

MINISTRY OF REGIONAL DEVELOPMENT AND
INFRASTRUCTURE OF GEORGIA

ROADS DEPARTMENT



Road Corridor Investment Program

Batumi Bypass Design Project

Land Acquisition and Resettlement Plan

Batumi bypass LARP

(Section 1)



20 July 2016

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ABBREVIATIONS

ACM	–	Acquisition And Compensation Matrix
ADB	–	Asian Development Bank
AR	–	Autonomous Republic of Adjara
CSC	–	Construction Supervision Consultant
AH	–	Affected Household
AP	–	Affected Person
DP		Displaced Persons
CBO	–	Community Based Organization
DMS	–	Detailed Measurement Survey
RDRD	–	Road Development and Resettlement Division
GoG	–	Government of Georgia
GRC	–	Grievance Redress Committee
IA	–	Implementing Agency
IP	–	Indigenous Peoples
EMA	–	External Monitoring Agency
km	–	Kilometre
LAR	–	Land Acquisition and Resettlement
LARC	–	Land Acquisition and Resettlement Commission
LARF	–	Land Acquisition and Resettlement Framework
LARP	–	Land Acquisition and Resettlement Plan
M&E	–	Monitoring and Evaluation
MFF	–	Multitranches Financing Facility
MOF	–	Ministry of Finance
MPR	–	Monthly progress report
MRDI	–	Ministry of Regional Development and Infrastructure
NAPR	–	National Agency of Public Registry
NGO	–	Non-Governmental Organization
PEMI	–	Persons Experiencing Major Impact
PFR	–	Periodic Financing Request

PPR	–	Project Progress Report
PPTA	–	Project Preparatory Technical Assistance
PRRC	–	Property Rights Recognition Commission
R&R	–	Resettlement and Rehabilitation
RD	–	Roads Department
RDMRDI	–	Roads Department of Ministry of Regional Development and Infrastructure of Georgia
RoW	–	Right of Way
RU	–	Resettlement Unit
SES	–	Socioeconomic Survey
SPS	–	Safeguard Policy Statement
TRRC	–	Transport Reform and Rehabilitation Centre

NOTE: In this report, “\$” refers to US dollars

GLOSSARY

Beneficiary Community: All persons and households situated within the government-owned or acquired property who voluntarily seek to avail and be part of the Project and represented by a community association that is duly recognized by the community residents, accredited by the local government, and legally registered with the appropriate institutions.

Compensation: Payment in cash or in kind of the replacement cost of the acquired assets.

Entitlement: Range of measures comprising compensation, income restoration, transfer assistance, income substitution, and relocation which are due to affected people, depending on the nature of their losses, to restore their economic and social base.

Improvements: Structures constructed (dwelling unit, fence, waiting sheds, animal pens, utilities, community facilities, stores, warehouses, etc.) and crops/plants planted by the person, household, institution, or organization.

Land Acquisition: The process whereby a person is compelled by a government agency to alienate all or part of the land a person owns or possesses to the ownership and possession of the government agency for public purpose in return for a consideration.

Affected People (AP): Individuals affected by Project-related impacts.

Affected Household (AH): All members of a household residing under one roof and operating as a single economic unit, who are adversely affected by the Project. It may consist of a single nuclear family or an extended family group.

Rehabilitation: Compensatory measures provided under the Policy Framework on involuntary resettlement other than payment of the replacement cost of acquired assets.

Relocation: The physical relocation of an AP/AH from her/his pre-Project place of residence.

Replacement Cost: The rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs. The calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any. Where market conditions are absent or in a formative stage, the borrower/client will consult with the displaced persons and host populations to obtain adequate information about recent land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project area and region, and other related information. The borrower/client will also collect baseline data on housing, house types, and construction materials. Qualified and experienced experts will undertake the valuation of acquired assets. In applying this method of valuation, depreciation of structures and assets should not be taken into account.

Resettlement: All measures taken to mitigate any and all adverse impacts of the Project on AP's property and/or livelihood, including compensation, relocation (where relevant), and rehabilitation of the damaged/removed infrastructure and installations.

Sakrebulo: This is the representative body of local self-government. The middle level of local government consists of 67 rayons (districts) and six cities in Georgia: Tbilisi, Kutaisi, Rustavi, Poti, Batumi and Sukhumi. The representative branch of rayon level is the rayon level Local Councils (Rayon Sakrebulo) and the executive branch is represented by Rayon Gamgeoba (Gamgebeli). The self-government level consists of settlements (self-governed cities) or groups of settlements (municipalities). Settlements could be villages, small towns (minimum 3,000 inhabitants) and cities (minimum 5,000 inhabitants). The representative and executive branches of self-government are represented accordingly by Local Council (Sakrebulo) and the Gamgebeli of municipal level. The exclusive responsibilities of self-government include land-use and territorial planning, zoning, construction permits and supervision, housing, and communal infrastructure development.

EXECUTIVE SUMMARY

1. The Government of Georgia (GOG) has received a loan (USD 500 million) from the Asian Development Bank (ADB) through a Multitranches Financing Facility (MFF) for implementing the Road Corridors Development Program (the Program) to rehabilitate, improve or construct several roads in various regions of Georgia. The program includes the 45.4 km Adjara Bypass around Kobuleti and Batumi (the Road) which will be financed under tranche 1 and 2, of the Program.

To satisfy the ADB's Safeguard Policies, the Roads Department of the Ministry of Regional Development and Infrastructure of Georgia (RDMRDI), the Program Implementing Agency (IA), has earlier prepared three Land Acquisition and Resettlement Plans (LARP-s):

LARP-I

Road Corridor Investment Program

Kobuleti Bypass, Kobuleti–Batumi Section and Batumi Bypass Design Project

Land Acquisition and Resettlement Plan

Kobuleti Bypass Road (km 0–km 4.7) under Guria Region (4.7 km length)

LARP-II

Road Corridor Investment Program

Kobuleti Bypass, Kobuleti–Batumi Section and Batumi Bypass Design Project

Land Acquisition and Resettlement Plan

Kobuleti Bypass Road 1 (km 4.7 – km 12.4 and km 30.4 – km 31.7) (9 km length)

LARP-III

Road Corridor Investment Program

Kobuleti Bypass Road, Kobuleti-Batumi Section and Batumi Bypass Road Design Project

Land Acquisition and Resettlement Plan

Kobuleti Bypass Road (km 12.4 – km 30.4) (18 km length)

The length of the Batumi Bypass is 13.7km. It has been split into Section 1 (7km) and Section 2 (6,7km) Construction activities for the Batumi bypass will entail land acquisition and resettlement (LAR). This LARP covers Section 1 - the first 7 km of the total 13.7 km Batumi bypass.

2. This LARP was prepared by RDMRDI and is implementation-ready. It is based on detailed design and the requirements of the ADB's Safeguard Policy Statement (SPS) (2009). Impacts along this road section will entail acquisition/compensation of total 249889 sq. m of land from 574 plots which include:

- 236 private plots (all registered), of 175289 sq. m in total;
- 338 public plots of 74600 sq. m legitimately used by private users (non-legalizable, but subject for land compensation);
- 103 public land plots of 86070 sq. m are free

3. Out of the total affected plots subjects to acquisition/compensation, 315 plots (131735 sq. m) is agriculture/arable; 254 plots (116622 sq. m) is residential and 15 plots with 59370 sq. m is commercial/industrial.

