

Social Monitoring Report

Bi-Annual Report
January to June 2019
April 2020

GEO: Batumi Bypass Road Project
Financed by the Asian Development Bank and Asian
Infrastructure Investment Bank

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 Monitoring
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 & 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 in comes and take their meals from a common kitchen.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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1 INTRODUCTION

1.1 Objective of the Report

1. This Semi-Annual Social Safeguards Monitoring Report for Batumi Bypass Road Project in Georgia covers the period from January to June 2019. 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 2019. It provides information on social safeguards activities related to the preparation and implementation of the LAR plans (LARP) as well as safeguards issues raised during construction period and social impact mitigation measures. It describes the project's performance in dealing with community consultation and stakeholders' participation, impacted assets registration/records and compensation processes, and grievances received and redressed. Lessons learned and the recommendations for the implementation of safeguards component of the project in the next stage of the program are summarized at the end of the report.

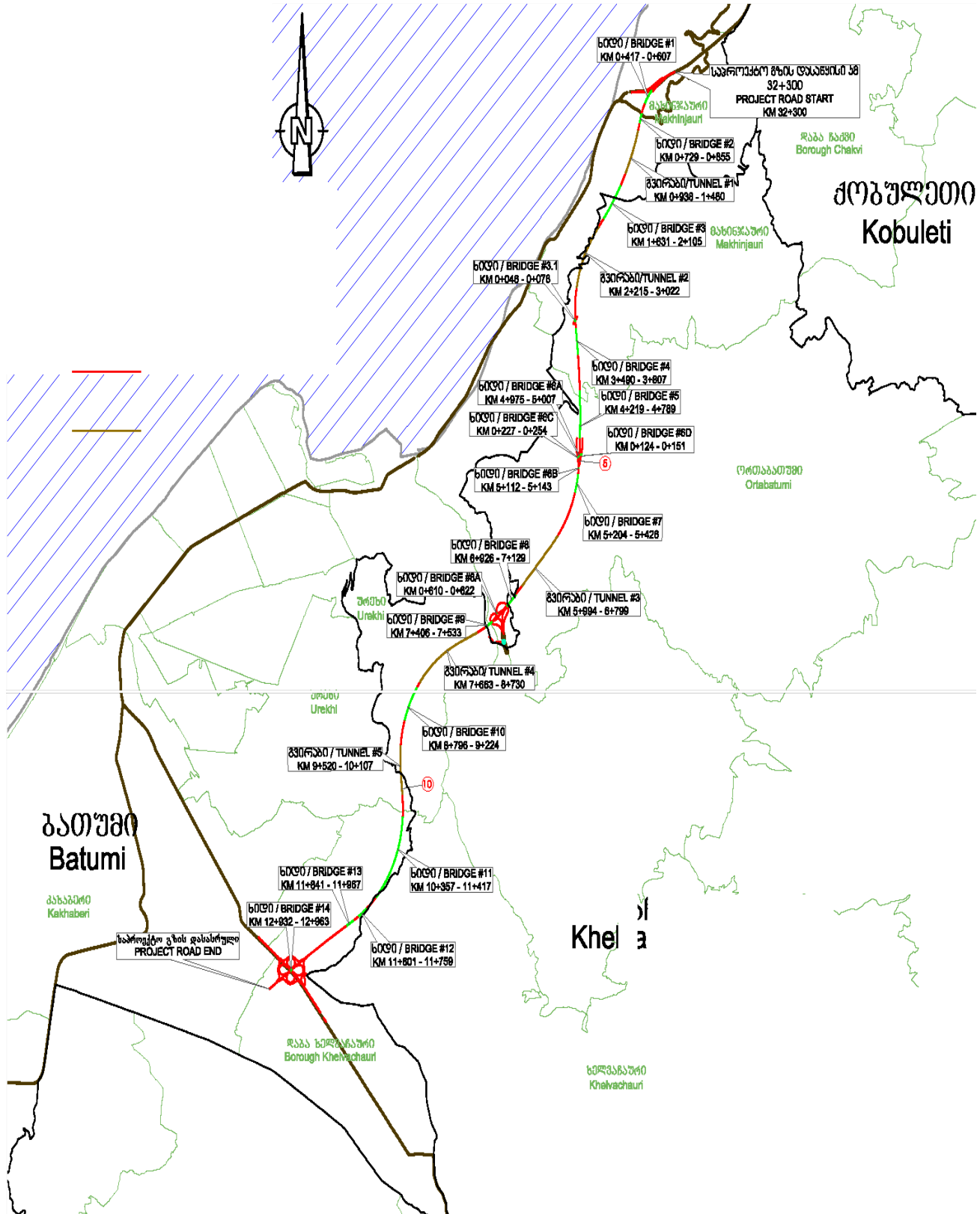
1.2 Background Information

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

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

4. The project road is designed to bypass the city of Batumi to the east, and because of the topography and urban landscape that it traverses, includes five tunnels and nineteen bridges. The road was originally designed by the South Korean engineering firm, Sambo, in 2010. The construction of the road is currently under implementation as a single civil works contract and funded by ADB (Loan 3520-GEO) and AIIB (Loan 8328-GEO).

