

Social Monitoring Report

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Semestral Report (January–June 2022)
July 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
AIIB	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 820-11s; 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 and 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 several 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 valuation method of assets that helps determine the amounts sufficient to replace lost assets and cover transaction costs. In applying this valuation method, 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 should be 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 replacement cost standard.

Land Acquisition and 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 are 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 and 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 ninth (9th) semi-annual Social Safeguards Monitoring Report (SSMR) for Batumi Bypass Road Project in Georgia covers the period from January-June 2022. 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 first half of 2022. It provides information on social safeguards activities related to the preparation and implementation of the LAR plans (LARPs) 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.

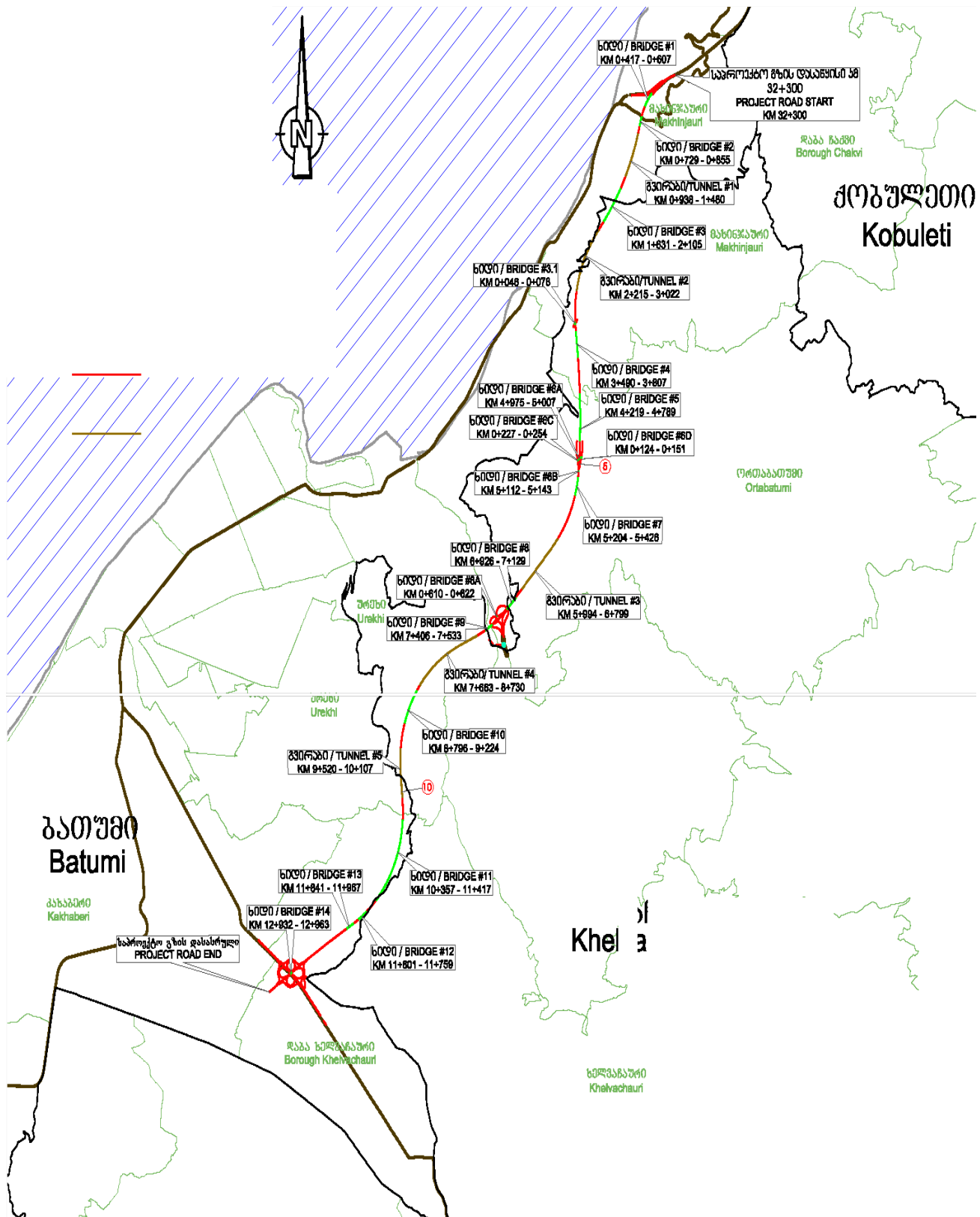
3. Batumi Bypass Road once was included in tranche 2 under Multi-tranche Financing Facility (MFF) projects in 2009 as parts of the entire East West Highways (EWH), with financing from ADB. For this purpose, a LARP was prepared during feasibility stage in 2009 by the Roads Department under the Ministry of Regional Development Infrastructure in Georgia (RD-MRDI). The objectives of the LARP preparation for the bypass road construction were 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 sought to upgrade the entire EWH, and ADB agreed to finance the project upon the request of the client. Finally, with ADB agreement, RDMRDI started preparation and updating of the required documents. This was followed by implementation of LARP by RDMRDI since August 2016. The Construction Supervision Consultant (CSC), SMEC International Pty Ltd, was mobilized on 11 September 2017 and started their activities with the design review. 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).

4. The project road is designed to bypass the city of Batumi to the east (please see Figure 1-1. Batumi Bypass Road Project Location Map) and, because of the topography and urban landscape that it traverses, it 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).

5. In September 2019, the project scope was expanded, and two additional construction subprojects were added, namely (i) Bakurtsikhe–Tsnori road; and (ii) Poti Bridge and approach roads. RD prepared LARPs for these two subprojects in accordance with ADB's Safeguard Policy

Statement (SPS) 2009, which were disclosed on the ADB website in June and August 2019. The LARP implementation progress of these two subprojects as of 30 June 2022 is included in Chapters 7 and 8 of this SSMR.

Figure 1-1. Batumi Bypass Road Project Location Map



1.3 Objective and Coverage of the Monitoring

6. The major objective of this SSMR is to analyze the implementation status of the LARPs and other associated social safeguards issues including handing over the road's Right-of-Way (ROW) to start construction of the bypass road.

7. The ultimate objectives of the monitoring report are to:

- a. Verify status of resettlement implementation for the project that complies with the approved LARPs;
- b. Verify status of up-to-date compensation payment to APs;
- c. Verify implication of grievance redress mechanism to solve APs' grievances and status of grievances received from the APs/local people so far;
- d. Assess satisfaction of APs with the process and amount of their compensation; and
- e. Other social safeguards issues such as wage laborers, labor issues, HIV/AIDS, grievances/complaints received during construction/resolved, etc.

1.4 Methodology Followed under Monitoring Program

8. To prepare the monitoring report, information and data from project documents including LARPs, LARP addendums, Compliance Reports (CRs), monthly and quarterly reports, etc., have been reviewed, compiled and analyzed. In addition, consultations/meetings with the APs and other project stakeholders of through regular site visits have also been conducted with assistance of the CSC, Contractors, External Monitoring Consultant (EMC), RD, and Project Implementation Unit (PIU) of MRDI. The findings from the previously mentioned consultations/meetings have been incorporated in this semi-annual SSMR in the Paragraph 5.6.

1.5 Social Safeguard/Resettlement Categorization

9. Prior to civil works implementation, the projects selected for construction or development were screened and classified using ADB's classification system as follows:

- Category A: Projects proposed for construction or development that cause significant involuntary resettlement impacts with a physical displacement of 200 or more persons from their residences, or 200 or more persons losing 10% or more of their productive or income generating assets, or 200 or more persons experiencing 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.
- Category C: Any proposed subproject that has no involuntary resettlement impact.

10. As per ADB SPS 2009, Batumi Bypass Road project falls under Category A, considering the significance involuntary resettlement impacts. The project has no impact over indigenous people or the communities. With regards to the two additional subprojects, the Bakurtsikhe–Tsnori road subproject is classified as A for involuntary resettlement, while Poti Bridge is classified as B (see chapters 7 and 8 of this SSMR for further details). Both subprojects are also classified as category C for indigenous peoples.

2 OVERVIEWS OF THE LARPs AND ASSOCIATED IMPACTS

2.1 LARPs and Allied Documents Preparation

11. The LARP prepared by MRDI during feasibility stage was further updated and finalized in 2016 based on the feasibility study. Two implementation-ready LARPs were prepared dividing the total 13.7 Km long bypass road into two sections:

LARP-1 for Section 1 covering km0+000 – km7+000, and

LARP-2 for Section 2 covering km7+000- km13+700.

12. The updated LARPs were approved by ADB in mid-2016 and are currently under implementation since August and December 2016. During project implementation in 2016-2017, some additional cases emerged requiring resettlement. Thus, in 2017, an addendum to the LARPs was prepared to take into consideration the changes in impacts and inventory of losses not envisaged during LARP preparation, and additional surveys and assessments were conducted for this purpose.¹ This has been followed by preparation of LARP compliance monitoring reports (CRs) by an External Monitoring Consultant (EMC) deployed by the RD MRDI. till the reporting period, EMC prepared six (6) CRs. (see details in section 3.1)

13. The main objective of the EMC is to verify whether LAR activities and the compensation program have been implemented in compliance with the provisions of the LARP, Georgian laws, and ADB policy. Approval by ADB of the CRs is a pre-condition for the commencement of civil works in the road section covered by such CR. Accordingly, as of June 2022, EMC has prepared six (6) CRs reflecting the results of monitoring and evaluation of the implementation of LAR activities of the Batumi bypass road project in accordance and compliance with the LARPs and its Addendum (see the details in section 3.1). At the end of 2021, the LARPs were fully implemented.

2.2 Conditions for Project Implementation

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

- (i) **Signing of Contract Award:** Civil works contract will be awarded after approval of final LARP.
- (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 EMC.