4. The project will affect total 245 HHs with total 1244 people. Among these affected HHs 69 will need to be physically relocated (out of which 41 live in private houses and 28 in multifamily houses), 193 are severely affected HHs (41 of them are physically relocated), 92 HHs are vulnerable.

5. Table E-1 below describes summarized impact of the Land Acquisition and Resettlement.

TABLE E-1: SUMMARY IMPACT ON LAND ACQUISITION AND RESETTLEMENT

Sl. No	Impacts	Unit	AP	HH	Quantity
1	Land parcels to be acquired	Number	1244	217	574
2	Area of land to be acquired	Sq. m	1244	217	249889
3	Affected crop	Sq. m	57	10	6160
4	Affected trees	Number	917	160	173661
5	Residential structures	Number	396	69	48
6	Commercial structures/Shops	Number	0	0	1
7	Auxiliary structures	Number	218	38	80
8	Wall / Fences	Sq. m	826	144	15333.7
9	Severely Affected HH	Number	1106	193	193
10	Vulnerable HH	Number	527	92	92
11	Registered Plots	Number	998	175	236
12	Legalizable Plots	Number	0	0	0
13	Legitimately used Plots	Number	707	124	338
14	legitimately used Plots	Number	0	0	0
15	Employees	Number	0	0	0
16	HHs needing physical relocation	Number	396	69	69
17	Relocation of business enterprise	Number	0	0	0
18	Total Affected Households	Number	1244	217	217
19	Total Affected Persons	Number	1244	217	1244

6. The project pays particular attention to ensure that women are the recipients of the compensation pertaining to their activities and to ensure that women who are de-facto household heads are clearly listed as beneficiaries of compensation and rehabilitation proceedings under the loan. No indigenous peoples (IPs) per SPS (2009) definition have been identified and the requirements of the ADB Safeguards Policy Update (2009) will not be triggered in this project.

7. 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 set for this project on the day of concluding of the AP Census which is **25 April 2016**, 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. A summary entitlements matrix is included in Table E-2.

TABLE E-2: ENTITLEMENT MATRIX

Type of Loss	Application	Definition of AH/APs	Compensation Entitlements
Land			
Permanent loss of agricultural land	AP losing productive land regardless of impact severity	Owner with full registration	Cash compensation at full replacement cost. If the residual plot becomes unviable for cultivation, the project will acquire it if the owner so desires.
		Legalizable Owner Owner with legalizable land, the land occupied by a house or located close to the house that is currently untitled, but is occupied by users who were legitimate land leasers under old Soviet land administration system. APs with title formalization pending or APs who have residential land.	The ownership rights of these APs will be recognized by the project, the land registered in NAPR and the APs provided with cash compensation at full replacement cost.
		APs who are not registered but legitimately use land not adjacent to residential plots	These will not be registered in NAPR. However the APs will be provided with cash compensation for land at full replacement cost, according to the Decree of the Government of 01.03.2011 .
		APs that are not legitimate land users or squatters (these are APs who were not land leasers under the old system or occupy a plot illegally)	One time self-relocation allowance in cash equal to 12 months at minimum subsistence (*) (321 GEL per month x 12 months = 3852 GEL / AH) .
		Agricultural Tenant	One time self-relocation allowance in cash equal to 12 months at minimum subsistence (*) (321 GEL per month x 12 months = 3852 GEL / AH) .
Non-Agricultural Land	AP losing their commercial/	Owner with full registration	Cash compensation at full replacement cost. If the residual plot becomes unviable

	residential land		for residential or commercial use, the project will acquire it if the owner so desires.
		Legalizable Owner APs with title formalization pending or APs who have residential land or agricultural plots adjacent to the residential land	The ownership rights of these APs will be recognized, the land registered in NAPR and the APs provided with cash compensation at full replacement cost.
		Non-legalizable land users (APs without registration/valid documents using land permanently)	One time self-relocation allowance in cash equal to 12 months at minimum subsistence (*) (321 GEL per month x 12 months=3852 GEL / AH).
Buildings and Structures			
Residential and non-residential structures/assets		All AHs regardless of their legal ownership/ registration status (including legalizable and Informal Settlers)	Full impact: Cash compensation for building/structures losses at full replacement costs free of depreciation and transaction costs Partial impact: repairs compensation.
Loss of Community Infrastructure/Common Property Resources			
Loss of common property resources	Community/Public Assets	Community/Government	Reconstruction of the lost facilities and structures and reinstatement of services in consultation with community and restoration of their functions
Loss of Income and Livelihood			
Crops	Standing crops affected or affected agricultural land, used permanently for crop cultivation.	All APs regardless of legal status (including legalizable and Informal Settlers)	Crop compensation in cash at market rate (corresponds to gross crop value of expected harvest)
Trees	Trees affected	All APs regardless of legal status (including legalizable and Informal Settlers)	Cash compensation at market rate on the basis of type, age and productive value of the trees (based on the expected yield of the tree, multiplied by the number of years required to grow a tree of equivalent productivity).
Business/Employment	Business/employment loss	All APs regardless of legal status (including legalizable and Informal Settlers)	Owner: (i) <u>(permanent impact)</u> cash indemnity of 1 year net income; (ii) <u>(temporary impact)</u> cash indemnity of net income for months of business stoppage. Assessment to be based on tax declaration or, in its absence, minimum subsistence (*). Permanent worker/employees: indemnity

			for lost wages equal to 3 months of minimum subsistence. (321 GEL per month x 3 months=963 GEL / AH)
Allowances			
Severe Impacts	(i) 10% or more loss in income or productive assets (ii) physically relocated AHs	All severely AHs including informal settlers	Agricultural income: 1 additional crop compensation for 1 year's yield of affected land or an allowance covering 3 months of minimum subsistence ^(*) (321 GEL per month x 3 months = 963 GEL / AH)
Relocation/Shifting	Transport/transition costs	All AHs to be relocated	An allowance covering transport and livelihood expenses for the transitional period. (200 GEL as vehicle hire charge + 321 GEL per month x 3 months =1163 GEL/AH)
Vulnerable People Allowances		All AHs qualifying as vulnerable	Allowance equivalent to 3 months of minimum subsistence ^(*) and employment priority in project-related jobs (321 GEL per month x 3 months = 963 GEL / AH)
Temporary impacts during construction		All APs	Due compensation to be assessed and paid when the impacts are identified based on the above provisions.

(*) In absence of a minimum subsistence in Georgia the figures used are based on the minimum subsistence income calculated for a family of 5 persons. The most recent information from National Statistics Office of Georgia for April 2016 it is 321 GEL per household (of five people).

8. 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 Roads Development and Resettlement Division in 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. Transport Reform and Rehabilitation Centre (TRRC) has been formed as an independent body for financial management of World Bank and ADB financed projects. 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.

9. The designated official from RU was also an active member in leading role during the census survey. RU staff and local level LAR Team members were informally trained during the feasibility study. Members of LAR institutions will be trained prior to the implementation of

Batumi bypass LARP under the ADB RETA for capacity building of RU staff and its field operatives.¹

10. A Grievance Redress Mechanism was already 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.

11. 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.