Figure 1: Project Location Map



1.3 Objective and Coverage of the Monitoring

5. The major objective of this SMR is to analyze the implementation status of the LARPs and other associated social safeguards issues includes handing over the road's Right of Way (RoW) to start construction of the bypass road.

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

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

1.4 Methodology Followed under Monitoring Program

7. The monitoring has been conducted mostly rely on the project documents LARF, LARPS, LARP addendum, CRs, monthly & quarterly reports etc. through review & analyze, compilation of necessary data from aforesaid documents. In addition, consultant also had conducted consultations/meetings among the APs and other project stakeholders of the project through regular site visits. Such consultations & meeting conducted with & assistance of the CSC, Contractors, EMC, RD, PIU of MRDI and relevant other project stakeholders. The findings from the aforesaid consultations/meetings has been incorporated in this 3rd Bi-Annual SMR document in a cumulative manner.

1.5 Social Safeguard/Resettlement Categorization

8. Prior to civil works implementation, the projects selected for construction or development to be Screened and Classified using ADB's classification system as follows:

- Category A: Projects proposed for construction or development, will fall under this category, if, it caused a significant involuntary resettlement impacts with a physical displacement of 200 or more persons from their residences, or 200 or more persons lose 10% or more of their productive or income generating assets, or more persons or 200 or more persons experience a combination of both.
- Category B: Any proposed subproject that includes involuntary resettlement impacts but are not deemed significant considering loss of shelter/houses or productive or income generating assets will be considered for category B.
- Category C: A proposed subproject that has no involuntary resettlement impact.

9. As per ADB's Safeguard Policy Statement (2009), Batumi Bypass Road Project falls under Category A, considering the significant involuntary resettlement issues. The project has no impact over indigenous people or the communities.

2 OVERVIEWS OF THE LARPs AND ASSOCIATED IMPACTS

2.1 LARPs and Allied Documents Preparation

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

LARP-1 for Section 1 covers Km 0+000 to 6+700, and

LARP-2 for Section 2 covering Km 6+700 to 13+700.

11. These updated LARPs were approved by ADB in mid-2016. These LARPs are currently under implementation, started from August & September 2016. Afterwards, preparation an addendum for both the LARPs/ sections was required due to emergence of some new impacts (to include or exclude) caused due to adjustments of right of way (RoW) through design considerations considering the existing condition. This has been followed by preparation of LARP compliance monitoring reports (CR) by an External Monitoring Consultant (EMC), deployed by the RD, MRDI to comply the project policy. Till the reporting period, EMC prepared three (3) CRs; two of them for LARP-1 covering partial sections Km.1+750 to 2+250 (CR-2) and for partial sections Km. 0 to 0+700 & 2+250 to 6+700 (CR-2) for LARP-1 and CR-1 covering partial section Km. 6+700 to 12+830 for LARP-2. These CRs prepared only for the encumbrance free road sections where LARPs already implemented i.e. completed compensation payment to APs.

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

2.2 Pending LARP Implementation Tasks

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

2.3 Conditions for Project Implementation

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

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

2.4 Summary Impact of LARPs

15. This has been mentioned earlier that after getting approval of LARP, implementation started and during implementation an addendum was required to prepare, due to consideration of some changes in inventory of losses not envisaged during project preparation/finalization of LARPs. Finally, some changes of impacts were found, which also were considered during implementation through conducting additional survey & assessment. After completion of LARPs implementation for the partial sections of the road, the EMC prepared three CRs (2 for Section-1 & 1 for section-2) separately for the both sections, where compensation payment completed. Summary of the LAR impacts based on the approved LARPs/Sections plus LARP's Addendum is presented in the table below.

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

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

2.5 Project Policy and Entitlement Matrix

16. The legal and policy framework of the project on land acquisition and resettlement has been adopted to assist the APs and/or households for their lost land and assets, income and livelihood resources. Expropriation of land through eminent domain will not be applied unless approach for acquisition through negotiated settlement fails. Compensation eligibility is limited by a cut-off date as mentioned in the LARPs for this project (the time of survey & measurement of the affected properties, valuation, socioeconomical study etc.), and this date was clearly communicated to the public and to the APs during public meetings. APs will be entitled for compensation or at least rehabilitation assistance under the Project are (i) all land users (traditionally using agricultural land) /registered land owners 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.