2.3 Summary Impact of LARPs

15. A summary of the LAR impacts based on the approved LARPs and LARPs' Addendum is presented in Table 2-1 below.

¹ <https://www.adb.org/sites/default/files/project-documents/50064/50064-001-rp-en.pdf>

Table 2-1 Summary of Batumi Bypass Road Project's LAR Impacts

N	IMPACT CATEGORY	SECTION 1 (7KM)	SECTION 2 (6.7KM)	ADDENDUM	TOTAL
1	Total affected households	574	1143	20	789
2	Land acquired (in sqm)	249,889	384,044	56,495	690,428
3	Agricultural (in sqm)	217	524	14,588	292,745
4	Residential (in sqm)	163	409	18,823	332,123
5	Commercial (in sqm)	170	295	23,084	123,398
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 (the time of survey and measurement of the affected properties, valuation, socioeconomic study, etc.). As mentioned in the LARPs, the cut-off date set for this project was 25 April 2016 and this date was clearly communicated to the public and to the APs during public meetings. APs entitled for compensation or at least rehabilitation assistance under the Project are (i) all land users (traditionally using agricultural land) and 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.

17. **Implementation Arrangements.** 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 the LARPs through the Resettlement Unit (RU) under the Resettlement and Environmental Protection Division, RDMRDI. A Land Acquisition and Resettlement Commission (LARC) assists RU in all LAR activities. In addition, LAR team at the rayon level, including local self-government bodies, also assists RU. In addition, a number of other government departments play an instrumental role in the implementation of Batumi bypass LARP. The National Agency of Public Registry (NAPR) within the Ministry of Justice assists 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 is also involved. Other government bodies involved include Ministry of Economy and Sustainable Development (MOESD), Ministry of Economy and Finances of Adjara Autonomous Republic, Road Department of Adjara, local governments of municipalities, and 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 have been established 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 is being 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 detailed 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 detailed measurement survey. Consultations continued throughout the remaining implementation period. During the reporting period, the Engineer conducted 10 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 cost estimate under the LARPs and 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 is 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 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 is an integral part of the overall functioning and management of the Project. RU of RDMRDI is responsible for ensuring the timely execution of the LARPs measured against monitoring and evaluation (M&E) indicators (process, delivery, and impact indicators) of LAR tasks. The purpose of the 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 standards 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 mitigate problems.

3 LARP IMPLEMENTATION

3.1 General

22. Having approval of both the LARPs by ADB, actual implementation of LARPs started in December 2016. RDMDRDI had 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 did not allow the survey team to record their inventory. After careful discussions/negotiations during LARP implementations, they were convinced, and this resulted in additional resettlement needs;²
- Some owners of residential apartments were close to the alignment and they complained to RD. In certain cases (when distances are 50 m or less³), the claims resulted in 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 and produced the required documentary evidence, and some of them even managed to legalize their loft spaces on the attic, which required additional survey.
- One family cemetery necessitated to relocate and required new assessment.

23. After completion of compensation payment by RDMDRDI and, as of 30 June 2022 (end of this reporting period), EMC has prepared six CRs (Table 3.1). After ADB's approval of the 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	April 2018
CR2	LARP section 1	Km 1+750 to km 2+250	May 2018
CR3	LARP section 1	Km 0+000 to km 0+700 and km 2+250 to km 6+700	July 2018
CR4	LARP section 2	km12+830 to km 13+340	August 2019
CR5	LARP section 1	km 0+850 to km 1+750	December 2018
CR6	LARP section 1	km 0+750 to km 0+850	March 2021
CR7	The CR7 for LARP sections 1 and 2 is under preparation and will be sent in July to ADB. ⁴		

² 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 included in the addendum.

³ 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.

⁴ For the given moment, the implementation of original LARPs and LARP Addendum No 1 has been completed. However, since the construction process is still ongoing this CR 7 serves as the intermediate CR report for the additional impact on BB Road Project.

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 and RDMRDI. On the other hand, the CSC, SMEC International Pty Ltd, was 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 and other social safeguards issues covering the total project implementation period on behalf of the RDMRDI and to produce monitoring reports periodically for the RDMRDI to submit to ADB in addition to monthly and quarterly reports, as well.

3.2 LARPs Implementation Status up to the Reporting period

25. Implementation status of the LARPs for the previously mentioned completed sections under LARPs 1 and 2 has been assessed under the current report prepared by the CSC for RDMRDI. This SSMR has been prepared reflecting the overall implementation status of LARPs under Batumi Bypass Road Project.

26. It is important to note that, at this stage of project implementation, RDMRDI 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 exercises with required report preparation, which were subsequently approved by ADB for those sections (see Table 3.1).

27. Currently, the land acquisition and resettlement in the project is fully completed at 100%. and the Contractor has access to the following sections of the construction site:

- ✓ April 2018 - km 6+700 to km 12+830
- ✓ May 2018 - Km 1+750 to km 2+250
- ✓ July 2018 - Km 0+000 to km 0+700 and km 2+250 to km 6+700
- ✓ August 2019 - km12+830 to km 13+340
- ✓ December 2018 - km 0+850 to km 1+750
- ✓ March 2021 - km 0+750 to km 0+850

28. Table 3-23-2 below shows the LARP implementation status of the handed over sections (without the addendum). As it is visible, there are some differences 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 previously mentioned surveys and investigations resulted in some changes, which are reflected in the CRs in detail.

Table 3-2 - Implementation Status of LARPs 1 and 2 for Batumi Bypass Road Project

Project Impacts	Section 1 - km0+000 – km7+000		Section 2 – km 7+000-km 13+370		Implementation Status
	As per approved LARP only	Actual Implementation	As per approved LARP only	Actual Implementation	
No. of affected Plots	574	341	1143	897	Implementation completed

Project Impacts	Section 1 - km0+000 – km7+000		Section 2 – km 7+000-km 13+370		Implementation Status
	As per approved LARP only	Actual Implementation	As per approved LARP only	Actual Implementation	
Affected land Area in sqm.	249,889	229,127	384,044	379,066	Implementation completed
No. of affected HHs	217	185	524	448	Implementation completed
No. of affected HHs with structures	163	161	409	407	Implementation completed
Crops and perennials	170	157	295	264	Implementation completed
HHs to relocate	69	66	300	298	Implementation completed
HHs Severely impacted	193	180	369	129	Implementation completed
Vulnerable HHs impacted	92	11	184	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, and the requirements of EIA, LARP and ADB policy, in total 12 houses were added to the LARP (for details please refer to the Table 3-33-3 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. 34 on required steps to ensure IR safeguards compliance in regard to these cases).

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

NO	LOCATION	CATEGORY OF IMPACT	STATUS
1	Km 9+600 top of tunnel N5	As a result of pre-construction 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
3	Km 0+520	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 km 0+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	Acquired

NO	LOCATION	CATEGORY OF IMPACT	STATUS
		<p>conclusion attached to the statement landslide processes are developed) and AP's 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 AP 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 AP family, as they will be left in between of two roads. Letter to the Employer recommending acquisition of the house was sent by the Engineer. The Commission considered the case, and it was decided to acquire the house. However, the solution of this issue extended as the AP did not agree to offered compensation. Finally, acquisition was finalized, and AP accepted the compensation amount. The house is acquired in 25.08.2021</p>	
4	On top of exit portal of tunnel No. 5	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 was no structural damage to the house. RD 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.	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>The blasting-drilling works at the tunnel No. 2 affected two families' residential houses. 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 as at the residential house. The family was temporarily relocated for some days in September 2021. 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 25 m distance from the road edge should be acquired (included in LARP). The CR7 for the additional impact on the BB Road Project includes also the houses within the 25_m distance from the road edge.

31. The mentioned issue was discussed during the visits of ADB mission and, as per their and the Employer's instruction, the Engineer updated the list of the structures located in the distance of 25 m from the road edge and submitted to the Employer for further actions. The detailed inventory of the houses located within 25m from the road edge was done following the maps included in Environmental Impact Assessment (EIA) report (in total 26 houses).

Table 3-4 – List of the structures affected by exceeding anticipated noise level located within the distance of 25 m 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	Yes	The house was included in LARP and it is already acquired.
3	0+960	0.0	No	The portal design of Tunnel No.1 has been finished. The monitoring of the house will be conducted as soon as the Construction Works are resumed. The portal design of Tunnel
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.
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.
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.
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.

NO	CHAINAGE (KM)	DISTANCE FROM EDGE	IN LARP YES/NO	REMARKS
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. Inventory of the impacts was done following the detailed design documents, which were provided by the Contractor and approved by the Engineer and the Employer. 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	The owner is citizen of Turkey. The Employer conducted relevant search measures but cannot find him. Based on that there are not any contact details about the landowner. RD/Contractor expects that the citizen will contact them and compensation amount will be paid to him.
4	Km4+680	22.22.09.742	The owner is citizen of Turkey. The Employer conducted relevant search measures, but cannot find him. Based on that there are not any contact details about the landowner. RD/Contractor expects that the citizen will contact them and compensation amount will be paid to him.
5	Km4+320	22.22.11.382	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
2	Emergency exit of Tunnel No.3 (km6+500)	22.22.16.249	Detailed design has been agreed. No acquisition is required.

No	Section	Cadastral Code	Status
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. For the impact assessment, an independent professional appraiser was engaged. Compensation was calculated by current market rates following the steps described in Chapter 2.2 of the LARP. No Corrective Action Plan (CAP) and/or LARP addendum was prepared for these cases prior to the acquisition process. However, given that all the above-described cases already have been mostly acquired (additional land plots acquired/being acquired and listed in tables 3-3 to 3-5) those will be documented in detail in the CR7 to be prepared by the EMC to confirm the compliance with LARP and SPS provisions. The recruitment process of the EMC has been completed in December 9,2021 (date). The CR for the above-mentioned cases is under preparation and will be sent to ADB in July 2022.

3.4 Temporary Resettlement and Land Leasing Cases

34. 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. In total, there are twenty-two (22) cases of temporary relocation out of which only two are ongoing. During the reporting period (January-June 2022), the Contractor has not temporarily relocated HHs.

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	Km 12 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 pre-construction survey, the Engineer's and the Contractor's teams observed that the house was structurally so damaged and 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	Bridge No. 12-13	Settlement of temporary embankment caused land building that	Completed	Contractor	Included in LARP. Acquired.
8	11.12.2019 – 11.06.2020				Contractor	Included in LARP. Acquired.

