coordination between the affected communities, the RDMRDI, and local governments in general.

115. The RDMRDI GRM consists of a temporary, project-specific units established at the local (municipal) level in project affected municipalities and regular system established at RDMRDI. Local Grievance Redress Mechanism (LGRM) is being established at municipal level as a project-specific instrument, which is functional only for the period of the project implementation. Grievance Redress Commission (GRC) is formed as permanently functional informal structure within the RDMRDI to ensure grievance review, resolution and record. GRC is operational since 2012.

Stage 1 – Grievance resolution at the local level and LGRM

116. Stage 1 of the grievance resolution process comprises collection of the grievances that have been submitted at the local level (to affected Municipalities; CW Contractor; RDMRDI local representatives etc.) and review and resolution of the grievances that could be administered at the local level without engagement of central GRC. The type of complaints that could be resolved at the local level include usually construction related environmental and social impacts, like damage of assets, community infrastructure, dust emissions or noise impacts, traffic safety issues etc. LGRM has no competence to resolve many LAR related issues, like verification of the inventory of losses and repeated valuation of lost assets, but LGRM and stage 1 process should be efficient support for collecting such type grievances and directing them to the RDMRDI central office for further review and resolution under the GRC (stage 2 process). All type of grievances that have not been successfully resolved at the LGRM level through the Stage 1 process, will be redirected to the GRC with the supporting documents describing the efforts of LGRM to resolve the grievance.

Stage 2 – GRC review of AP's complaint

117. For Stage 2 of grievance resolution process the RDMRDI has established a Grievance Redress Commission (GRC) as a formal mechanism that will be called upon each time a complaint reaches the Stage 2. GRC notifies the AP about the receipt of the grievance within 10 days, reviews the written complaints of APs, which were not satisfied at Stage 1 or are not of competence of LGRM and, within one month, informs the AP about the decision in compliance with the Administrative Code of Georgia. If the complainant is not satisfied with the decision of GRC, then she or he may proceed with court.

Stage 3 – Court decision

118. If complainants are not satisfied with the decision of the GRC, they have the right to bring the case to the court. The aggrieved AP can take a legal action not only about the amount of compensation but also any other issues, e.g. occupation of their land by the contractor without their consent, damage or loss of their property, restrictions on the use of land/assets, etc. The decision of the court is final.

8.5 LARP Implementation

119. The time bound implementation schedule of the LARP has been prepared in consultation with the RDMRDI. All activities related to LAR have been planned to ensure that compensation is paid prior to displacement and commencement of civil works construction. The most important acquisition activity, relating to the privatization process in Georgia, is the legalization of legalizable owners of the identified land parcels for acquisition. The legal status of affected land parcels in the project road in Khobi Municipality has been identified through title search during the land acquisition and resettlement survey and documentation work in October-November 2017. The titled, non-titled and legalizable owners of land parcels to be acquired have been identified in the survey.

120. The Resettlement Unit of the RDRD under RDMRDI sets up relevant institutions and line up ETCIC, LARC, Working Group/LAR Team, GRC and the like for the Project. Upon completion of the draft LARP from the detail design consultant, the RDRD reviews and approve the document including compensation rates. RD will submit the approved LARPI to ADB for approval. Meanwhile, RDMRDI will implement actions for legalization of legalizable owners listed in the ACS of LARP (ACS) at the field level. All arrangements will be set for signing the contract agreement with the APs and the process will be executed for land purchase and compensation agreements. The capacity building exercise will be enhanced during this stage. Representative of the APs. After completion of legalization of all legalizable owners of land parcels under LARP, RDMRDI will award civil works contracts (signing of contract awards). The initial LAR activities will be the following:

- (i) Establishment of LAR Institutions;
- (ii) Updating of LAR Budgets and ACS;
- (iii) Confirmation of updated impact data and of compensation amounts; and
- (iv) Approval of LARP by ADB and Government.

121. Payment of compensation and allowances under LARP will commence after a number of preparatory tasks have been completed. These tasks are:

- (i) Signing of contacts with Aps;
- (ii) Disclosure and consultation;
- (iii) Capacity building training of LAR institutions, APs and NGOs;
- (iv) Grievance resolution;
- (v) Requisition to ETCIC for payment of compensation and allowances;
- (vi) Transfer of compensation and allowance to APs' bank account and registration

- of land in PR on RDMRDI name;
- (vii) Relocation of affected structures/ assets;
- (viii) Compliance review and reporting;
- (ix) Notice to proceed for Civil works construction; and
- (x) Monitoring.

122. The LARP implementation started in August 2020. The sectional approach has been exercised to carry out land acquisition and compensation of APs segment by segment. To date the general progress of LARP implementation make 69.23 %. More specifically out of total thirteen (13) private land parcels nine (9) are acquired and only four (4) parcels located along the Segment 3 (at 548 meter long section of the access road) on are not yet acquired or cash compensated. Therefore, sectional approach has been exercised and the entire road section and access road was subdivided into three (3) Segments: Segment 1 - entire main road of 2.5 km; Segment 2 - one part (452 meter of 1km long access road) of access road and Segment 3 - second part (548 meter) of 1 km long access road.