2.6 LARP Implementation Arrangements

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

2.7 Consultation Participation & Grievance Redress Mechanism

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

19. Consultation with likely APs in the project affected areas was conducted during the feasibility study of the Project. At the preparation of Batumi bypass LARP in detail design stage, all likely APs (available on site) were consulted through community level meetings and through individual contact at the time of census, socioeconomic survey and detail measurement survey. It will be continued throughout the remaining implementation period.

2.8 Cost and Financing

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

- (i) Compensation for agricultural, pasture, and commercial land at replacement value
- (ii) Compensation for structures and buildings at their replacement cost
- (iii) Compensation for business/employment loss
- (iv) Compensation for crops and trees

- (v) Assistance for severely affected AHs
- (vi) Assistance for vulnerable groups for their livelihood restoration
- (vii) Cost for implementation of LARP

2.9 Monitoring

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

3 LARP IMPLEMENTATION

3.1 General

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

- During the survey/inventory of assets, some owners/APs of the affected properties didn't allow the survey team to record their inventory. After careful discussions/negotiations during LARP implementations they were convinced and this resulted in additional resettlement needs.¹
- Some owners of residential apartments were close to alignment & they complained to RD and in certain cases (when distances are 50 m or less)² and agreed with the claims resulted additional resettlement cases.
- Some APs failed to produce required documentary evidences at the time of LARPs preparation for inclusion and later date during implementation they collected &

¹ In LARP for Sections 1 and 2 (see note under Tables II-1), 2 and 8 plots respectively are listed where surveyors were not allowed to enter. Allowances for this not measured /surveyed land plots was not evaluated in main LARPs and allowances were not estimated and paid. But these issues will certainly be addressed by this Addendum, as currently there are not any remaining properties were full DMS has not been done. All remaining land plots are already measured and redressed with this Addendum.

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

- produce some of them legalized later managed to legalize their loft spaces on the attic managed to legalize these spaces, which required additional survey.
- One family cemetery necessitated to relocate & required new assessment.

23. Taking into account of the aforementioned situation, the project team prepared an Addendum in August-September 2017 and got its approval for the under implementation LARPs for both Sections 1 and 2:

24. However, after completion of compensation payment by RDMRDI, following project conditionality, the EMC prepared three CRs till June 2019 for the partial sections are:

CR-1: Partial Section Km. 6+700 to 12+830 for Section-2 under LARP-2,

CR-2: Partial Section Km 1+750 to 2+250 for Section-1 under LARP-1, and

CR-3: Partial Sections Km.0 to 0+750 & Km. 2+250 to 6+700 under LARP-1.

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

3.2 Implementation Status of LARPs

26. The implementation of the LARP-1 for section-1 Km. (0+000 to 6 +700) for the bypass road started having ADB approval in August 2016. Subsequently, an addendum was prepared by RDMRDI covering some additional impacts envisaged during implementation. This has happened, because of some land plots even were under the same ownership/user, inventoried separately due the unclear borders, overlaps between the lands, etc. at the time of LARPs preparation. During implementation, such cases was required corrections by the IA/RDMIRD with necessary survey/investigations, new measurements etc. for all overlapping of the land plots pertains to uniting several land plots in one plot under the same ownership/user. While the changes in the impacted area pertains to additional studies, performed during the implementation process. This resulted certain changes in numbers of total affected land plots, area, and number of APs etc.

27. However, till the reporting period (June 2019), EMC prepared 3 LARP compliance reports (CRs); CR-2 (km. 1+700 to 2+250), CR-3 (Km.0 to 0+ 750; & 2+250 to 6+700) for partial sections-1 under LARP-1 & CR-1 for partial (Km. 6+700 to 12+830) section-2 under LARP-2. These aforesaid sections of the road were handed over to the contractor for construction. It is worthwhile to mention that till the reporting date, there are some part/section (Km. 00 to 0+750) under section-1 and (Km. 12+830 to 13+700) not yet completed Compliance Monitoring supposed to conduct by the EMC. Once complete, this will be monitored in connection to social safeguards issues in due course and will be included in the next SMR.

3.3 LARPs Implementation Status up to the Reporting Period

28. Implementation status of the LARPs for the aforesaid partially completed sections under LARPs 1 & 2 assessed under the current report prepared by the CSC Consultant for RDMRDI. This SMR has been prepared reflecting the implementation status, only for the completed & handed over Parts of the bypass road to contractor for construction.