12. AHs requiring physical relocation of their housing and structures will be assisted in the form of full replacement cost of their affected structures comprising of replacement value of structures (current fair market value of construction materials), cost of dismantling and shifting of salvaged materials, and cost of restoration at alternative sites. The relocating households will be provided with subsistence allowance for loss of income and workdays during the transitional period. Various other allowances are included in the entitlement matrix for rehabilitation of APs and restoration of their livelihood resources.

13. Land users non legalizable according to active legislation but legitimately using the public land, will be provided with cash compensation for land, at full replacement cost, according to the Decree of the Government of Georgia 1 March 2011 on the Measures to be Implemented by the Road Department of the Ministry of Regional Development and Infrastructure to Ensure Construction of the Adjara Bypass Road

14. All activities related to the land acquisition and resettlement has been scheduled to ensure that compensation is paid prior to displacement and commencement of civil works. Public consultation, internal monitoring and grievance redress will be undertaken continuously throughout the project duration. The resettlement cost estimate under this LARP is **26,526,612 GEL (12,395,613 USD)**.

15. Some concern has been expressed in relation to noise and vibration issues. To address this, the Roads Department announced the tender, to allow the international experts, to provide noise and vibration impact assessment modelling.² This applies not only to the places where residents have expressed concern, but also to other areas to be identified during the study. Any house adversely affected by noise and vibration will be included in this LARP.

¹ Regional Technical Assistance Project RETA-7433 REG: Mainstreaming Land Acquisition and Resettlement Safeguards in the Central and West Asia.

² LARP Credit/Loan No: 2843-GEO, Contract/RFP No: RCIP/CS/ICS-10, Individual Consultant is selected and contract negotiations are ongoing

16. Land acquisition and resettlement tasks under the project will be subject to internal and external monitoring. Monitoring will be the responsibility of RDMRDI. Internal monitoring will be carried out routinely by RU/RDMRDI. The results will be communicated to ADB through the quarterly project implementation reports.

17. External monitoring will be carried out on a regular basis started not later than in one Month period from beginning of Batumi LARP implementation till end of the project completion, and its results communicated to RU/RDMRDI and ADB through quarterly reports. The RDMRDI (through external post implementation monitoring)will carry out a post-implementation evaluation of the Batumi bypass LARP about a year after completion of its implementation

INTRODUCTION

1.1 Project Background

18. The Government of Georgia (GOG) has received a loan (USD 500 million) from the Asian Development Bank (ADB) through a Multitranche Financing Facility (MFF) for implementing the Road Corridors Development Program (the Program) to rehabilitate, improve or construct several roads in various regions of Georgia. The program includes the 45.4 km Adjara Bypass around Kobuleti and Batumi (the Road), which will be financed under tranche 1 and 2, of the Program.

19. Construction activities for the Adjara Bypass under Tranches 1&2 will entail land acquisition and resettlement (LAR.) To satisfy the ADB Safeguards Policies the Roads Department of the Ministry of Regional Development and Infrastructure of Georgia (RDMRDI) the Program Implementing Agency (IA) has prepared for these tranches 3 Land Acquisition and Resettlement Plans (LARP), two of which (LARP1 and LARP2) cover LAR impacts under contract 1 and 3, are finalized and ready for implementation and signing of civil works contract awards. Subsequently

20. This LARP was prepared by RDMRDI and is implementation-ready. It is based on detailed design and the requirements of the ADB Safeguards Policies update (2009). Its objective is to plan and implement LAR for 7 km of the 13.7 km Batumi bypass road alignment under Road corridor investment program Batumi bypass.

1.2 The Impacts Corridor

21. The total length of the Batumi bypass road is 13.7 km, of which Section 1 comprises 7 km. The final design includes construction of 8 bridges, 3 tunnels and necessary culverts, throughout Section-1 for ensuring services of all other connected roads. On average span length of bridges is 30 meters (from 12 meters to 50 meters) and width is 15 meters. The width of road (including shoulder, cover slope, etc.) is 28 m. The ROW, including an allowance for buffer zone per government regulation (for houses and land plots) extends 25 m, measured from the edge of carriageway to the adjoining property boundary. Totally the width of impact corridor at the time of preparation of this LARP has been taken as 64 m (7+25=32m each side of centreline). However, the results of proposed noise and vibration modelling may result in a change in the impact corridor width and an associated corrective action plan (CAP) being prepared for this LARP.

1.3 Minimizing Land Acquisition and Resettlement

22. Due considerations have been given during the alignment selection and engineering design to minimize the adverse impacts of land acquisition and involuntary resettlement. Efforts have been put to incorporate best engineering solution in avoiding large scale land acquisition and resettlement. Following are the specific measures adopted for the selection of the route:

- (i) Road alignment route has been well tuned on site to avoid densely settlement areas;
- (ii) Interchanges with local roads have been designed to avoid resettlement. Designs of interchanges were reviewed by resettlement specialists and their recommendations were considered in the final design.
- (iii) Construction of 5 tunnels has greatly contributed in avoiding land acquisition and resettlement impacts.
- (iv) Provision of necessary culverts in final engineering design will keep all other infrastructure services functional and effective avoiding any environment negative impacts.
- (v) Slope cutting has been reduced and massive revetment walls have been included in project design to avoid the risk of landslide in the remote land parcels and thereby avoid acquisition of extra land in the risk zone.

1.4 LARP Preparation

23. This LARP is implementation-ready and has been prepared as a condition to contract awards signing. It follows feasibility study draft prepared by RDMRDI in 2010. The document complies with relevant Georgian laws, the ADB's Safeguard Policy Statement (2009) and the Program's LARF (Prepared for the Georgia Roads Corridor Investment Program and approved in December 2011). LARF preparation entailed: (i) a detailed measurement surveys (DMS), (ii) a detailed asset valuation/documentary research for each affected plot/affected item, (iii) a 100% AH census; and (iv) a socio-economic survey (SES) of 20% of the AHs. Intensive consultations with all the stakeholders including rayon authorities and the likely APs (APs) were conducted during the process.

24. The LARP prepared in the feasibility study was reviewed and compared with the findings of the detailed design works. The document is based on a revised DMS, census and socio economic survey which were conducted during 25 April 2016 and 25 May 2016 and finalized in June 2016. The updates include (i) update of impacts and AP figures reflecting design changes; (ii) micro plan for land acquisition and implementation of Batumi bypass LARP; (iii) update of LAR budget; and (iv) loss and entitlement profile for individual owners of land plots and APs

25. Special Decree of the Government (1 March 2011) has been issued to provide legal basis for payment of land compensation to APs³ who are not registered but legitimately use agricultural land not adjacent to residential plots: the Decree enables the EA to execute compensation payments without prior registering the land ownership rights. The mentioned procedural changes have been reflected in the Batumi bypass LARP.

³ Decree of the Government of Georgia 1 March 2011 on the Measures to be Implemented by the Road Department of the Ministry of Regional Development and Infrastructure to Ensure Construction of the Adjara Bypass Road

26. The LARP preparation entailed intensive consultations with the stakeholders, especially the APs and their community were conducted to understand the extent of impact and validate the severity and compensation measures. The assessment of losses and land acquisition is based on the final engineering design as part of the detailed design study.