NO	DURATION OF AGREEMENT	LOCATION	CATEGORY OF IMPACT	STATUS	RELOCATED BY	FOLLOW UP
9	13.12.2019 - 13.01.2021		damaged the structure of the house.		Contractor	Included in LARP Acquired
10	13.12.2019 - 13.01.2021				Contractor	Included in LARP 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	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	Completed	Contractor	No vibration is observed in the house and there is no structural damage from blasting

NO	DURATION OF AGREEMENT	LOCATION	CATEGORY OF IMPACT	STATUS	RELOCATED BY	FOLLOW UP
			danger the house stability.			activities. Thus, the residential house has not been included in LARP.
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 noise levels can affect their health.	Completed	Contractor	The noisy activities were completed. Thus, temporarily relocated people has been return to their place of residence. The house has not been included in LARP.
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 are 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 – 07.03.2021	Tunnel No.4	High noise levels.	Completed	Contractor	

35. 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, campsites, and quarries. According to the LARP, compensation would be paid as per policy of the LARP for the temporary impacts if found during construction.

36. Currently, the Contractor has hired 22,606 sq. m. territory with three (3) buildings from Techno service, Ltd for establishment of the Campsite and 70,035 sq. m. from the Ministry of Finance and Economics of the Republic Adjara for installation of plants.

37. Furthermore, the Contractor entered rental agreements with local residents for various purposes. The summary of rental agreements is provided in the Table 3-7 3-7 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	Area (sq. m.)	Status	Purpose of Land Use	Lease Agreement Conclusion Date
1	Makhvilauri	70	Completed	Local diversion road (BR-11/P19)	18.09.2018
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	Open-Ended Contract
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
10	Makhinjauri	25	On-going	For the temporary usage (BR - 2)	24.11.2021 - present

4 GRIEVANCE REDRESS MECHANISM AND GRIEVANCE REDRESS STATUS

4.1 Formation of Grievance Redress Committee

38. A GRM for the project was established as per the LARP and is currently operational 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, surveys, etc. and they were also informed about the time of payment of the compensation verbally during consultations, via bank messages, via project managers and etc.

39. A Grievance Redress Committee (GRC) under the GRM was 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 both written and verbal grievances. The GRC has been formed with representatives from RDMRDI, local authorities (Gamageoba), 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.

40. GRCs were formed with an office order from the MRDI, comprising the following persons/officials:

Representatives of local authorities (Gamageoba):

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
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 and Redressed up to Reporting Period at Level 1 (GRCE-Grievance Redress Committee)

41. A total of 207 persons have submitted grievances across 11 categories to the GRC. Out of these, 125 grievances have been resolved as of 30 June 2022. Most people (79) applied for damage to their assets caused by construction activities, out of which 32 have been closed. Out of remaining open 35 cases, 24 cases are pending with the Contractor. 39 APs requested inclusion of their residential structures or land plots in the acquisition list, out of which 31 cases are closed. 28 Aps expressed dissatisfaction due disturbance by noise/vibration and dust, out of which 13 cases closed. Left cases are indicated below in the table 4-1.

42. Cases from Tunnel blasting zones will be finalized upon completion tunnel construction activities till the end of 2022. Although, as the Construction Works are suspended due to the Contractor's financial issues, thus, the date can be expanded.

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	8	31	
2	Compensation Rate	14	2	12	
3	Registration/ownership status	7	0	7	
4	Damage to infrastructure/Assets	79	47	32	19 cases are from tunnel blasting zones.
5	Disturbance by noise/vibration/dust/flood	28	15	13	9 cases are from tunnel blasting zones.
6	Crop Compensation	7	0	7	
7	Restriction of loss of access road	12	6	6	
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	207	82	125	

Table 4-2 – Summary of the grievances by category with status of Resolution received during the Reporting Period (01.01.22 – 30.06.22) at Level 1 (GRCE)

N	NATURE OF GRIEVANCES	NO OF TOTAL GRIEVANCES	RESULT		REMARKS
			Open	Closed	
1	Damage to infrastructure/Assets	8	6	2	
2	Compensation Rate	2	2	0	
	Total	10	8	2	

4.3 Grievances Received and Redressed up to Reporting Period at Level 2 (GRCN-Grievance Redress Commission))

43. A total of 82 persons have submitted grievances across 10 categories to the GRC. Out of these, 63 grievances have been resolved by 30 June 2020, 12 are open and 7 have been put on “Tech. hold”. Most people (34) applied for inclusion in the acquisition list, out of which 28 have been closed. 20 APs expressed dissatisfaction due to damage to infrastructure and assets during construction activities, out of which 14 cases have been closed and 2 are 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	6	28	
2	Compensation Rate	8	1	7	
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	1	4	
8	Loss of Business	3	1	2	
9	Restriction or loss of access road	2	0	2	
10	Other	1	1	0	
	Total	82	19	63	

44. During the reporting period January – June 2022, no grievances have been received at level 2.

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

a) Cases that occurred during the reporting period

46. On Km 2+360, the citizen, whose residential house has been acquired under the scope of the project, has started a construction of a new house adjacent to the old building without the actual permission. The new constructed residential house is located on the top of the Tunnel No.2. The Employer has been already notified regarding the issue and the notification about the ceasing of the construction works of the residential house has been sent to the citizen.

b) Long-time pending cases that are still not solved

47. 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. In addition, the residential house of the citizen is being monitored. Currently, the house does not have any structural cracks but only cosmetic ones. The representatives of the Engineer and the Contractor repeatedly inspected the resident's cottage and the house. According to the existing situation at the place, the Employer decided to invite LEPL Levan Samkharauli National Forensics Bureau to determine the quality of the damage to the citizen's properties. The LEPL Levan Samkharauli National Forensics Bureau visited the place in May 2022, and the conclusion will be submitted in August 2022.

48. Moreover, the well of the citizen also has gone dry. For this reason, temporary water supply has been arranged to them and to other 8 families that experienced the same issue. This action facilitated the living condition of the residents of Makhvilauri district.

49. On km 3+870 – km 3+920, the citizen whose residential house had been already acquired under the scope of the project, stopped the construction works of Pipe culvert No. 12. The citizen has an unregistered land plot adjacent to her house, where she is cultivating fish at section km 3+870 – km 3+920 (CL100). In total, she owns several basins for this purpose. The citizen claims that the construction works damaged her fish farm and the land plot. In addition, the construction of the access road to her land plot is not possible. Thus, the resident asked 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.

50. As the acquired residential house of the resident is located adjacent to the fish basins and the citizens still reside in the house, the Engineer requested the Employer to give the mentioned case to the executive bureau. The execution procedures of the already acquired residential house of the citizen have commenced in May 2022.

51. In November 2021, the nine 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 ongoing until the end of the drilling and blasting works at the tunnel No. 2 that will last till the end of 2022. Although, the Construction Works are suspended due to the Contractor's financial issues, thus, the date could be expanded.

52. 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 with 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 finalization of the works, post-construction survey was conducted in December 2021. 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.

53. The resident still complains regarding the damage to his house. According to his claim, it is impossible to live in the mentioned residential house. Thus, he asks for temporary relocation. The Employer's, the Contractor's and the Engineer's representatives had a meeting with the resident. It has been agreed that after the full completion of the construction works at the mentioned section, the expertise bureau will be invited for the second time to assess the condition of the citizen's residential house. The full completion of the works at the mentioned section of the project are planned till the end of 2022. Although, at the moment, the Construction Works are suspended due to the Contractor's financial issues, thus, the date could be expanded.

54. The embankment construction activities recommenced since 1 March 2021 at section km12+100 – km12+600. The Engineer instructed the Contractor to update pre-construction 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 pre-construction survey reports and marked the cracks with plaster to proceed with 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, were damaged due to the treatment of the soft soil by means of stone column installations. According to the existing situation at the place, the Employer decided to invite LEPL Levan Samkharauli National Forensics Bureau to determine the quality of the damage to the citizen's properties. The LEPL Levan Samkharauli National Forensics Bureau visited the place in May 2022, and the conclusion will be submitted in August 2022.

55. Excavation of Tunnels No. 3 and No. 4 were completed in December 2020. Excavation of emergency exits was obstructed due to land acquisition issues, although the works have been resumed and by the reporting period of 30 June 2022, it has been already finished. The Contractor is implementing monitoring of vibration caused by blasting works in different houses. Since October 2019, 28 complaints were received from local residents claiming that new cracks were developed in their houses due to tunnel construction activities.

56. Out of 28 complaints, so far nine 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. The Contractor closely monitors other cases and after the full completion of construction activities at

the tunnels, the final assessment will be issued. The full completion of the works at the mentioned section of the project are planned till the end of 2022. Although, at the moment, the Construction Works are suspended due to the Contractor's financial issues, thus, the date could be expanded.

c) Long-time pending cases that were resolved

57. Adjacent to the Tunnel No. 1. Exit Portal the construction works were stopped since the previous reporting period in March of 2022. During implementation of portal preparation works, the Contractor's and the Engineer's teams 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 tunneling works, it would be 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 and improved (see annexes 2 and 3).

58. 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 soil 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. 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.

59. 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 the aforementioned actions conducted to resolve the issue, the complainant was still claiming that the stipulations of the agreement were not fully met. After the long-term consultations with the resident, the Employer under the scope of the project has decided to acquire the objected part of the land plot.

d) Pending cases with the Contractor

60. 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. (See Table 4-5 - Summary of Pending Social Issues Raised by the Local Residents).