29. The Table 3 below, shows comparison among the approved LARPs and combining LARPs & Addendum as finally updated documents for compensation payment. It reveals from the following table-3 that in connection to LARP-1, number of affected plots were 574, with a total land area of 249,889 sqm., which has increased to 591 plots with total land areas of 267,604 Sqm. in combined LARP-1 & Addendum. But marked no changes with the number of HHs/APs. But the number of affected households, remains same (217 HHs) in both documents. On the other hand, combining the LARP & Addendum compared to LARP-2, under section-2, land plots decreased to 1135 with an increase of land area to 388,688 sqm. While the number of APs decreased from 402 to 400. These changes also marked for the instances of APs affected with structures, crops/perennials, relocation requirements etc. and entitlement for other allowances admissible under the project/LARP policy. These changes have caused for the aforesaid documents, have been stated above in detail. Information in detail may be seen the tables below.

Table 3-1: Comparison of LAR Impacts between the Approved LARPs and LARP Plus Addendum by LARPs

Project Impacts	LARP-1 for Section-1: Entire section (Km 0+000 to 6+700)		LARP-2 for Section-2: Entire section (Km 6+700 to13+700)	
	As per approved LARP	Combining LARP & Addendum	As per approved LARP	Combining LARP & Addendum
No of affected Plots	574	591	1,143	1,135
Affected land Area in sqm.	249,889	267,604	384,044	388,688
No. of affected HHs	217	217	402	400
No. of affected HHs with structures	80		170	135
Crops & perennials	170		295	176
HHs to relocate	69	77	300	298
HHs Severely impacted	193		369	150
Vulnerable HHs impacted	92	22	184	79

30. The current implementation status is concerned, the table 4 below, shows the finally estimated impacts on APs combining LARPs & addendum with their land and other associated impacts. These APs were planned to pay their due compensations & other benefits during implementation following the project policy. It is important to note that at this stage of project implementation, RDMRDI, the IA made compensation payment to the APs for their lost properties only for the sections cleared to make encumbrance free for handing over to start construction activities by the contractor. To comply ADB policy, EMC also conducted compliance monitoring exercise with required report preparation, which subsequently approved by ADB for those sections, completed LARPs implementation and compensation payment as well.

31. However, till the reporting periods (beginning of implementation in August 2016 through June 2019), the road sections remain unimplemented (implementation ongoing) are: from Km. 0+750 to 1+ 750 under LARP-1 for section-1 & 12+ 830 to 13+ 700 for LARP2 under section-2. These sections of the road are currently under implementation but yet to complete compensation

payment. Foregoing the aforesaid remaining sections of the road, this report assessed implementation status furnishing the results in the table-4 below with the implementation for the completed parts of the road only. It has revealed from the concerned table that there are some differentiations between the combined LARPs & addendum regarding the number of affected plots, land areas and number of APs with other associated impacts mentioned in the LARPs plus addendum (for completed parts of the road and actual implementation of LARPs combining LARP & addendum, stated in the EMC report. The major causes of such changes were due to errors in cadastral measurements, which required additional survey on some significant numbers of APs and their properties. The aforesaid survey & investigations resulted some changes, which reflected in the EMC Reports in detail.

32. It may be seen from the below table, in case of LARP-1 for section-1, (implementation completed partial road sections) affected a total 527 land plots with land area of 231,024 sqm. affecting 187 household/APs. These land area, number of plots & number APs further decreased respectively to 229,127 sqm. land area comprising 339 plots, affecting 185 HHs These above changes happened during final updating of inventories through preparation of addendum and additional surveys as per requirements. The major causes of such changes were due to requirements of additional survey further for some cases with overlapping, wrong calculation/survey or other disputes as mentioned in the above section of the report. However, finally 339 plots comprising 229,127 sqm. land area belongs to 185 HHs found affected. All these APs for their lost properties were made compensation with other resettlement & rehabilitation benefits admissible under the project policy. This means, LARP-1, for the aforesaid sections are deemed to be completed till the reporting period.

33. Similarly, for the LARP-2, a total of 620 plots comprising 294,711 sqm. land area affected a total 175 HHs for the cleared road section. While compared it to combined LARP and addendum for the same sections, these has decreased to 422 plots comprising 293, 046 sqm. land but increased in affected HHs numbers to 178. These changes found during LARP implementation through final checking with the APs list & inventory of affected properties due to the same reason mentioned above. All these APs for their lost properties were made compensation with other resettlement & rehabilitation benefits admissible under the project policy. This means, LARP-2, for the aforesaid sections also is deemed to be completed till the reporting period.