1.5 Pending LARP Implementation Tasks

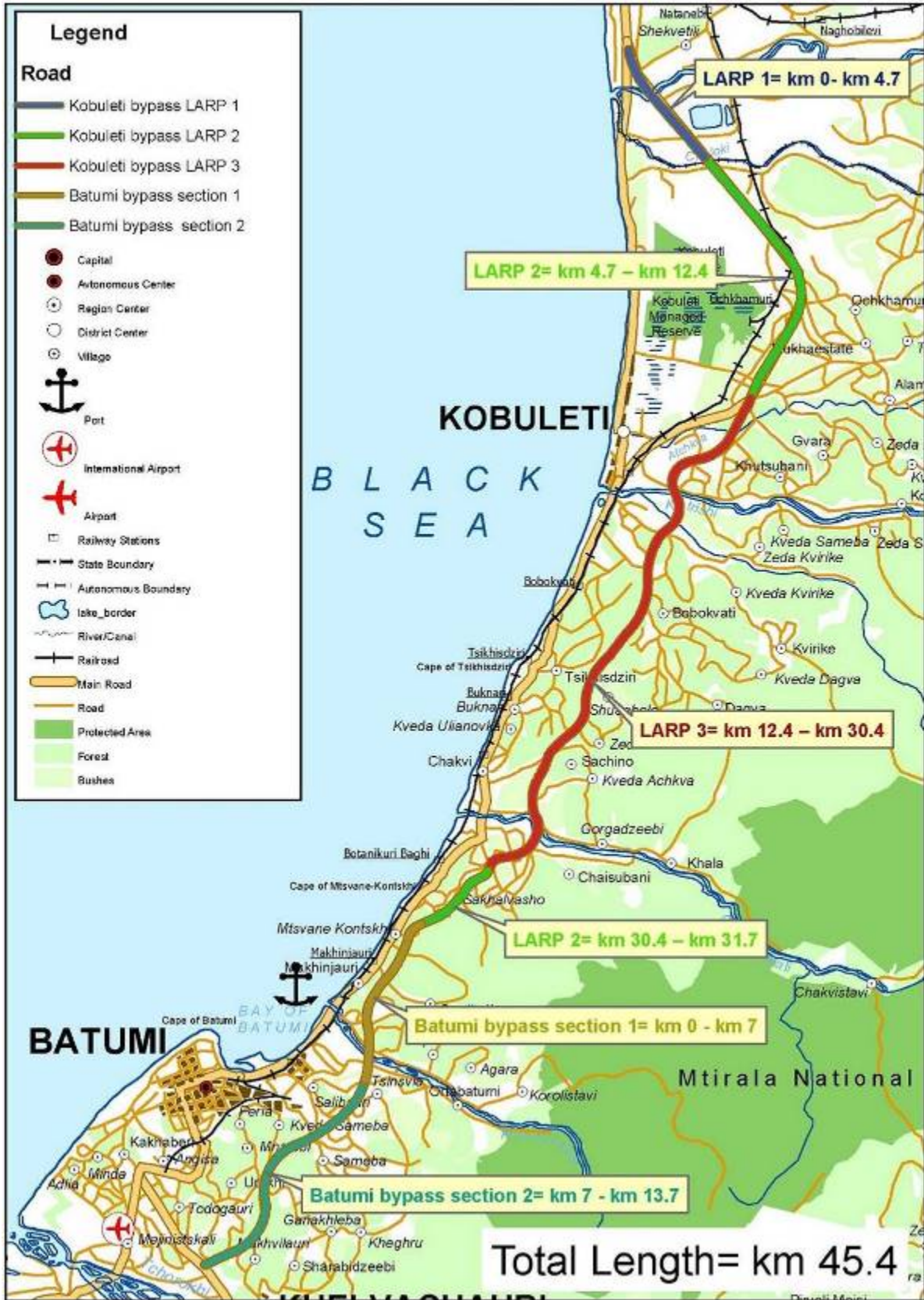
27. Following this LARP approval LARP finances will be provided to the EA. Prior to the distribution of LARP finances to the APs the legalization of APs legalizable according to the active legislation now in progress will be finalized and all APs may sign a contract agreement indicating that they accept 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 deposited in escrow account. Escrow accounts will also be established for absentee APs.

1.6 Conditions for Project Implementation

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

- (i) **Signing of Contract Award:** No civil works contract will be awarded until all land acquisition and resettlement required for the contract have been completed and all project affected people have been compensated in accordance with the provisions of the 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.