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

No.	Reference No.	Subject and Description	Follow-up	Status/Comment
1	January 2020	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.	<p>In March 2022 the Engineer, and the Contractor conducted the joint visit to the citizen’s land plot.</p> <p>On-site inspection revealed that the land plot was damaged due to the construction works. Thus, the Engineer instructed the Contractor to clean the land plot and return it in the first condition as per the citizen’s request.</p>	<p>In April 2022 the Contractor reported that they have cleaned the citizen’s land plot from the construction materials. Although, the damage reimbursement for the trees has not been provided to the citizen.</p> <p>In May 2022 On-site inspection revealed that the land plot still has not been cleaned properly. Thus, the Engineer repeatedly instructed the Contractor. The land plot after this has been properly cleaned, the stones have been removed from the land plot. Now, the citizen claims that his land plot has to be returned in the first condition.</p> <p>In June 2022 the Engineer, and the Contractor have inspected the issue repeatedly and are having discussion regarding the citizen’s request.</p>
2	January 2020	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 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	<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. The Contractor tried negotiations. However, the AP disagreed with the compensation offer.</p> <p>As the land plot lacks possibility of</p>

No.	Reference No.	Subject and Description	Follow-up	Status/Comment
			<p>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> <p>The citizen appealed to the court.</p>	<p>access road construction, the citizen requested the acquisition of the land. After long examination, it was determined that the 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 Contractor was notified regarding the above-mentioned on 27 December 2021. The Contractor refused to pay compensation. After the long-term consultations the Employer decided to acquire the land plot. Despite the mentioned, the citizen and the Employer could not reach the agreement on the payment rate, thus, the case went to the court by the AP in July 2022. The resident appealed in the court about the price of the acquired land plot.</p>
3	June 2020	<p>The Complainant 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.</p>	<p>On 26.02.21, the Contractor sent vibration readings and monitoring data to Samkharauli Forensics Bureau.</p> <p>As the Contractor refuses their liability, the Engineer requested to present the whole correspondence that the Contractor held with the Samkharauli Forensics Bureau.</p>	<p>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 Contractor refused to arrange the expertise. According to their claim, the issue is already regulated via the LARP and EIA. Thus, there is no need for the novel expertise. The issue is still on-going.</p>
4	September 2020	<p>Concerning claim from citizen due to damage he received during flooding on 2 October 2020.</p>	<p>By 9 October 2020 the Contractor implemented the following:</p> <ul style="list-style-type: none"> • Replaced old pipe with the pipe of bigger dimensions. 	<p>The citizen claims that due to the adverse actions mentioned later the trees and land plot in his ownership has been hardly damaged. The Engineer and the Contractor monitored the</p>

No.	Reference No.	Subject and Description	Follow-up	Status/Comment
			<ul style="list-style-type: none"> • 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>	<p>place. The invitation of LEPL bureau is under the discussion between the Contractor and the Employer.</p>
4	March 2021	<p>Family 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 of access road to the Site.</p>	<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>In March 2021 the Contractor offered AP compensation 3000 GEL. However, she refused the offered and filed another complaint.</p> <p>In September 2021 the Contractor invited LEPL Bureau to determine the damage induced to the citizen's land plot by the construction works. The Bureau visited the place, though they refused to examine the place for the second time. According to the Bureau they have already inspected the place based on the statement of the citizen. Although, the resident has not submitted the conclusion of the</p>	<p>In January 2022 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 complaint concerning the flooding of her land plot that was caused due to the heavy rains during September 2021, and not from the construction works.</p> <p>Also, the Contractor repeatedly asked the citizen to present the expertise bureau decision to determine the damage that was induced in February 2020 from the Construction Works. Somehow the resident refused to do so.</p> <p>The citizen decided to apply to the court, although, no actions has been taken so far.</p>

No.	Reference No.	Subject and Description	Follow-up	Status/Comment
			<p>Bureau, which was arranged by them.</p> <p>The resident seeks for mediation between them and the Contractor, 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 compensation and the construction of the retaining wall.</p>	
5	July 2021	Concerning claim from citizen 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 till the end of the construction work. The full completion of the works at the section of the project are planned till the end of 2022. Although, at the moment, the Construction Works are suspended due to the Contractor's financial issues, thus, the date could be expanded.	
6	July 2021	Concerning claim from citizen 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 in September 2021. The Engineer requested to submit the full project details and BOQ of the access road.	The Design and BOQ of the access road have been approved by the Employer in June 2022. The access road construction works will commence as soon as the works will be renewed.
7	October 2021	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 m 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

No.	Reference No.	Subject and Description	Follow-up	Status/Comment
				the issue as well.
8	October 2021	The citizen claims that the drilling-blasting works at the Tunnel No. 2 damaged his residential house.	<p>The Engineer notified a Contractor regarding the claim and provided instructions for the action.</p> <p>The Engineer and the Contractor jointly inspected the issue on-site in October 2021.</p>	The monitoring of the houses is still on-going till the end of the project. The monitoring is based on the blasting charge rate. The full completion of the works at the section of the project are planned till the end of 2022. Although, at the moment, the Construction Works are suspended due to the Contractor's financial issues, thus, the date could be expanded.
9	December 2021	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.	<p>The Engineer notified the Contractor regarding the claim and provided instructions for the action.</p> <p>The Engineer and the Contractor jointly inspected the issue on-site in January 2022.</p>	The monitoring of the houses is still on-going till the end of the project. The monitoring is based on the blasting charge rate. The full completion of the works at the section of the project are planned till the end of 2022. Although, at the moment, the Construction Works are suspended due to the Contractor's financial issues, thus, the date could be expanded.
10	December 2021	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.	<p>The Engineer and the Contractor jointly inspected the issue on-site in January 2022.</p> <p>According to the Contractor they were conducting the construction works in the scope of ROW. They presented the drawings proving the mentioned.</p>	Access road arrangement to the citizen's land plot is a pending issue. The Contractor is studying the opportunities how the access road can be arranged to the land plot. The Engineer and the Contractor one more time visited the place in June 2022 to determine the possible variant of the access road. The Engineer expects the design of the access road from the Contractor.

No.	Reference No.	Subject and Description	Follow-up	Status/Comment
11	January 2022	The resident claims that the apartment that is located in Makhinjauri is damaged due to the drilling-blasting works at the Tunnel No. 2.	The Contractor submitted that the house is outside of the risk zones. Also, they presented the vibration data in February 2022.	The monitoring of the houses is still on-going till the end of the project. The monitoring is based on the blasting charge rate. The full completion of the works at the section of the project are planned till the end of 2022. Although, at the moment, the Construction Works are suspended due to the Contractor's financial issues, thus, the date could be expanded.
12	January 2022	The resident claims that the apartment that is located in village Gantiadi is damaged due to the drilling-blasting works at the Tunnel No. 2.	The Engineer and the Contractor jointly inspected the issue on-site in February 2022.	The monitoring of the houses is still on-going till the end of the project. The monitoring is based on the blasting charge rate. The full completion of the works at the section of the project are planned till the end of 2022. Although, at the moment, the Construction Works are suspended due to the Contractor's financial issues, thus, the date could be expanded.
13	February 2022	<p>The resident claims that the Contractor is using her land plot already more than two years without her permission for transport purposes.</p> <p>Also, she requested the arrangement of the access road to the land plot and the compensation for the usage of the land plot.</p> <p>The project is not affecting her existing access road.</p>	<p>In February 2022 the Contractor refused the claims. Although, the Engineer provided the evidence of the land plot usage. The arrangement of access road to the citizen's land plot is possible. Thus, the negotiations about the compensation for the use of the citizen's land plot without her permission have to be conducted between the citizen and the Contractor.</p> <p>In May 2022 the Contractor made a compensation offer to the citizen in a written form. The citizen verbally declined the offer. She refused to do it in a written manner.</p>	<p>In June 2022, the Contractor was instructed by the Employer to conduct the fruitful negotiations with the citizen regarding the compensation rate. The Contractor was instructed to value and compensate the damage to the citizen accordingly. As soon the contraction works will be renewed, the case will be updated and resolved.</p> <p>The case resolution processes will be accordingly reflected and updated in the next SSMR.</p>

No.	Reference No.	Subject and Description	Follow-up	Status/Comment
14	March 2022	The resident claims that the retaining wall adjacent to his house was damaged due to the construction works.	<p>The Engineer and the Contractor inspected the situation on-site in April 2022.</p> <p>It is not possible to prove that the mentioned wall damage was induced due to the construction works.</p>	The vibration monitoring will be conducted on the place after the renewal of blasting works at the Tunnels.
15	March 2022	<p>The citizen claims that land plot in his use was unlawfully used by the Contractor without the citizen's actual permission. Thus, he requests payment for the mentioned.</p> <p>The compensation was only asked for the land plot use and not for perennials. The land plot was on the state ownership and it was contractors good will to compensate the AP. Similar experiences during the project implementation have been used as the sample to calculate the issue.</p>	The Contractor states that the land plot is in state's ownership. Although, despite this fact, the Contractor offered one-time payment to the citizen in March 2022, but AP refused the offer.	In June 2022 the contractor tried to consult another compensation amount with the citizen, although AP still refused the offer.
16	April 2022	The Citizen claims that the Contractor arranged the temporary culvert in the river that during the rainy weather causes the flooding of his residential house and land plot. Pursuant to the statement, during the mentioned flooding, the construction materials of the citizen has been damaged as well.	<p>The Engineer and the Contractor inspected the situation on-site in May 2022.</p> <p>The Engineer instructed the Contractor to reimburse the damage to the citizen induced due to the construction works.</p>	<p>In May 2022 the Contractor has agreed on the damage reimbursement payment.</p> <p>In June 2022 the Contractor paid the compensation to the resident. The damage has been assessed by the Contractor based on the market prices for the construction materials. The Citizen agreed on the offered payment.</p>

5 OTHER SOCIAL SAFEGUARDS COMPLIANCE ISSUES

5.1 Maintaining Core Labor Standard

61. As per the Contractor, they have engaged 276 personnel, out of which 74 (26.81%) are foreigners and 202 (73.19%) are of Georgian nationality. As for the Subcontractors, out of 166 employees, 29 (17.46%) are foreigners while 137 (82.54%) are locals.

62. Despite the Engineer's requests, the Contractor still fails to provide complete information required by the Engineer as per relevant clauses of GCC. On weekly meetings, the Engineer instructs the Contractor to comply the requirements of the GCC regarding this issue. As per the monitoring, the workers receive the salary timely, and they are paid for overtime working hours.

63. 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.

64. A complaint from citizen, who is a 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 which contradicts the statement of the employee as there is nothing mentioned about permanent disability developed because of the injury. Therefore, the Engineer instructed the Contractor to provide a 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 Labor 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.