Table 3-2: Implementation Status by LARPs 1 & 2 with Comparison of LAR Impacts between the Approved LARPs and LARP Plus LARPs Addendum for the Partial Road Selections up to the Reporting Period

Project Impacts	LARP-1 & Addendum for Section-1 (Completed Parts of the Road sections 0 to 0+750, 1+50 to 2+250 & 2+250 to 6+700 only)		LARP-2 & Addendum for Section-2 (Completed Parts of the Road section 6+700 to 12+830 only)		Implementation Status
	As per approved LARP only	Combining LARP & Addendum	As per approved LARP only	Combining LARP & Addendum	
No of affected Plots	527	340	620	422	Payment made to all & implementation completed
Affected land Area in sqm.	231,024	229,127	294,711	293,046	Payment made to all & implementation completed

Project Impacts	LARP-1 & Addendum for Section-1 (Completed Parts of the Road sections 0 to 0+750, 1+50 to 2+250 & 2+250 to 6+700 only)		LARP-2 & Addendum for Section-2 (Completed Parts of the Road section 6+700 to 12+830 only)		Implementation Status
	As per approved LARP only	Combining LARP & Addendum	As per approved LARP only	Combining LARP & Addendum	
No. of affected HHs	187	185	175	178	Payment made to all & implementation completed
No. of affected HHs with structures	163	161	135	134	Payment made to all & implementation completed
Crops & perennials	158	157	176	176	Payment made to all & implementation completed
HHs to relocate	67	66	44	50	Payment made to all & implementation completed
HHs Severely impacted	180	180	160	160	Payment made to all & implementation completed
Vulnerable HHs impacted	77	11	74	14	Payment made to all & implementation completed

3.4 Temporary Land Acquisition and Compensation Payment Status

34. In connection to bypass road construction, it has assumed that contractor might require some land temporary basis during construction outside ROW, in addition to already acquired lands for road's ROW by the RD. This temporary land acquisition will be required by the contractor to use for the purpose to construct diversion roads and establishment of office, living quarters for the staffs, stake yards, plants warehouse, site camps etc. in addition to land already acquired by the RD for road construction, LARPs did not covered these temporary land requirements of the contractor. But it has been mentioned in the LARPs that compensation should be paid as per policy of the LARP for such temporary impacts, if required/ found any, during construction.

35. In compliance of the above conditionality, up to the last reporting period (June 2019), the Contractor has hired/rented 22,606 sqm. land with three existing buildings from Techno service, Ltd for establishment of the Campsite. In addition, 70,035 sqm. Land also rented in from the Ministry of Finances and Economics of the Republic Adjara for installation of plants. All the above rented in lands & buildings, contractor made payment dully following the agreement between the parties concerned.

36. During the current reporting period (January- June 2019) in addition to above, the Contractor has rented/ hired some additional land plots the following local residents:

Table 3-3: Summary of Temporary Impacts

No	Name	Surname	Location	Area S	Status	Purpose of Land Use
1			Makhvilauri	70	Ongoing	Local diversion road (BR-11/P19)
2			Makhvilauri	300	Ongoing	Local diversion road (BR-11/P19)
3			Makhvilauri	5,004	Ongoing	Local diversion road (BR-11/P19)
4			Makhvilauri	750	Ongoing	Material Storage Area

3.5 Issues Identified during Construction at Project Area

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

38. During reporting period monitoring of impact of blasting works of tunnel N5 was on-going. Particularly, vibration was measured in the houses whose owners have expressed dissatisfaction due to on-going blasting works. In this regard 5 families located on the slope in front of tunnel N5 should be discussed separately as monitoring conducted in their houses did not confirm impact of tunnel blasting works on the residential structure. The distance between the construction area and the houses is 120-165m. The maximum vibration identified during monitoring was between 2.1-2.9 m/s, which is in the applicable criteria of no damage as per Appendix 7 [Blasting Induced Vibration] of EIA. Moreover, during monitoring development of the cracks or movement of crack markers was not observed. The Engineer supposes that the main reason of the claims from local residents was caused by noise of blasting works, which was high, but its impact was not continued more than 10 seconds.

39. The vibration was also measured in the houses located on top of the tunnel at different section. 8 residential houses located in the risk zone were identified and preconstruction survey was conducted. During survey it was identified that house of Mr. [REDACTED] located at section 9+800 in the distance of 36m from the tunnel axis and at the height of 69m is in hazardous condition and it is dangerous to conduct blasting works. Consequently, it was decided to temporary relocate the family before completion tunnel blasting works. After completion of blasting works the impact will be assess and relevant decision will be taken. As for remaining 7 building systematic monitoring of vibration caused by blasting works was systematically conducted. Out of these houses some minor surface cracks are observed in the house of Mr. Giorgi Dumbadze.

40. In May 2019, before commencement of construction activities of tunnel N4 the Contractor together with the Engineer's representative conducted pre-construction survey of the houses identified in the structural and cosmetic risk zones as per Appendix N7 [Blasting induced vibration] of EIA. Consultations were organized with other residents as well. Information brochures were distributed and contact numbers of the representatives of the Engineer and the Contractor are indicated.

41. All these temporary issues/concerns furnished in the table below in summary form, since beginning of the project implementation up to the current reporting period.