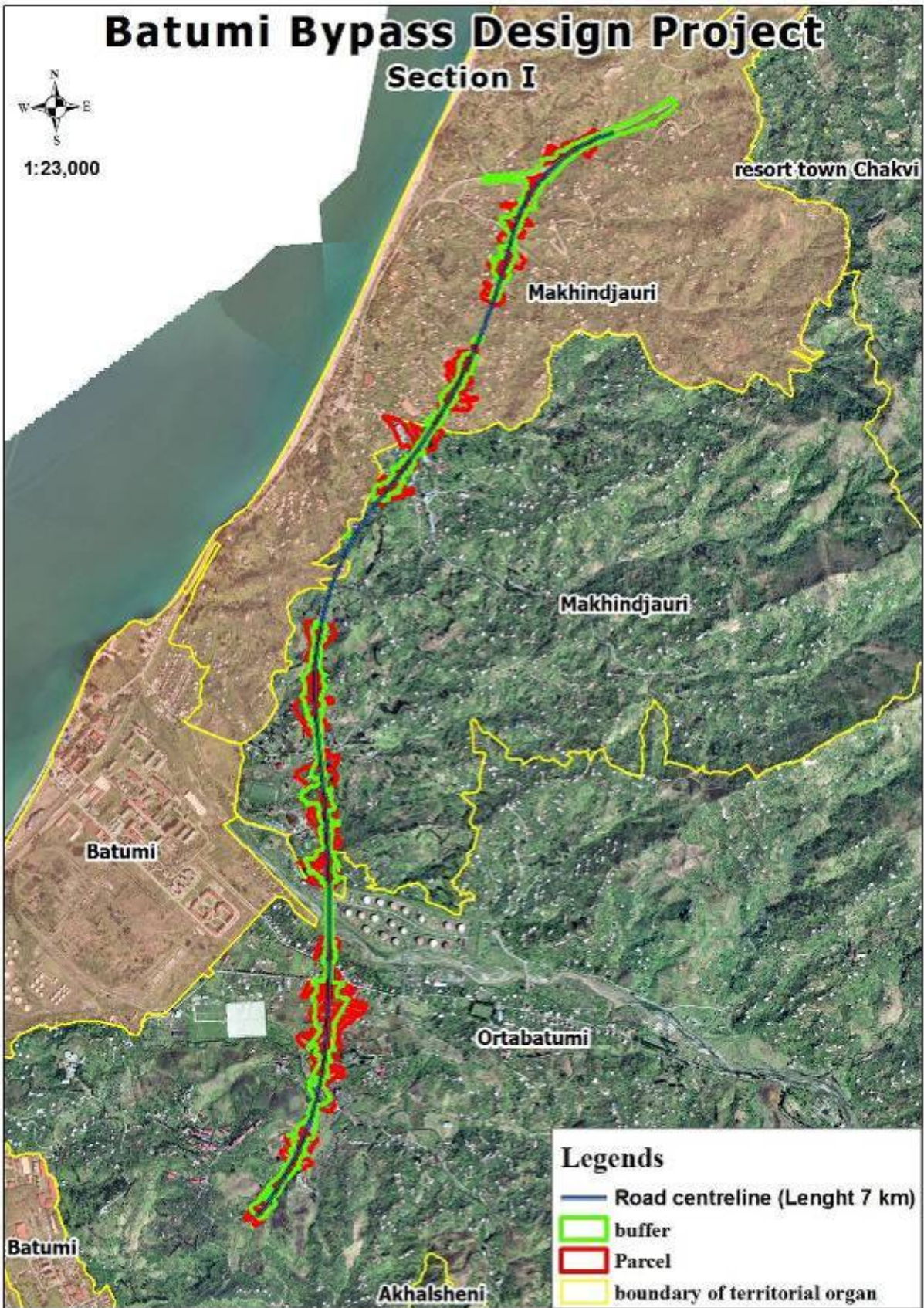
FIGURE 0-1: PROJECT (A) AND BATUMI BYPASS SECTION (B) LAYOUTS



A-1



A-2



B

CENSUS AND IMPACT ASSESSMENT

2.1 Introduction

29. This impacts assessment details loss of land, structures and other assets for a 7 km section of the 13.7 km Batumi bypass road. Compensation and rehabilitation measures have been worked out based on assessment of these impacts. A detailed inventory of all the impacts has been done following the final alignment as per detailed engineering design for the Batumi bypass

30. Digitized cadastral maps were collected from Registration Offices of NAPR. The final road alignment was superimposed on the digitized cadastral maps and land survey using GPS was conducted on site to identify the affected land parcels, demarcation of land parcels including correction in geometric details and quantification of land parcels. Adjustment of road corridor against the planned design was conducted due to the following: access roads to plots, area of small land, complicated relief and etc. With the cadastral details from land survey, the Detailed Measurement Survey (DMS) and census was started 25 April 2016 and completed on 25 May 2016 for the Batumi bypass road under section-1. The date for detail measurement survey (DMS) start **25 April 2016** is considered as the **cut-off date** for compensation eligibility of this project. Additionally, a socioeconomic survey (SES) of more than 20% sample from the affected households was carried out in the project affected areas in order to understand the socio-economic condition of the affected population.

2.2 Impact on Land, Other Assets and Income

31. Independent professional appraiser was engaged by the LARP consultant for the valuation of land and other assets, following the international standards on property valuation. The appraiser was provided with the complete list of lands and assets subject to valuation. Data was organised per land parcel cadastral codes and project specific asset numbering system. Total quantity of land parcels/plots subjected to valuation was 574.

32. The Assessor subdivided assets into 8 groups, according to geographic and functional attributes (see group descriptions in the table below). In each group a sample plots were selected for valuation, representing the highest, or at least median level, the group characteristics, so that they could be valued in accordance with the international standards of valuation.

33. Based on information acquired from brokerage sites, cadastral transaction records of national public registry and the sales data obtained at the local level, the list of property was prepared, which would allow for the comparative analysis to be conducted according to the applied international standards. Transactions from sales database since 1 January 2015 up to date were considered, while offers were selected only from currently active sales offers. Interviews were conducted with each potential vendor. Valuation was conducted following market-based approach in accordance of the international standards (so called comparable analogues comparison method).

34. After determining the value of selected properties, the valuation was extended to other assets in each group, by comparing them with selected assets. The factors considered

included attractiveness in residential or commercial terms, features of topography, access, views, property configuration, and other important features. Plots were assessed as vacant, without taking account of any improvements.

35. As the real estate market and the appropriate pricing information is mostly conducted in US Dollars, the valuation was conducted in this currency and converted into the national currency at the exchange rate published by the National Bank of Georgia as of 15.05.2016, which is 1 USD - GEL 2.2068.

1	Area with residential houses commercially attractive for hotel type buildings development is located along the bypass road accessible by internal roads from both sides, one- or two-story residential houses with adjusted household plots, most houses have sea view.
2	Land plots located in distance from bypass road is accessible only through the internal village road, settled at the relief and steep slope area mostly with sea view, area is rarely settled.
3	Land plots are located at the densely settled area at relief and steep slope, tourist infrastructure is less developed, has partial sea view, is located along the internal district road.
4	Are located within the urban area in the proximity of bypass road and railway station with possibility of commercial attractiveness, characterized with flat relief.
5	With residential attractiveness and possibility for commercial development are located along the well-developed road.
	Are mostly agricultural objects located at the relief, steep and terraced slope, access road is available only via internal paths through the adjusted plots
	Are located at the eminence part of the slope with sea view, residential and commercial perspective, accessible through the complicated internal road.
6	Are located at the hilly relief of medium density with mixed type plots: residential and agricultural without commercial attractiveness and sea view.
7	Mostly agricultural are located at the flat relief along the road.
	Are mostly residential buildings located at the flat relief of medium density without commercial attractiveness and sea view.
8	Agricultural plots located in distance from the road without the access, mainly at the mountain slope, the adjacent area is not settled and has no possibility for commercial development, agriculture is less developed, most area is unused.

2.2.1 Impact on Land

36. Land impacts will entail acquisition of land from 236 (17.5 ha) privately used plots and compensation from 338 (7.5 ha) legitimately used plots. Additional 103 public plots (5.6 ha) are not subject for land compensation as they are neither occupied nor used (non-use of land is proved by the information from the official sources (registry, local government) and field data). Land impacts by land type are detailed in Table II-1 below.

TABLE II-1: PRIVATELY AND LEGITIMATELY USED LAND IMPACTS BY LAND TYPES

		AH	DP	Area (sq. m)	Number of plots
Agricultural	Arable	128	19	131735	315

Sub Total		128	19	131735	315
Non-Agricultural	Residential	89	41	116622	254
	Comm./Industry.	0	0	1532	5
Sub Total		89	41	118154	259
Total		245*	69*	249889	574

(*) 28 family are added who live in the multifamily houses.

Note: The owner of two plots (cadastral # 05.34.25.062 and # 05.34.25.060) refused the field survey team to enter their plots. Plots belongs to the same person, one land parcel is with residential building, another land is used for agricultural purposes. Thus, evaluation of affected assets at these plots, presented in this document, was done through the indirect (proxy) method. Land parcels were measured through remote sensing. In addition to the issue with the lack of house asset inventory, the owner of this registered land is likely to engage with court application.

37. The current status of ownership of acquired land is provided in Table II-2 and Table II-3. Legitimate owners/users will be compensated for land according to Government Decree of 2011.

TABLE 0-2: LAND IMPACTS BY TYPE OF LAND OWNERSHIP

No.	Legal Status	No. of Plots	Area (sq. m)
1	Registered	236	175289
2	Legalizable	0	0
	Total Private Land	236	175289
3	Legitimately Used (Subject for land compensation)	338	74600
4	Illegitimately used (no compensation)	0	0
5	State Non-occupied land(non-agricultural and unused agricultural)	103	86070
	Total land	677	335959

2.2.2 Determination of compensation rates

38. Independent professional appraiser was engaged by the LARP consultant for the valuation of land and other assets, following the international standards on property valuation. The appraiser was provided with the complete list of lands and assets subject to valuation. Data was organised per land parcel cadastral codes and project specific asset numbering system. Total quantity of land parcels/plots subjected to valuation was 574. The results of valuation and proposed compensation rates are summarised in the Table II-3 below.