65. As of 30 June 2022, negotiation between the lawyers of the Contractor and the Complainant are ongoing.

5.2 Child Labor in the Project Activities

66. 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

67. 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

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

5.5 Health and Safety and HIV/AIDS Awareness Program

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

70. 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.

71. To comply with the requirements of clause 6.7 of GCC, the Contractor is conducting trainings for site staff and their families in connection to Sexually Transmitted Infections (STI) and Sexually Transmitted Diseases (STD), including HIV/AIDS on a quarterly basis. However, due COVID-19 situation the trainings are not conducted on regular basis. As of 30 June 2022, the Contractor conducted two trainings regarding AIDS, Hepatitis & Covid-19. The first training was held on 18 February 2022 and the second training on 23 May 2022. (See Annex 4)

72. The Contractor submitted the Protocol No.15 of First-Aid and HIV training among the Contractor's personnel, following the requirements of Clause 6.7 Health and Safety of GCC with the credentials of the appointed service medical staff as Healthcare Provider.

73. The Contractor takes all proactive measures to prevent the spread of COVID-19 on the construction site. Employees are provided with personal protective equipment, medical masks, 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 a number of adequate of medical masks. Safety department handed over the masks to employees regularly. The Engineer and Contractor informed each other and the Employer regarding the COVID-19 infected employees within reporting period. The Contractor timely sends information about the test results of the Contractor's employees to the Engineer.

74. As of June 30, 2022, totally 25 COVID-19 cases have been reported. The Engineer had fourteen COVID-19 cases during the reporting period. All fourteen cases happened at the end of January 2022. 1 new COVID-19 cases have been reported to the Engineer by the Contractor during the reporting period.

5.6 Public Consultation and Information Awareness Activities during the Reporting Period

75. Public consultations are the significant part during the project implementation process. As per the LARP, consultation and participation is a process through which stakeholders influence and share control over development initiatives, and the decisions and resources that affect them. It is a two-way process where the executing agencies, policy makers, beneficiaries and AP discuss and share their concerns in a project process. Consultation and participation have been a major principle in the planning and preparation of the detailed design of the Project.

76. Public consultation and participation are an integral part of ADB's policy which is a continuous process at conception, preparation, implementation and finally at post implementation period.

77. As the project is on the implementation phase, the Engineer frequently conducts the consultations and meetings with the APs to determine and resolve the issues. As of 30 June 2022, the Engineer conducted 10 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. During the meetings were inspected the issues raised by the residents. Also, in most of the cases fruitful consultations have been conducted between the parties. (See Annex 5)

5.7 Status of Recruitment/Mobilization of Safeguard Team

78. CSC mobilized two Social and Resettlement Specialists positions for the project, one National (NRS) and one International (IRS), in March and October 2018 respectively. However, due to the implications for mobilization of IRS, only the NRS is currently working and assisting/supporting RDMRDI with constant monitoring on the implementation of the resettlement program and other social safeguards issues of the project. The IRS has a provision of 14 months intermittent inputs (10 months of Field Input and 4 months of Home Input) over the project implementation, while the NRS' allocation is 39.2 months of Field Input. The RDMRDI established a Resettlement Division and Resettlement Unit at the PIU level with requisite officers and staff from beginning of the project to carry out and support the implementation of the LARP and other safeguards issues of the project during the total project implementation period.

5.8 Project Social Safeguard Performance

79. From the beginning of project implementation until the current reporting period, PIU's RU team is working. Both the PIU and CSC's social experts are conducting the required survey/investigations at the project site with necessary consultations with stakeholders, including beneficiary and affected people of the subproject, to monitor any social safeguard issues. However, until the reporting periods, all the APs have been paid their due compensation with proper resettlement and rehabilitation for the road sections already handed over to the contractor. The contractors are carrying out physical construction on those sections of the road. As of 30 June 2022 the LARP is fully implemented for 100%. CSC's Resettlement Specialist is constantly monitoring resettlement and social safeguards issues, and preparing and submitting monthly, quarterly and biannual monitoring reports to RDMRDI/PIU regularly.

80. No SSMRs were prepared since the start of LARP implementation until June 2018, because there were not yet mobilized the IRS and the NRS. Therefore, as required, after mobilization, the IRS with assistance of the NRS and guidance from RDMRDI/PIU prepared first SSMR covering the period from August 2016 to June 2018. This current report is the ninth SSMR in connection to LARPs implementation and related social safeguards issues of the Batumi Bypass Road Project.

5.9 Compliance with Safeguard Covenants of Loan Agreement

Covenants of the loan agreement between ADB and MRDI related to resettlement and social safeguards are presented in Annex 1 below in a tabular matrix form with the status of compliances as of 30 June 2022.

6 CONCLUSIONS AND NEXT STEPS

81. 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 in the second half of 2016. The project is complying with provisions to monitor both internally and externally the entire resettlement implementation process. In this connection, compliance monitoring was conducted and, as of 30 June 2022, six CRs have been prepared for the completed parts of the road. The seventh CR will be submitted to ADB in July 2022.

82. During construction activities, acquisition of additional land was required due to the redesigning of tunnel shafts and the entrance portal of tunnel No. 2 (pile system), as well as the soft soil collapse at the Tunnel No. 2 and the need for relocation of high voltage utility lines. 12 residential properties were acquired during 2020 due to adverse impacts caused by construction activities that could not be mitigated otherwise. Additionally, as per the requirements of the EIA and the LARP, 25 residential structures located within 25m from the road edge were included in LARP.

83. In addition, a cemetery owned by the [redacted] family, 32 graves, were already relocated and improved based on the existed rules in June 2022. The mentioned will be reflected in the CR 7 of the EMC.

84. The Project's GRM is functioning. In total, there are 207 complaints received at Level 1 and 82 complaints at level 2. Totally, from January to June 2022, 10 grievances have been submitted by the AP's. However, there is delay in resolution process of the complaints. This specifically relates to complaints related to the impacts from blasting activities, and it requires some time for monitoring of the vibration. Such monitoring will be ongoing until the end of the project. The monitoring is based on the blasting charge rate. The full completion of the project is planned till the end of 2022. Although, at the moment, the Construction Works are suspended due to the Contractor's financial issues, thus, the date could be expanded.

85. This is the ninth SSMR covering the period of 1 January – 30 June 2022 prepared for RDMRDI by the CSC's Resettlement Specialist. In addition, monthly and quarterly progress monitoring reports have been regularly produced and submitted by the NRS since mobilization.

86. In sum, it may be concluded that the RDMRDI teams are working hard to timely make payment (compensation and other additional benefits) to the APs and to mitigate grievances. The LARP implementation is finalized for 100%. All the required sections are handed over to the Contractor. It was revealed from the monitoring of LARPs implementation that substantial progress in connection to LARP implementation has been done in compliance to the ADB and project policy.

87. The next step of the project is to carefully monitor the residential houses located on the top of the tunnels N.2 and N.1 during the drilling and blasting works, especially the houses located in the risk zones defined by the EIA. In addition, the objective is to resolve the grievances that already exist and are mentioned in previous sections of this SSMR.

7 BAKURTSIKHE-TSNORI ROAD

7.1 Introduction

88. This is the second SSMR for the Bakurtsikhe – Tsnori Road subproject covering the period of January - June 2022 and prepared by the CSC for RDMRDI.

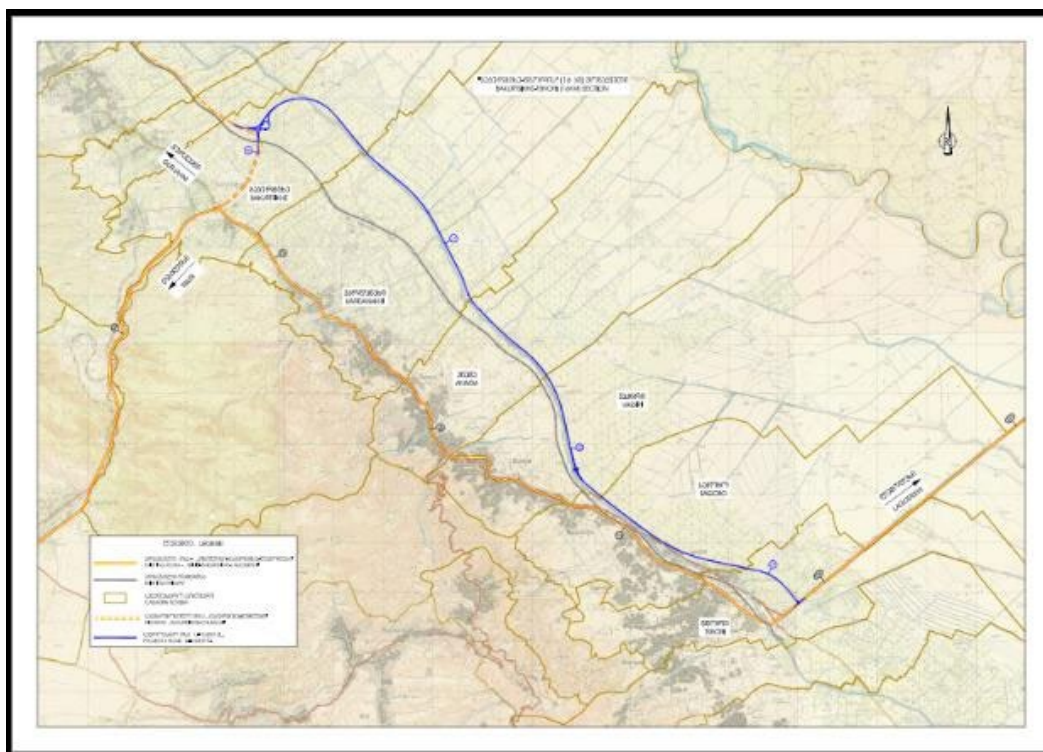
89. Tbilisi-Bakurtsikhe-Lagodekhi international road (S-5) connects Tbilisi with Lagodekhi city, the state border with Azerbaijan, as well as with the towns of Kakheti region. The traffic and road safety problems, as well as environmental impacts (noise, vibration, and emissions) are significant particularly on the Bakurtsikhe-Tsnori road section, where the 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 RD of the Republic of Georgia is planning to construct a new road in the Tbilisi-Bakurtsikhe-Lagodekhi international road: Bakurtsikhe-Tsnori section (16 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 WB format. The RAP is approved by the WB and RD MRDI in June 2019. Subsequently, the RAP was further updated by RD MRDI in accordance with ADB's SPS 2009 and was disclosed on the ADB website in August 2019.⁵

91. The LARP was prepared by RD MRDI under the assistance of the international social safeguards (resettlement) specialist hired by ADB and is final. It includes the recent updates and is based on detailed design and the requirements of the ADB Safeguards Policies (2009). Its objective is to plan and implement LAR for the Bakurtsikhe-Tsnori (16 km) road section. 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.