Table 3-4: Status of Issues Identified & Current Status of Resolution

SI No.	Date of Issue	Location	Description of Issue	Measures Taken	Current Status
1	28.07.2018	Km13+040	Mr. I [REDACTED] resident at section km13+040 of main road at the adjacent territory of CL308 expressed dissatisfaction due to excess dust, noise and damage of water supply and sewage pipes.	The observations and recommendations are sent to RD and this case will be discussed by commission.	
2	20.08.2018	Km7+460	Mr. T [REDACTED] residing at the adjacent of section km7+460 expressed dissatisfaction as the Project road shall block access to his house. He is also concerned by construction activities on-going close to his house.	The observations and recommendations are sent to RD and this case will be discussed by commission.	
3	29.08.2018	Km0+520	Mrs. N [REDACTED] resident nearby section km0+581 of CL103 Ramp expressed concerns about close location with RoW of Project road, even though at the mentioned section	The case explanations with recommendations and further decision to be made by Commission.	It was decided to acquire the house. The local resident does not agree with compensation amount. Negotiations are on-going.

SI No.	Date of Issue	Location	Description of Issue	Measures Taken	Current Status
			construction activities are not yet commenced		
4	06.09.2018	Km8+820	Mr. [REDACTED] resident in village Mnatobi requested construction of access road to his remaining land plot. As per his statement, Road Department acquired the house and the residential land plot (406 sq. m.) in the scope of the Project, from which he had access to his remaining land plot (2597 sq. m).	Alternatives of access road was considered by the Engineer.	Detailed design is completed and sent to the Employer.
5	27.09.2018	Km6+500	During setting out of the exit of evacuation shaft N2 of Tunnel N3, Mr. [REDACTED] claimed that he is the land user of the territory where design considers construction of the exit of the shaft.	The territory was measured, and relevant information was sent to the Employer for future instructions.	
6	10.2018	km4+180	Mr. [REDACTED] has requested construction of access road to his remaining portion of land parcel	The Contractor was instructed to provide detailed design.	Preparation detailed design is on-going.
7	10.2018	km2+280	Mr. [REDACTED] acting on behalf of his sister Ms. [REDACTED] has requested construction of access road to his remaining portion of land parcel	Construction works access road shall be considered in detail during construction activities.	

SI No.	Date of Issue	Location	Description of Issue	Measures Taken	Current Status
8	16.11.2018	km9+010	Excavation works of cut at section for construction of temporary access road to Bridge N10 caused development of landslide processes in the land plot of Mr. Tengiz Makharadze.	Slope protection measures are under consideration	
9	03.19	Tunnel N5	Local residents in the adjacent village of tunnel construction area have claimed that the water source which is located at the nearby slope of Tunnel N5 in the distance of 60m from the blasting area was lost. This water source was hand made by the ancestors of locals and around 21 family was using it.	Currently the water is supplied by the Contractor by water tanks. Construction works have started	
10	04.19	km13	14 families settled at the adjacent of Opizrebi St. N65 (the houses are located at the adjacent of precast yard) requested acquisition of their houses as they are located near to the Project road. They also claimed that access road is blocked.	Currently, preparation of detailed design of access road is on-going. The settlement was provided with temporary access road. All other necessary information is sent to Road Department.	
11	04.19	km13	14 families settled in Opizrebi st. N41 (km13 of the Project road) have also requested acquisition. They think that two-story building where they are settled is in	Currently, there is no road construction activities on-going at the mentioned sections. The building is surveyed, and assessment of its structural condition is sent to Road Department.	

SI No.	Date of Issue	Location	Description of Issue	Measures Taken	Current Status
			hazardous condition and will collapse because of vibration caused by road construction activities.		
12	05.2019	km4+960 – km 5+000	At section equipment and inventory owned by Kvadri, Ltd are stored, even though the land plot is acquired and registered as state property. The owner of the land plot has verbally informed that he is not going to free the land plot for construction activities.	Road Department was informed concerning the mentioned issue. Legal procedures are on-going.	

42. Pictures of some issues/concerns of the local residents in some locations presented below.



Section km4+960 – km5+000/ Equipment and inventory owned by Kvadri, Ltd



View of settlement of Opizrebi St. and on-going fencing of precast yard



Consultations with local residents residing in the risk zone of Tunnel N4

4 GRIEVANCE REDRESS MECHANISM & GRIEVANCE REDRESS STATUS

4.1 Formation of Grievance Redress Committee

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

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

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

Representatives of Local Authorities (Gamgeoba):

1. Merab Mikeladze – village Makhinjauri
2. Vazha Tsitsandze – village Gantiadi
3. Avtandil Tarieladze – village Kapreshumi
4. Irakli Turmanidze – village Salibauri
5. Beglar Abashidze – village Peria
6. Shalva Zakaradze – village Makhvilauri