TABLE II-3: LAND IMPACTS BY LAND CATEGORIES

No.	Land Categories	AHs	No. of Plots	Compensation rate (GEL/sq. m)	Area (sq. m)
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1	Area with residential houses commercially attractive for hotel type buildings development is located along the bypass road accessible by internal roads from both sides, one- or two-storey residential houses with adjusted household plots, most houses have sea view.	21	62	88	28362
2	Land plots located in distance from bypass road is accessible only through the internal village road, settled at the relief and steep slope area mostly with sea view, area is rarely settled.	8	25	50	14997
3	Land plots are located at the densely settled area at relief and steep slope, tourist infrastructure is less developed, has partial sea view, is located along the internal district road.	14	45	57	15876
4	Are located within the urban area in the proximity of bypass road and railway station with possibility of commercial attractiveness, characterized with flat relief.	17	25	110	6188
5	With residential attractiveness and possibility for commercial development are located along the well-developed road.	13	24	103	6276
	Are mostly agricultural objects located at the relief, steep and terraced slope, access road is available only via internal paths through the adjusted plots.	5	14	51	4675
	Are located at the eminence part of the slope with sea view, residential and commercial perspective, accessible through the complicated internal road.	9	19	72	6876
6	Are located at the hilly relief of medium density with mixed type plots: residential and agricultural without commercial attractiveness and sea view.	53	187	39	84552
7	Mostly agricultural are located at the flat relief along the road.	37	117	46	50770
	Are mostly residential buildings located at the flat relief of medium density without commercial attractiveness and sea view.	4	21	55	6095
8	Agricultural plots located in distance from the road without the access, mainly at the mountain slope, the adjacent area is not settled and has no possibility for commercial development, agriculture is less developed, most area is unused.	20	35	19	25222
		-	574	-	249889

2.2.3 Impact on Crops

39. The total crop area for corn cultivation is 6160 sq. m, followed by Corn 200 sq. m. Beans 3370 sq. m. Vegetables 2590 sq. m. Total of 13 plots will be affected for loss of crops (see Table II-4).

TABLE II-4: IMPACT ON CROPS

Type	Area (sq. m)	Number of Parcel
Corn	200	1
Beans	3370	6
Vegetables	2590	6
Total	6160	13

2.2.4 Impact on Trees

40. Clearing right of way for construction of the road will cause felling down of 17361 productive trees and 3308 (sq. m) tea plantation under private ownership. The affected timber trees are state owned and are not included in the inventory list.

TABLE II-5: AFFECTED TREES

Type of trees	No of productive Trees
Mandarin	2719
Orange	437
Lemon	589
Fig	243
Persimmon	431
Medlar	423
Apple	251
Pear	369
Plum	688
Walnut	2363
Hazelnut	5955
Grape	712
Kiwi	147
Feijoa	170
Others	1864
Total fruit trees	17361
Tea (sq. m)	3308

2.2.5 Impact on Buildings/Structures

41. Table II-6 and Table II-7 below provide details about the impacts on Buildings / Structures and Walls / Fences respectively.

TABLE II-6: IMPACTS ON BUILDINGS/STRUCTURES

Type		Characteristic	No of Buildings/ Structures	Average Number of Storey	Total Area of Building/structure (sq. m)
		Materials			
Residential		Block (B)	35	1.66	9634.1
		Block-Wood (BW)	8	1.75	1290.2
		Wood (W)	0	0	0
		Other	2	1	95.8
Sub total			45	-	11020.1
Supplementary Facility	Storage/Cattle House		80	1	3344,01
	Garage		3	1	115,3
	Other		87	-	-
Sub total			35	-	1372
Industrial/ Commercial	Industrial Building		-	1	144
	Industrial Storage		-	-	-
	Commer. Building		-	-	-
Sub total			1	1	144
Grant Total			216	-	14623.41

TABLE II-7: IMPACTS ON WALL / FENCES

		Length (m)	High (m)	Area of Fence/Wall (sq. m)	Number of Parcel
Fence/Wall	Concrete-Steel/Break	1093.5	1.6	1813.7	60
	Fence Socle	1026	1.6	1778	44
	Other	9711	1.3	11742	320
Total		11830.5		15333.7	424

2.2.6 Impact on Business and Employment

42. Construction of the road will affect several assets/structures belong to officially registered private companies, but not any type of running businesses or profits and employees of companies. There are four companies, names not revealed hereby to avoid affecting the owner privacy, which will lose the real property (insignificant parts of land). This does not prevent these companies to operate and therefore do not affect their profits and salaries.

2.2.7 Impact on Agricultural Tenants

43. This Road construction will not affect any agricultural tenants.

2.3 APs and Communities

2.3.1 Impact on Households

44. Table II-8 below provides impacts on households.

TABLE II-8: AFFECTED HOUSEHOLDS

Sl. No	Type of AH	AH
1	Land parcels to be acquired	217
3	Affected crop	10
4	Affected trees	160
5	Affected residential structures	69
7	Affected auxiliary structures	38
8	Affected Wall / Fences	144
14	Needing physical relocation	69
9	Severely Affected	193
10	Vulnerable	92

2.3.2 Impact on Common Property Resources

45. This Road construction will affect music school under state/municipality ownership. Before the start of the construction, RDMRDI and the local government shall ensure a full functioning of these objects, considering their importance for public needs. The music school is located in Makhinjauri. Its area about 240 m². 83 pupils study in this school. Children are from Makhinjauri, Zeda and Kveda Gantiadi and Mtsvane Kontskhi. Music School is a 2-storey building, the first floor is occupied by people, and the second floor comprises the music school, which has a separate entrance. The school has 22 years of history. The school director and parents of pupils have been informed of the proposed school relocation. The Roads Department, with the local government, school principals and parents, are in the process of seeking a similar facility to be purchased for relocation of the school. The learning process will not be stopped, the school will be relocated during the vacation period.

46. RDMRDI regional office representative on 08 July 2016 met with the school director as well as with the leadership of local authority. School director expressed readiness with regard to school relocation, with the condition that school operations will not be interrupted. Local municipality verbally proposed the two options to accommodate school in local administrative buildings, details under consideration (from both legal and technical perspectives) as to which option would be more beneficial for the school.

2.3.3 Vulnerable Households

47. Poor (receiving government subsidies) and women headed are considered as vulnerable households. Households with members with disabilities or people in pension age will receive the allowance only if they are economically marginal (scored at or below 70,000 points by respective social protection agency of Georgia). The vulnerable household requires special assistance for resettlement. The AHs in the Batumi Bypass LARP of the project constitute 92 vulnerable AHs (see Table II-9 below).

TABLE II-9: VULNERABLE AHS

Women headed	Disable person headed	Aged person headed	Below poverty line	Total
37	6	59	8	110

Note: In the above table although total figure of vulnerable families are 110, actual number is 92, omitting families, who are counted more than one time.