Table 8-1: Implementation Status of LARP

Project title: Lot 2 – Stage 1: Poti – Grigoleti Bridge over Rioni and Access Roads	No of CR	Segment Per CR	Start km	End km	Length (km) of Segment	No of Parcel	No of AH	Date of ADB Approval
	n/a		0.000	2.500	2.500	15	13	July 2019
Compliance Report No. 1	CR 1	Segment 1	2.500	2.500	2.500	3	1	Under ADB review February 2022
		Segment 2 (access road)			0.452	2	1	
Sub-total	CR 1	2 Segments			2.952 km	3	2	
Remaining								
Compliance Report No. 2	CR 2	Segment 3 (access road)	0.452	1.000	0.548	12	11	To be prepared upon completion of LAR activities
Sub-total	CR 2	1 Segment			0.548 km	12	11	
Total		3 Segments			3.500 km	15	13	

ANNEX 1: Status of Resettlement and Social Safeguard Issues Related to Loan Covenants as of 31 December 2021

Covenant	Safeguard Applicability	Status of Compliance
<p>Implementation Arrangements: The Borrower, RDMRDI, the IA shall ensure that the Project is implemented in accordance with the detailed arrangements set forth in the PAM & agreement between the parties. Any changes to the PAM shall become effective only after approval of such change by the Borrower and ADB. In the event of discrepancy between the PAM and the Loan Agreement, the provisions of this Loan Agreement shall prevail.</p>	<p>Loan Agreement between RDMRDI and ADB</p>	<p>Complied with.</p>
<p>Grievance Redress Mechanism:</p> <p>RDMRDI shall establish a Grievance Redress Mechanism (GRM), acceptable to ADB, and also to establish local GRC to receive and resolve complaints/grievances or act upon reports from APs or stakeholders any other issues, including grievances due to resettlement.</p>	<p>ADB Loan Agreement</p>	<p>Following loan covenant, MRDI completed formation of GRM. And GRC also formed under the GRM of the Batumi Bypass Project with necessary approval from competent Authority. The GRM & GRC are in place and functioning at the Project & Local levels to resolve complaints/grievance of the stakeholders & APs, as required.</p>
<p>Resettlement:</p> <p>The Borrower, RDMRDI shall ensure that:</p> <p>a. The project involves involuntary resettlement shall be carried out in accordance with the Land Acquisition & Resettlement Framework (LARF) agreed upon between the Borrower and ADB, that prepared LARP & other documents with updates based on Borrower’s prevailing Acquisition of Property Ordinance with subsequent amendments & ADB’s SPS, 2009.</p>	<p>ADB Loan Agreement</p>	<p>Two LARPs prepared & updated by RDMRDI abide by the ADB & GOG policy following detail design and were approved by ADB.</p>

Covenant	Safeguard Applicability	Status of Compliance
<p>b. The LARP that has been prepared and agreed by the Borrower and ADB, for the project, shall be updated and provided to ADB for review and clearance following detailed design and prior to civil works contract award;</p>	<p>ADB Loan Agreement</p>	<p>LARPs prepared & updated and get approved by ADB prior to civil works contract.</p> <p>Moreover, during implementation, Social safeguard issues include land acquisition and resettlements were furthermore verified by RDMRI's relevant team, for design completed/ implementation ready LARPs, which necessitated to prepare an addendum. Accordingly, a detail review of impacts conducted through required surveys/investigations, measurements of affected disputed properties with the full satisfaction of APs & prepared an addendum to LARPs. Subsequently LARPs & Addendum has been implemented.</p>
<p>c. Conduct Compliance Monitoring of Implemented LARPs.</p>	<p>As per ADB Loan Agreement</p>	<p>After completion of LARP implementation with addendum for partial road sections with completion of compensation payment to APs, LARPs Implementation compliance Monitoring were done by an External Monitoring Consultant (EMC) conducting required Survey, they prepared three Compliance Reports (CR) for the partial road sections. These CRs endorsed by MRDI & subsequently, approved by ADB</p>
<p>d. All affected persons are given adequate opportunity to participate in the resettlement planning and implementation;</p>	<p>ADB Loan Agreement</p>	<p>Complied with</p>

Covenant	Safeguard Applicability	Status of Compliance
e. The LARPs are disclosed to the affected persons, who are compensated and assisted prior to displacement from their houses, land and assets, before commencement of Civil Works;	ADB Loan Agreement	Complied with
f. additional assistance is provided for vulnerable groups;	ADB Loan Agreement	Complied with
g. works contracts under the Project include requirements to comply with the RPs;	ADB Loan Agreement	Provision included in the bidding documents of the Works contracts.
h. implementation of the LARPs is monitored internally by the PIUs with assistance from CSC and reported monthly, Quarterly & SMR to the RDMRDI who shall report the results semiannually to ADB; and	ADB Loan Agreement	Complied
i. affected person(s) have an opportunity to express grievance at appropriate levels, and that local officials are instructed to resolve disputes and implement measures promptly in accordance with the grievance redress process outlined in the LARF & LARPs	ADB Loan Agreement	Ensured and APs are availing those opportunities duly, as requires & where applicable.