Representatives of Roads Department of Adjara:

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

Representatives of Local NGOs:

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

Representatives of Local Community:

1. Guram Iremadze – Village Sameba

2. Elguja Guguladze – Village Peria
3. Nugzar Dumbadze – Khelvachauri rayon
4. Pezli Tsulukidze – Khelvachauri rayon

4.2 Grievances Received and Redressed-Updated Status

46. From beginning of LAPs implementation up to the current reporting period, a total of 70 persons have submitted 15 categories of grievances to the GRC out of which 46 grievances have been resolved as of 31 July 2019. People now mostly (28 Nos.) applied for inclusion of their residential structures or land plots in the acquisition list, out of which 11 cases are finalized. 7 APs requested correction of ownership of their properties as the borders were wrongly demarcated. So far all of them are solved. Nine APs requested information about assessment criteria and other related issues.

Table 4-1: Summary of the Grievances by Category with Status of Resolution

N	NATURE OF GRIEVANCES	NO. OF TOTAL GRIEVANCES	RESULT		REMARKS
			Measures Taken	Resolved	
1	Correction of ownership of affected properties	7	7	7	In favour of APs
2	Request of information	9	9	9	APs were given required information in all cases
3	Negotiations about mortgaged property	5	5	5	In favour of APs
4	Request to be involved in distribution of compensation for common property	1	1	1	Denied
5	Submission of letter	2	2	2	
6	Request of additional compensation	2	2	2	In one case AP was expropriated. In another case after explanation AP received compensation
8	Potential hazard to residential house	5	5	0	All cases will be monitored during construction by SC
9	Request to stop acquisition	1	1	1	
10	Providing information	1	1	1	

N	NATURE OF GRIEVANCES	NO. OF TOTAL GRIEVANCES	RESULT		REMARKS
			Measures Taken	Resolved	
11	Re-measurement/re-assessment of property	5	5	4	4 APs accepted compensation after clarification. 1 case is sent to Court for expropriation
12	Recalculation of compensation	2	2	2	After clarification both APs agreed to receive proposed amount
13	Inclusion in affected list	28	28	11	7 requests were satisfied, one case was avoided by design solution, in three cases request denied.
14	Compensation for the damaged land plot	1	1	1	
15	Compensation for damaged trees	1	1	0	
	Total	70	79	46	

5 OTHER COMPLIANCE ISSUES

5.1 Maintaining Core Labor Standard

47. According to the monthly report (June 2019) of the Contractor found that they have employed 55 foreign and 224 Georgian personnel. Subcontractors have engaged total 220 (47 foreign and 173 local) personnel.

48. Despite the Engineer's requests the Contractor still fails to provide complete information required by the Engineer as per relevant clauses of GCC. During the reporting period the Engineer's team conducted survey between the workers of the Contractor with simple questionnaire. The results will be provided in the report of the next month.

49. The Contractor has 10 hours working day (from 8 a.m. to 7 p.m.) plus alternative Sundays which accounted for 60-70 hours per week, which is not complying with the requirement of Georgian Labour Code sets maximum 48 working hours per week. In such instance, Contractor should compensate overtime working hour's reasonable higher rate or to allow an employee day-off. To check the compliance with the requirements of Labour Code, Contractor was instructed to provide Contracts and time sheets.

5.2 Child Labor in the Project Activities

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

5.3 Forced or Compulsory Labor

51. 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

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

5.5 Health and Safety and HIV/AIDS Awareness Program

53. The current monitoring also found that the Contractor has arranged a medical office and employed Doctors for the treatments of the staffs/employees of the contractor.

54. 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.

55. The Contractor has instructed to comply with the requirements of clause 6.7 of GCC and include an alleviation programme for Site staff and labour and their families in connection to Sexually Transmitted Infections (STI) and Sexually Transmitted Diseases (STD) including HIV/AIDS under this programme for submission under Sub-Clause 8.3.

56. During reporting period, the Contractor's doctor provided information for the workers about HIV/AIDS and Sexually transmitted diseases and the information campaign program as well. Furthermore, Contractor's HSE specialist organized trainings of worker on various issues, such as: use of personal protective equipment, fire emergency, driving safety and first aid.

5.6 Accident Record Log

57. Up to the reporting period eleven (5) different types of incident happened those mentioned in the table below stating description of incidents measure taken and follow up action.

Table 5-1: Accident Log

	Date	Accident	Current Status
1	23.02.2019	During excavation at section km7+300 works grenade was found.	All activities stopped and personnel was evacuated to safe area. Police was called.
2	04.03.2019	At section km13+130 crane hit the electrical pole.	Nobody was damaged. The electric pole was repaired.
3	16.03.2019	During lunch break the Contractor's driver felt back pain. The emergency was called. After observation the doctors assumed it was caused by cold.	After treatment the driver returned to works.