2.4 Impact on Indigenous Peoples

48. An assessment of impact on indigenous peoples was undertaken in accordance with ADB's Safeguard Requirements 3 of SPS 2009. The project will primarily affect Georgian people which are almost 99% of the total population. Some of the other Ethnic Minority group is also present in the program area, which are insignificant in number. These groups are mostly Abkhaz. These groups are fully integrated into the Country institutional, cultural, and economic processes, and they do not fit the IP definition of ADB. Therefore, ADB's policy on indigenous people will not trigger to this project.

2.5 Gender and Resettlement Impacts

49. Special attention will be given to the impact of resettlement on women during implementation, of the Batumi Bypass LARP, and the performance in this regard will be included in the monitoring and evaluation of the project. Civil works contracts will include provisions to encourage employment of women during implementation. Additionally, women headed households have been considered as vulnerable and special assistance has been included in the LARP entitlements.

2.6 Summary of Impacts

50. A summary of the major impacts is included in Table II-10 below.

TABLE II-10: SUMMARY IMPACT ON LAND ACQUISITION AND RESETTLEMENT

Sl. No	Impacts	Unit	Quantity
1	Land parcels to be acquired	Number	574
2	Area of land to be acquired	Sq. m	249889
3	Affected crops	sq. m	6160
4	Affected trees	Number	17361
5	Residential structures	Number	45
6	Commercial structures/Shops	Number	1
7	Auxiliary structures	Number	80
8	Walls / Fences	Sq. m	15333.7
9	Severely Affected HH	Number	193
10	Vulnerable HH	Number	92
11	Registered Plots	Number	236
12	Legalizable Plots	Number	0
13	Legitimately used Plots	Number	338
14	Illegitimately used Plots	Number	0
15	Employees	Number	0
16	HHs needing physical relocation	Number	69
17	Relocation of business enterprise	Number	0
18	Total Affected Households	Number	217
19	Total Affected Persons	Number	1244

SOCIO-ECONOMIC INFORMATION

3.1 Introduction

51. A census of 100% of the AHs available on site was conducted to enumerate the APs. A sample socio-economic survey was included in the project area, covering 150 affected households, with more than 20% of the total AHs covered in census. The objective of the socioeconomic survey was to gather general information on socioeconomic condition of the affected people. The socioeconomic information of the affected population as per census and socioeconomic survey is presented hereunder.

3.2 Affected Population

3.2.1 Demography

52. The Census identifies that about 53% of the APs (APs) are female constituting a male/female ratio of 89/100 (98 males per 100 female). The average family size is 5.4 members per household (Table III-1)

TABLE III-1: DEMOGRAPHIC PROFILE OF APs

No.	Age Group	Male	Female	Total	Average
		%	%	%	HH
1	Children (Below 15 Years)	21.6	15.0	18.1	1.0
2	Adult (15 to 65 Years)	72.0	75.6	73.9	4.0
3	Senior (65+ Years)	6.3	9.4	7.9	0.4
	Total	100	100	100	5.4

3.2.2 AH Ethnicity

53. The AHs are commonly Georgian (99%). Ethnic diversity does not mark any difference in overall national development in Georgia, the minorities are mainstreamed as a common nation.

TABLE III-2: ETHNICITY OF AHs

No.	Ethnicity	%
1	Georgian	98.7
2	Other (*)	1.3
	Total	100

(*) Armenian, Russian, Greek, Abkhazian

3.2.3 Urban Rural Proximity

54. The project road is mostly located in city type settlements. Survey shows that 71% of the AHs reside in city type settlements, 29% reside in rural areas (Table III-3).

TABLE III-3: URBAN RURAL DISTRIBUTION OF AHs

Sl. No.	Type of Settlement	%
1	Rural	29
2	Urban Village	71
	Total	100

3.2.4 Level of Education of APs

55. About 20% of the population have university level education, 74% have primary and secondary level education, 6% have pre-school level education (Table III-4)

TABLE 0-1: LEVEL OF EDUCATION OF APs

No.	Category	Male	Female	Total
		%	%	%
1	Pre-School	8.9	4.2	6.4
2	Primary & Secondary	67.7	79.3	73.9
3	University	23.4	16.5	19.7
4	Illiterate	0.0	0.0	0.0
	Total	100	100	100

3.3 Agriculture and Land Resources

3.3.1 Land Holding Status

56. Average land holding comes out to be 0.3 ha per AH (Table III-5 and Fig. III-1)

TABLE 0-2: LANDHOLDING STATUS

No.	Particulars	%
1	Land Holder Households	82.0
2	Landless Households	18.0
3	Total Households	100
Average Land Holding: 0.38 ha per holder household		

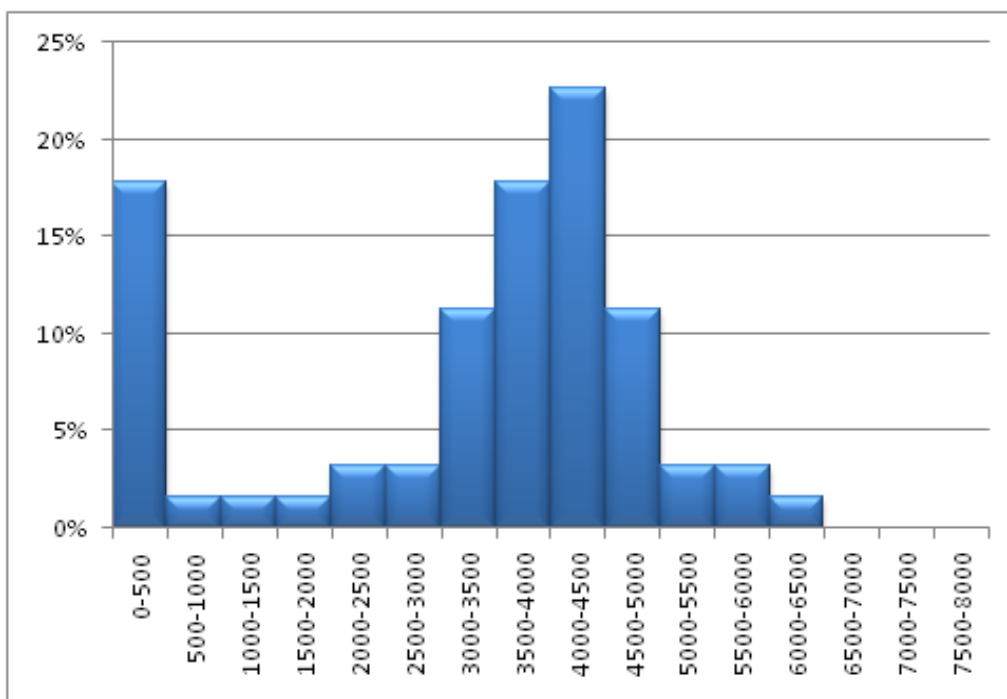


FIGURE II0-1: DISTRIBUTION OF LAND UNDER HOUSEHOLD OWNERSHIP BY AREA (SQ. M)

3.3.2 Major Cropping Pattern

57. Corn, Vegetables and citrus are the major crops being cultivated in the project area (Table III-6)

TABLE 0-3: MAJOR CROPPING PATTERN

No.	Type of Crops	% of HH
1	Corn	13.30
2	Bean	23.10
3	Vegetables	10.10
4	Fruit	53.50
5	Total	100.0

3.4 Economy of AHs

3.4.1 Major Economic Activities

58. Agriculture as the primary economic activity reported 41% households, 24% of the households reported government service as the primary economic activity. The third contributor is daily wage (11%) as primary economic activity including agriculture labour and non-agriculture daily labour. (Table III-7).