⁵ https://www.adb.org/sites/default/files/project-documents/50064/50064-001-rp-en_0.pdf

Figure 7-1. Project Location Map



7.2 Overview of the LARP and Associated Impacts

92. The resettlement impacts and inventory of losses have been estimated within the total width of the road corridor (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 shoulder: paved 2.50 m and 0.5 m unpaved (total 3.0 m)

Total road width: 13.00 m.

93. A detailed inventory of all the impacts was done following the final alignment as per detailed engineering design. Census and socioeconomic surveys were conducted by Kocks Consultant GmbH December 2017 – January 2018. The start date of the DMS and the AP census survey is considered as the compensation eligibility **cut-off date for the project which is** therefore December 1, 2017. The updates and corrections were made upon the request of the International Safeguards Specialist during May – June 2019. A census of 100% of the AHs available on site was conducted to enumerate the APs. Some householders residing in Tbilisi were interviewed in person, while others working abroad were interviewed through telephone and Skype calls. The socio-economic survey covered 99.6% of the total AHs covered in the census. The objective of the socioeconomic survey was to gather general information on socioeconomic condition of the affected people.

94. The time-bound implementation schedule of the LARP was 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 Signnagi Municipalities was identified through title search during the LAR 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 were identified in the survey.

95. 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).

Table: 7.1 Summary Impact on Land Acquisition and Resettlement

No.	Description	Unit	Number
Land Tenure Patterns			
1	Total of project affected land parcels	No.	916
		Sq.m.	705,735
2	Total of State-owned land parcels	No	17
		Sq.m.	45,240
3	Total of project affected private land parcels	No	899
		Sq.m.	660,495
4	Category 1. Land parcels with updated registration at the NAPR		437
5	Category 2. Land parcels undergoing title registration update at the NAPR		431
6	Category 3. Land parcels with landowners to be identified /confirmed (possible need for legalization)		31
Land Use and Compensation Categories			
7	Type 1; Arable agricultural land used for agricultural purposes (3.50 GEL/sq.m.)	No.	891
		sq.m	647,932
8	Type 2; Rural residential land parcels attached with vacated residential dwellings (5.00 GEL/sq.m).	No.	5
		sq.m	9,440
9	Type 3. Agricultural land parcels used for saplings nursery (7.00 GEL/sq.m.)	No.	3
		sq.m	3,123
Affected Households			

No.	Description	Unit	Number
34	Total of affected households	No.	720
35	Total of affected persons	No	1787
36	Male affected	No	900
37	Females affected	No	887
38	Severely affected Households	No.	615
39	Vulnerable Households	No	28
40	Resettled households	No.	0
41	Number of AHs losing arable agricultural land parcels used for agricultural purposes	No	717
42	Number of AHs losing residential land parcels attached with vacated residential dwellings	No.	3
43	Number of AH losing agricultural land parcel used as sapling nursery	No	1

96. As per ADB SPS 2009, the project falls under Category A considering the significant involuntary resettlement issues. The project has no impact over indigenous people or the communities.

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

7.3 LARP Implementation

98. The LARP implementation commenced in January 2020. Of the entire 16.8 km long road section, 71.64% of acquired project affected land parcels are covered under 13 segments (12.54 km). The 13 segments (see table 7-1) are covered under CR1 where LARP implementation has been accomplished for 644 land parcels, and all 475 eligible AHs have been 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	March 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	

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 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	
Addendum to the Compliance Report No. 1 (CR 1)	CR1	The scope of Addendum to CR1 applies to 466 severely affected and 6 vulnerable AH eligible to additional payment of 111.30 GEL per AH located along the 13 segments of road project with cumulative length of 12.54 km.						Submitted to ADB(June 2022)
Remaining								
		Segment 14	2+350	2+600	2.35			
		Segment 15	3+000	3+050	0.40			
		Segment 16	3+640	3+900	0.59			
		Segment 17	5+800	6+300	1.90			
		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			

99. According to updated LAR Compensation Table, the project has impact on 911 land plots. During the redemption process of the affected land plots, the Aps merged their land plots, therefore the number of the land plots decreased. Out of this number, the LARP implementation procedures have been completed fully for 834 land plots and all compensation tallies have been paid in compliance with the updated LAR Table.

Table 7-2 Summary land acquisition status

Number of lands	Percentage
911 Total amount	100%
834 Acquired	91.55%
77 Not acquired	8.45%

Table 7-3 The status of the not acquired land plots, as of 30 June 2022

Current status	Number of land plots	Comments
Minimization	6	N/A
Negotiations with the APs	14	N/A
Expropriation	20	The expropriation procedures are in process (On the one side seventeen (17) of the APs agree to the project, however, the land plots are burdened with mortgages, which is why they are unable to sign the purchase agreement, on the other side three (3) of them do not agree to the compensation amount. Accordingly, the department appealed to the court.
Under the registration	37	N/A

100. Currently, the land acquisition and resettlement in the project is partially completed and the Contractor has access to the sections of the construction site included in CR1 (Table 7-1).

7.4 Grievance Redress Mechanism and Grievance Redress Status

101. A grievance mechanism was established to allow AP appealing any disagreeable decision, practice or activity arising from land or other assets compensation. APs are/were 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 was always taken to prevent grievances rather than going through a redress process. This was 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.

102. The RDMRDI GRM consists of a temporary, project-specific units established at the local (municipal) level in project affected municipalities and a regular system established at RDMRDI. Local Grievance Redress Mechanism (LGRM) was established at municipal level as a project-specific instrument, which is functional only for the period of the project implementation. Grievance Redress Commission (GRC) was 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

Stage 2 – GRC review of AP’s complaint

Stage 3 – Court decision

7.5 Issues Identified during Construction at Project Area

103. During ongoing road construction, the local residents reported some issues and concerns. These issues were verified through discussions with the concerned house/plot owners. For those concerns/issues found to be true, the contractor has been advised to take necessary mitigation measures for proper solution of such problems with negotiation with the concerned parties and paying compensation, as necessary. If not under the Jurisdiction of Contractor, those cases are referred to RD for timely and proper mitigation. Summary of cases is presented in tables 7-2 and 7-3 below.

104. As of 30 June 2022, a total of 24 complaints have been received, out of which all 24 have been resolved. Most of the complaints received by RD are related to “Inclusion in LARP” (23) and “Compensation Rate” (1).

Table 7-2 RD Complaints Log (as of 30 June, 2022)

N	Nature of Grievances	No of total Grievances	Result		
			Open	Closed	Tech. Hold
1	Compensation Rate	1	0	1	0
2	Inclusion in LARP	23	0	23	0
	Total	24	0	24	0

105. There were no registered cases in RD (verbal or written) during the reporting period. There are also no registered cases from the Engineer side.

7.6 Other Social Safeguards Compliance Issues

Maintaining Core Labor Standard.

106. The Contractor has the Site Clearance activities, and as per the Contractor informed, they have engaged average 6 personnel during March, 7 personnel during April 2022, 24 personnel during May 2022, and 39 personnel during June 2022. The Contractor did not present the number of local and non-local personnel neither presented the gender as required under the PCC of their Works Contract. There is no information about the engaged personnel of the Subcontractors.

107. With the Engineer’s Instruction, regular reporting by the Contractor with required information is expected to improve for the next reporting period.

Child Labor in the Project Activities

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

Forced or Compulsory Labor

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

Discrimination in Respect to Employment.

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

Health and Safety and HIV/AIDS Awareness Program

111. The Contractor has arranged a medical office and employed Doctors for the treatments of the staffs/employees of the contractor. The Contractor has appointed an accident prevention officer at the Site, who is responsible for maintaining safety and protection against accidents.

112. To comply with the requirements of clause 6.7 of GCC, the Contractor should conduct 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. The trainings were not conducted during the reporting period.

113. There is no case of Contractor's or their Subcontractor's personnel infected with SARS-CoV-2 virus. The Engineer did not have any COVID-19 cases during the reporting period.

7.7 Public Consultation and Information Awareness Activities during the reporting period

114. Public consultations are the significant part during the project implementation process. As per the LARP, consultation and participation is a process through which stakeholders influence and share control over development initiatives, and the decisions and resources that affect them. It is a two-way process where the executing agencies, policy makers, beneficiaries and AP discuss and share their concerns in a project process. Consultation and participation have been a major principle in the planning and preparation of the detailed design of the Project.

115. Public consultation and participation are an integral part of ADB's policy which is a continuous process at conception, preparation, implementation and finally at post implementation period.

116. The IRS had 1 week mission in the reporting period (from 13-19 June 2022) held Environmental and Social, Health and Safety (ESHS) Orientation Session, 16th of June. (See Annex 6-7)

7.8 Status of Recruitment/Mobilization of Safeguard Team

117. CSC mobilized one International Social/Environmental Specialist in May 2022 respectively. Only the IRS (Provision of 6 months inputs) is currently working and assisting/supporting RDMRDI with constant monitoring - Review of incoming correspondence, preparing the replies, reports, completion of the SAEMR and the SASMR, organizing and holding Training Program for the CSC Team.

118. The national Social Resettlement Specialist (NRS) is not mobilized yet, but the candidate was sent for approval to RDMRDI.

119. The RDMRDI established a Resettlement Division and Resettlement Unit at the PIU level with requisite officers and staff from beginning of the project to carry out and support the implementation of the LARP and other safeguards issues of the project during the total project implementation period.