	Date	Accident	Current Status
4	27.03.2019	At section km7+900 construction equipment hit unused gas pipe which on the other hand rolled over the demolished house nearby.	Nobody was damaged and there was no harm to private property.
5	17.05.2019	During installation of concrete plant the worker was hit in head by steel structure and was slightly injured.	

6 SAFEGUARDS COMPLIANCE STATUS

6.1 Status of Recruitment/Mobilization of Safeguard Team

58. CSC Consultants mobilized two positions of Social/Resettlement Specialist, of them one National (NRS) and one International Social/Resettlement (IRS) for the project in March & October 2018 respectively. They are currently continuing their works and are assisting/supporting RDMRDI with constant monitoring, in connection to resettlement program implementation with other social safeguards issues of the project. However, input of the IRS has a provision of 12 months intermittent inputs over the project implementation, while the NRS with 24 months. The RDMRDI established a Resettlement Division & Resettlement Unit at the PIU level with requisite officers & staffs from beginning of the project to carry out & support to implement resettlement & rehabilitation of APs and other safeguards issues of the project covering total project implementation periods.

6.2 Project Social Safeguard Performance

59. From the beginning of the project implementation to till the current reporting period, 'PIU's RU team are working. Since, mobilization of CSC consultant's Experts in March & October 2018 are working on social/resettlement safeguards issues. Both the PIU & CSC experts are conducting required survey/investigations at the project site with necessary consultation with the stakeholders including beneficiary and affected people of the subproject with monitoring considering social safeguard issues. However, till the reporting periods, all the APs have been paid their due compensation with proper resettlement & rehabilitations for the partial road sections and already handed over to the contractor. The contractors are carrying out physical construction on those sections of the road. The remaining road sections currently under implementation of LARP through paying compensation to the APs. However, CSC's Resettlement Specialists are constantly monitoring resettlement & social safeguards issues, accordingly, they are preparing & submitting monthly, quarterly & bi-annual monitoring reports to RDMRDI/PIU regularly.

60. No Bi-Annual Social Monitoring Report prepared since start of LARP implementation to June 2018. So as required, after mobilization, IRS with assistance of the NRS & guidance from RDMRDI/PIU prepared the First Bi-Annual Social Monitoring Report covering the period from beginning of project implementation to June 2018. This current report is considered as the third Social Monitoring Report in connection to LARPs implementation and related social safeguards issues of the project.

6.3 Compliance with Safeguard Covenants of Loan Agreement

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

Table 6-1: Status of Resettlement and Social Safeguard Issues Related to Loan Covenants as of 30th June 2019

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

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

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

7 CONCLUSIONS

62. The Batumi Bypass Road Project implementation is ongoing, where resettlement & safeguards compliance is an important and highly valued aspect. The beginning of the project's social safeguard aspects started from the feasibility study through conducting necessary census and survey of the project affected people to prepare LARF and LARP. Subsequently, LARPs were finalized/updated based on the detailed design covering resettlement and social safeguard issues. A total of two LARPs and one LARF were prepared for the project, harmonizing ADB's SPS 2009 and GOG policy standards for the land acquisition and resettlement of the APs. The LARPs in due course, was approved. During LARP implementation, preparation of an addendum to LARPs was necessary to make some corrections of inventory of affected properties pertaining to existing condition. The LARPs implementation program started by RDMRDI, since last half of 2016. The implementation of LARPs, as mentioned in the LARF, LARPS and project conditionality is complying with provisions to monitor both internally and externally of the entire resettlement implementation. In this connection, LARPs implementation compliance monitoring was conducted and prepared three CRs for the implementation completed parts of the road. And this is the Third Bi-Annual Social Monitoring Report (covering the period of January – June 2019) prepared by the CSC Consultant for RDMRDI by the CSC's International Resettlement Specialist. However, monthly & quarterly progress monitoring report are regularly producing and submitting by the NRS, since her mobilization in March 2018.

63. In sum, it may be concluded that the RDMRDI team is working hard to make payment (compensation and other additional grants and benefits) to the APs timely with mitigation of grievances. Till date, the LARP implementation for the partial sections comprises almost of the road ROW completed with required relocation of affected households before handed over to the contractor for construction. It was revealed from the monitoring of LARPs implementation, substantial progress in connection to LARP implementation has been done in compliance to the ADB & project policy. It may be mentioned that a small portion of remaining road alignments still under implementation. It is expected that implementation for this portion, will also be completed soon. Once implementation complete, EMC will conduct their compliance monitoring activities and is expected to submit their report as soon. Hopefully, the next (fourth) bi-annual report, which will be due in December 2019 and will be possible to incorporate total picture of the LARP implementation status.