7.9 Conclusions and Next Steps

120. The Bakurtsikhe-Tsnori Road Project implementation is ongoing, where resettlement and safeguards compliance is an important and highly valued aspect. The LARP implementation program started by RDMRDI in the second half of 2020. The project is complying with provisions to monitor both internally and externally the entire resettlement implementation process. In this connection, compliance monitoring was conducted and, as of 30 June 2022, one CR and one Addendum to the CR1 have been prepared for the completed parts of the road. The second CR will be submitted to ADB in October 2022. This is the second SSMR covering the period of 1 January – 30 June 2022 prepared for RDMRDI by the CSC's International Resettlement Specialist.

121. In sum, it may be concluded that the RDMRDI teams are working hard to timely make payment (compensation and other additional benefits) to the APs and to mitigate grievances. The LARP implementation is partially finalized for 91.55%. Only a small portion of remaining road alignment is still under implementation (8.45%, 77-land plot). It is expected that implementation of this portion will be completed in the next reporting period (December 2022). Once implementation is completed, EMC will conduct compliance monitoring activities and submit the relevant CR.

8 POTI BRIDGE AND ACCESS ROADS

8.1 Introduction

122. This is the second SSMR for the Poti Bridge and Access Roads subproject covering the period of January - June 2022 and prepared by the CSC for RDMRDI.

123. The RDMRDI of the Republic of Georgia approached ADB proposing to construct a new bridge crossing the Rioni River in Poti, Western Georgia. The project consists of constructing a new 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 is MRDI and the Implementing Agency is MRDI's RD. MRDI is the Employer for the civil works contracts.

The initial RAP for this project was prepared in November of 2017 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 (March 2019) compliant with SPS 2009. An international social safeguards (resettlement) specialist was engaged to carry out due diligence on the new project bridge and road section, and to assist RDMRDI in finalizing the LARP for Poti Bridge project based on detailed design and in accordance with ADB's SPS 2009. The final LARP was approved and disclosed on ADB website in August 2019.⁶

Figure 8-1 Project Location Map



⁶ https://www.adb.org/sites/default/files/project-documents/50064/50064-001-rp-en_1.pdf

8.2 Overview of the LARP and Associated Impacts

A census of 100% of the AHs available on site was conducted to enumerate the APs. These Surveys for initial project were started on 18 October 2017 and was terminated on 28 November 2017. 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.

124. The time bound implementation schedule of the LARP was 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 was identified through title search during the LAR survey and documentation work in October-November 2017. The titled, non-titled and legalizable owners of land parcels to be acquired were identified in the survey.

125. 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 this 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.

Table 8-1 Type of Land Use and Land Groups by Compensation Rates

Categories by Land Use and Costs	Plots No.	Area (sqm)	AHs
Compensable land			
Type 1. Agricultural (arable) land (29.70 GEL/sqm) located between the central road and railway line. The land plots of official agricultural/arable status according to NAPR registration	7	5,082	7*AHs
Type 2. Agricultural (residential) land (29.70 GEL/sqm) located between the central road and railway line. The land plots of official agricultural/residential status according to NAPR registration (in rural areas most of residential land plots have official status of agricultural/residential)	4	7,097	4*AHs
Type 3. Nonagricultural land (38.25 GEL/sqm)) located in close proximity to the central road.	3	3,488	2 AHs and 1 company
Subtotal Compensable	14	15,667	12*AHs and 1 company

Categories by Land Use and Costs	Plots No.	Area (sqm)	AHs
Non-Compensable land			
Type 4 State Owned, Used by Private Users – Non Legalizable	0	0	0
Categories by Land Use and Costs	Plots No.	Area (sqm)	AHs
Type 5 State Owned Not Used by Private Users	16	18226	0
Subtotal Non-compensable	16	18226	0
TOTAL	30	33647	12*AHs and 1 company

126. Given these impacts and, as per ADB SPS 2009, this subproject is classified as “B” for involuntary resettlement. The project has no impact over indigenous people or the communities.

127. The legal and policy framework of the Project is based on national laws and legislations related to LAR in Georgia and ADB’s SPS 2009. Based on the analysis of applicable laws and policies and ADB’s Policy requirement, project related LAR principles have been adopted.

8.3 LARP Implementation

128. 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. Currently, the land acquisition and resettlement in the project is partially completed at 93.3%. The compliance report (CR 1), approved in March 2022 covers three (3) project affected land parcels located along the main road ROW starting at km 0.00 and ending at km 2.500 plus short (km 0.000 - km 0.452) section of access road free from any encroachers and land users. CR2 for the eleven (11) land plots is under preparation.

Table 8-2 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	0.000	2.500	2.500	1	1	March 2022
		Segment 2 (access road)	km 0.000		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	11	11	Under preparation (except land plot #7)
Sub-total	CR 2	1 Segment			0.548 km	11	11	
Total		3 Segments			3.500 km	15	13	

129. Out of total fifteen (15) private land parcels, twelve (12) are acquired and two (2) are registered under the state ownership. Only one (1) land plot is left for acquisition. Negotiations with the land plot owner are ongoing. Tentative timeline of completion is July 2022. If negotiations are not successful, the expropriation process will be initiated.

Table 8-3 Summary land acquisition status

Number of land plots	Percentage
15 Total	100%
14 Acquired	93.3%
1 Not acquired	6.7%

130. Currently, the Contractor has access to the following sections of the construction site covered under CR1:

- ✓ March 2022 Km 0.000 - Km 2.500 and Km 0.000 - Km 0.452 (portion of access road)

8.4 Grievance Redress Mechanism and Grievance Redress Status

131. A grievance mechanism was established to allow APs appealing any disagreeable decision, practice or activity arising from land or other assets compensation. APs were/are 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 was/is always taken to prevent grievances rather than going through a redress process. This was 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.

132. 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) was established at municipal level as a project-specific instrument, which is functional only for the period of the project implementation. Grievance Redress Commission (GRC) was 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

Stage 2 – GRC review of AP’s complaint

Stage 3 – Court decision

133. As of 30 June 2022, only one (1) registered case about “Inclusion in LARP” has been received, which was closed from the RD side. On 21.09.2021 The Contract has been signed, and the property was redeemed fully. No complaints from APs have been recorded for the reporting period.

8.5 Other Social Safeguards Compliance Issues

Maintaining Core Labor Standard.

134. The Contractor has the Site Clearance activities, and as per the Contractor informed, they have engaged average 16 personnel during April, May and June. The workers are only with Georgian nationalities.

Child Labor in the Project Activities

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

Forced or Compulsory Labor

136. All workers are deployed according to their eligibility and willingness.

Discrimination in Respect to Employment

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

Health and Safety and HIV/AIDS Awareness Program

138. The Contractor has arranged a medical office and employed Doctors for the treatments of the staffs/employees of the contractor. The Contractor has appointed an accident prevention officer at the Site, who is responsible for maintaining safety and protection against accidents. He is available on site every day. The Contractor has instructed include an alleviation programmer for Site staff and labor and their families in connection to Sexually Transmitted Infections (STI) and Sexually Transmitted Diseases (STD) including HIV/AIDS. There were no registered COVID-19 cases during the reporting period.

Public Consultation and Information Awareness Activities during the reporting period

139. Public consultations are the significant part during the project implementation process. As per the LARP, consultation and participation is a process through which stakeholders influence and share control over development initiatives, and the decisions and resources that affect them. It is a two-way process where the executing agencies, policy makers, beneficiaries and AP discuss and share their concerns in a project process. Consultation and participation have been a major principle in the planning and preparation of the detailed design of the Project.

140. Public consultation and participation are an integral part of ADB's policy which is a continuous process at conception, preparation, implementation and finally at post implementation period.

141. There were no public consultations conducted during the reporting period.

Status of Recruitment/Mobilization of Safeguard Team

142. CSC have not mobilized National and International Social and Resettlement Specialists for the project yet.

143. The RDMRDI established a Resettlement Division and Resettlement Unit at the PIU level with requisite officers and staff from beginning of the project to carry out and support the implementation of the LARP and other safeguards issues of the project during the total project implementation period.

8.6 Conclusions and Next Steps

144. The Poti Bridge and Access Roads subproject implementation is ongoing, where resettlement and safeguards compliance is an important and highly valued aspect. The LARP implementation program started by RDMRDI in the first half of 2022. The project is complying with provisions to monitor both internally and externally the entire resettlement implementation process. In this connection, compliance monitoring was conducted and, as of 30 June 2022, one CR1 have been prepared for the completed parts of the road. The second CR will be submitted to ADB in September 2022.

145. This is the second SSMR covering the period of 1 January – 30 June 2022.

146. In sum, it may be concluded that the RDMRDI teams are working hard to timely make payment (compensation and other additional benefits) to the AP. The LARP implementation is partially finalized for 93.3%. Only a small portion of remaining road alignment is still under implementation (6.7%, 1-land plot). It is expected that implementation of this portion will be completed in the next reporting period (October 2022). Once implementation is completed, EMC will conduct compliance monitoring activities and submit the relevant CR.

ANNEX 1 - Status of Resettlement and Social Safeguard Issues Related to Loan Covenants as of 30 June 2022

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 and 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>Resettlement: The Borrower, through RDMRDI, shall ensure that all land all RoWs required for the Project are made available to the Works contract and all land acquisition and resettlement activities are implemented in compliance with a) all applicable laws and regulations of the Borrower related to Land acquisition and involuntary resettlement. b) the Involuntary Resettlement Safeguards. c) all measures and requirements set forth in RPs, and any corrective or preventive actions set forth in a Safeguards Monitoring Report.</p>	<p>ADB Loan Agreement</p>	<p>Two LARPs were prepared and updated by RDMRDI in compliance with the ADB and Government of Georgia policy following detailed design and were approved by ADB.</p> <ul style="list-style-type: none"> • LARP for section 1 was approved in August 2016 by ADB • LARP for section 2 was approved in December 2016 by ADB • Addendum to LARP for section 1 and section 2 was approved in September 2017 by ADB
<p>Without limiting the application of the Involuntary Resettlement Safeguards or the RPs, the Borrower, through RD shall ensure that no physical or economic displacement takes place in connection with the Project until:</p> <ol style="list-style-type: none"> a. compensation and other entitlements have been provided to affected people in accordance with relevant RP, and 	<p>ADB Loan Agreement</p>	<p>LARPs were prepared and approved by ADB prior to civil works contract. Moreover, during implementation, additional social safeguard issues requiring land acquisition and resettlements were reviewed and verified by RDMRI's relevant team for design completed/ implementation ready LARPs, and a LARP addendum was prepared. Accordingly, a</p>

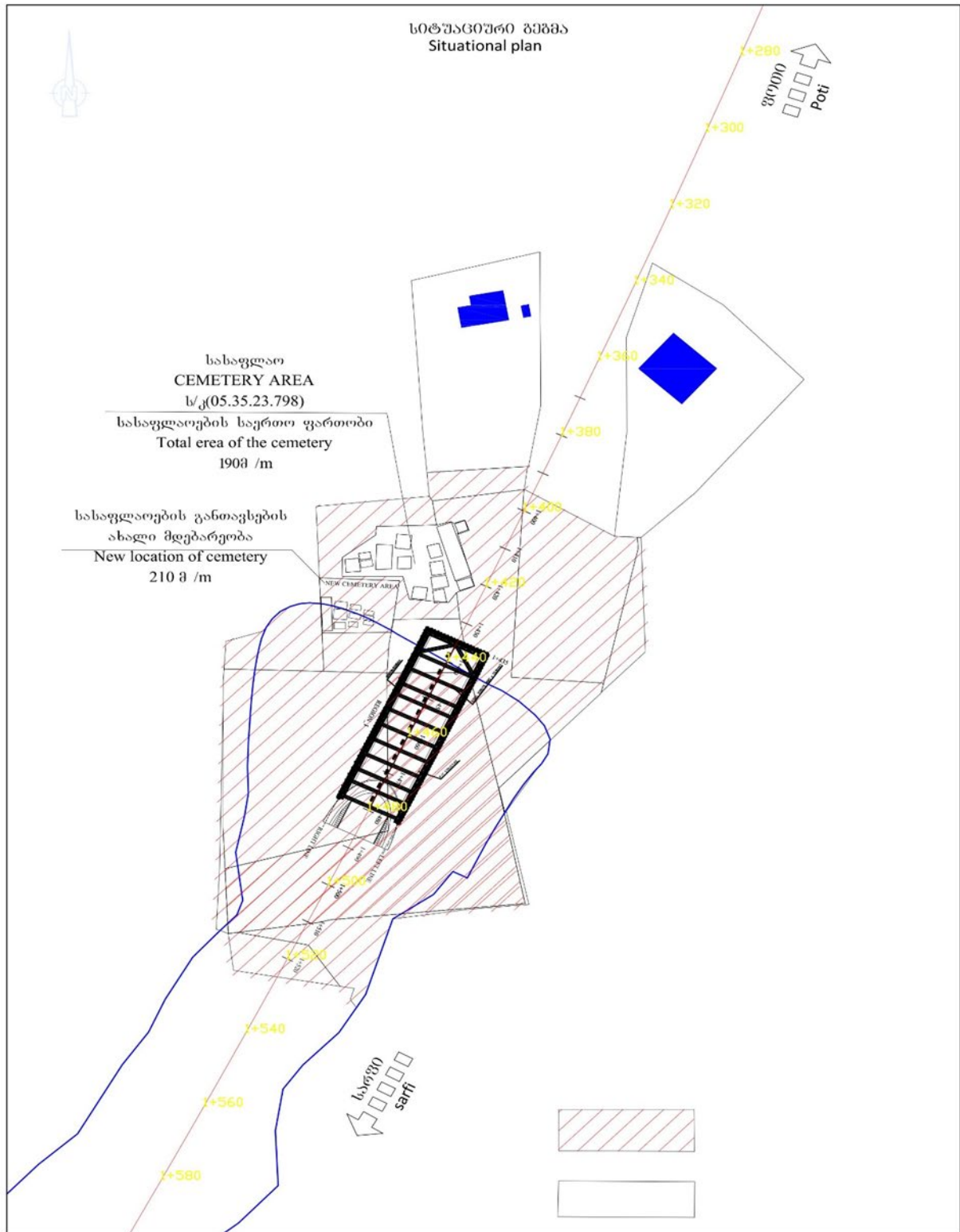
Covenant	Safeguard Applicability	Status of Compliance
<p>b. a comprehensive income and livelihood restoration program has been established in accordance with the relevant RP.</p>		<p>detailed review of impacts was conducted through surveys, investigations, measurements of affected disputed properties with the full satisfaction of APs. Subsequently LARPs and Addendum have been implemented.</p>
<p>The Borrower, through RD, shall ensure that in respect of each discrete portion of the Batumi bypass road, all land acquisition and resettlement activities, including and actions set out in the relevant RP, are completed and certified as such by the EMC, before any construction commences on such portion and before any notice to proceed is issued for such portion under the relevant Works Contract. For the avoidance of doubt the term “portion” as used in this paragraph means any portion of the Batumi bypass road, including any portion of the 7 kilometer section of such road or the 6.7 kilometer section of such road, each of which section is covered by an RP and construction may commence on such portion and a notice to proceed may be issued for such portion provided that all land acquisition and resettlement activities for such portion have been completed and certified as described in this paragraph.</p>	<p>ADB Loan Agreement</p>	<p>After completion of LARP implementation, including addendum, for partial road sections with completion of compensation payment to APs, LARPs’ Implementation Compliance Monitoring was done by an EMC conducting required surveys. They prepared six Compliance Reports (CRs) for the road sections. These CRs endorsed by MRDI & subsequently, approved by ADB. The seventh CR for the additional impact of the BB Road Project is under preparation and will be submitted to ADB in July 2022.</p>
<p>The Borrower, through RD, shall ensure that the Project does not have any indigenous peoples impact within the meaning of Safeguard Policy Statement. In the event the Project does = have any such impact, the Borrower, through RD, shall take all steps required to ensure that the Project complies with the applicable laws and regulations of the Borrower and with the Safeguard Policy Statement.</p>	<p>ADB Loan Agreement</p>	<p>No Indigenous People are identified in the Project.</p>

Covenant	Safeguard Applicability	Status of Compliance
<p><u>Safeguards – related provisions in Bidding documents and Works contracts:</u></p> <p>The Borrower, through RD, shall ensure that all bidding documents and contracts for Works contain provisions that requires the Contractor to:</p> <ul style="list-style-type: none"> • comply with the measures relevant to the Contractor set forth in the EIA, the EMP and the RPs (to the extent they concern impacts on affected people during construction), and any corrective or preventative actions set forth in a Safeguards Monitoring Report; • make available a budget for all such environmental and social measures; • provide the Borrower with a written notice of any unanticipated environmental and resettlement risks or impacts that arise during construction, implementation or operation of the Project that were not considered in the EIA, the EMP and the RPs; • adequately record the condition of roads, agricultural land and other infrastructure prior to starting to transport materials and construction; and • reinstate the pathways, other local infrastructure and agricultural land to at least their pre-Project condition upon the completion of construction. 	<p>ADB Loan Agreement</p>	<p>Complied with.</p>

Covenant	Safeguard Applicability	Status of Compliance
<p><u>Safeguards Monitoring and Reporting</u></p> <p>The Borrower, through RD, shall do the following:</p> <ol style="list-style-type: none"> a. submit semi-annual Safeguards Monitoring Reports to ADB during the construction of the Project and until its completion, and, thereafter, submit annual reports to ADB during its operation, and disclose the relevant information from such reports to affected persons promptly upon their submission. b. If any unanticipated environmental and/or social risks and impacts arise during the construction, implementation or operation of the Project that were not considered in the EIA, the EMP and the RPs, promptly inform ADB of the occurrence of such risks or impacts, with detailed description of the event and proposed corrective action plan; c. Report any actual or potential breach of compliance with the measures and requirements set forth in the EMP or any RP promptly after becoming aware of the breach. 	<p>ADB Loan Agreement</p>	<ol style="list-style-type: none"> a) All semi-annual Safeguards monitoring reports are timely submitted and published on ADB web page b) If any unanticipated social risks and impacts arise during the construction, implementation or operation of the Project that were not considered in the EIA, the EMP and the RPs, RD shall inform immediately ADB of the occurrence of such risks or impacts, with detailed description of the event and proposed corrective action plan; c) RD will report ADB any actual or potential breach of compliance with the measures and requirements set forth in the EMP or any RP promptly after becoming aware of the breach.
<p><u>Labor Standards</u></p> <p>The Borrower, through RD, shall ensure that the core labor standards and the Borrower’s applicable laws and regulations are complied with during Project implantation. The Borrower, through RD, shall include specific provisions in the Bidding documents and contracts financed by ADB under the Project requiring that the contractors, among other things:</p> <ul style="list-style-type: none"> • comply with the Borrower’s applicable labor law and regulations and 	<p>ADB Loan Agreement</p>	<p>Labor Standards listed bellow is supervised and controlled by the Engineer. The information is provided via monthly and SSM reports (Please see relevant chapter).</p>

Covenant	Safeguard Applicability	Status of Compliance
<p>incorporate applicable workplace occupational safety norms;</p> <ul style="list-style-type: none"> • do not use child labor; • do not discriminate workers in respect of employment and occupation; • do not use forced labor; • allow freedom of association and effectively recognize the right to collective bargaining; and • disseminate, or engage appropriate service providers to disseminate information of the risks of sexually transmitted diseases, including HIV/AIDS, to the employees of contractors engaged under the Project and to members of local communities surrounding the Project area, particularly women. 		

ANNEX 2 - Situational Plan of Cemetery relocation works



ANNEX 3 - Improved Cemetery



ANNEX 4 - AIDS, Hepatitis & Covid-19 Training



ANNEX 5 – Public Consultations and Meetings



ANNEX 6 PHOTORECORD OF THE TRAINING (Environmental and Social, Health and Safety (ESHS) Orientation Session, 16th of June



ANNEX 7 ATTENDANCE SHEET of the Environmental and Social, Health and Safety (ESHS) Orientation Session



Subject: ESHS Orientation Session – List of Attendants

Date: 16th of June 2022

Place: Engineer's office in Tsnori, Georgia

Name and Surname	Company	Job Position	Phone Number	E-mail	Signature
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