TABLE 0-4: ECONOMIC ACTIVITY OF THE HOUSEHOLDS

No.	Type of Activities	Primary	Secondary
		%	%
1	Agriculture	40.5	36.7
2	Agricultural Labourer	4.5	10.0
3	Small enterprise	5.3	10.0
4	Government Service	24.2	6.7
5	Business and trading	8.0	10.0
6	Daily Wage	11.0	20.0
7	Others	6.4	6.7

3.4.2 Employment Status

59. About 15% working age APs are wage employed, 24% are self-employed and about 15% are economically inactive (Table III-8). About 47% of the APs reported that are unemployed including 44% among males and 47% among the females.

TABLE 0-5: ECONOMIC ACTIVITY OF THE HOUSEHOLDS MEMBERS

Nº	Gender	Economically inactive	Wage employed	Self-employed	Unemployed	Total
1	Male	10.8	14.8	29.3	45.1	100
2	Female	17.6	16.0	19.0	47.4	100
	Average	14.5	15.5	23.6	46.4	100

3.4.3 Annual Income of AHs

60. Agriculture, service and wage employment are major contributors to income of the AHs. The survey found that 15% of the AHs get income from one single sources, 36% from double sources and 49% from three or more sources (Table III-9).

TABLE 0-6 : AVERAGE MONTHLY HOUSEHOLD INCOME AGAINST NUMBER OF SOURCES

Number of sources of Income	% of AHs
Single source	15
Double Source	36
Three sources	49
Total	100

61. Table III-10 shows the distribution of AHs getting income from various sources. Average annual income is GEL 17834 per household.

TABLE 0-7: AVERAGE ANNUAL HOUSEHOLD INCOME BY SOURCES

Sources	Average annual income from the source (%)
Wage employment	39.18
Agriculture	29.92
Business/Service	13.13
Property	2.31
Pension	4.30
Remittance	6.31
Other	4.85
Total	100.00

3.4.4 Consumption Pattern

62. The total annual average expenditure per household is 14363 GEL out of which food expenditure is incurred 45%. Non-food expenditure constitutes 55% and covers clothing, education, health and annual investment on production. Details about the expenditure are described in Table III-11.

TABLE 0-8: AVERAGE ANNUAL EXPENDITURE

No.	Consumption pattern	% to total expenditure
1	Food	45
2	Non-food	55
	From which	
	Clothing / Shoes	12
	Domestic goods	13
	Fuel/energy	10
	Healthcare	8
	Education	9
	Other	3
	Total	100

3.4.5 Household Assets and Durables

63. Possession of durable goods differs from each household depending on the nature of the durable goods. 99% of the households in the project area possess a television and 95% have refrigerators, 65% have washing machine, 33% reported to have a car and none of the sample households have motor cycle, 46% have computer while 15% possesses a radio. 91% households have access to gas for cooking.

64. Possession of domestic animals is represented by poultry and large animals: as 42% households reported to have poultry birds in their possession and 58% households reported to have large animals, (Table III-12).

TABLE 0-9: POSSESSION OF DURABLE GOODS AND DOMESTIC ANIMALS

No.	Item	% of HH
1	Radio	15
2	Television	99
3	Cell phone	85
4	Internet	37
5	Bicycle	13
6	LPG Connection/ Gas Cylinder	91
7	Computer	46
8	Refrigerator	95
9	Washing Machine	65
10	Motor cycle/Scooter	0
11	Car	33
12	Air Conditioner	5
13	Bots	4
14	Large Animals (Cows/Bulls/Buffaloes)	58
15	Rams and Goats	0
16	Pig/piglets	1
17	Poultry	42
18	Horse/Donkey	1

3.4.6 Prevalence of Debt

65. About 39% households stated that they took loan from different sources for various needs. Relatives are the main source of loan - only 8% of persons having loans name the bank as a source of loan.

3.5 Water and Sanitation

3.5.1 Source of Drinking Water

66. The major source of drinking water is dug-well and piped water supply - 29% of households use water from dug-well and 63% of households use water from piped supply, 8% of households reported other sources (Table III-13).

TABLE 0-10: SOURCE OF DRINKING WATER

No.	Sources	%
1	Piped water supply	63.3
2	Well	28.7
3	Others	8.0
	Total	100

3.5.2 Sanitation Facilities

67. About 47% of surveyed households use flush toilet and 53% use pit latrine.

3.6 Access to Energy and Civic Facilities

3.6.1 Access to Energy for Heating and Cooking

68. Details of fuel being used are given in Table III-14.

TABLE 0-4: TYPE OF FUEL USE FOR HEATING AND COOKING

No.	Types of Fuel	%
1	Electricity	8.0
2	Wood	38.7
3	Gas	53.3
	Total	100

3.6.2 Access to Electricity

69. All sample households are connected with central power supply.

3.6.3 Access to Health Centre

70. 92% of the households stated that they have easy access to health centres.

3.6.4 Access to School

71. All sample households reported that they have easy access to school.

3.6.5 Access to Road

72. Transport connectivity seems to be in good shape in the project area. All sample households reported that they are well connected with the local roads

LEGAL and POLICY framework

4.1 General

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

4.2 Legal Framework

4.2.1 Georgia's Laws and Regulations on Land Acquisition and Resettlement

74. In Georgia, the legislative acts given below regulate the issues of obtaining State ownership rights to privately owned land parcels based on the necessary public needs caused due to road constructions activities:

- (i) The Constitution of Georgia, August 24, 1995
- (ii) The Civil Code of Georgia, June 26, 1997
- (iii) The Law of Georgia on Protection of Cultural Heritage, 2007
- (iv) The Law of Georgia on Notary Actions, December 4 2009;
- (v) The Law of Georgia on Privatization of State-owned Agricultural Land, July 8, 2005
- (vi) The Law of Georgia on Ownership Rights to Agricultural Land, March 22, 1996
- (vii) The Law of Georgia on Recognition of the Property Ownership Rights Regarding the Land Plots Owned (Used) by Physical Persons or Legal entities; 2007
- (viii) The Law of Georgia on Public Register (No 820–IIs; December 19 of 2008;
- (ix) The Law of Georgia on the Rules for Expropriation of Ownership for Necessary Public Need, July 23, 1999
- (x) The Civil Procedural Code of Georgia, November 14, 1997
- (xi) City planning standards СНиП 2.07.01-89,⁴ II-12-77

75. The existing Laws provide that compensation for lost assets, including land, structures, trees and standing crops, should be based on the current market price without depreciation. Overall the above laws/regulations provide that the principle of replacement cost compensating at

⁴ Article 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.

market value is reasonable and legally acceptable. The laws also identify the types of damages eligible to compensation and indicate that compensation is to be given both for loss of physical assets and for the loss of incomes. Finally, these laws place strong emphasis on consultation and notification to ensure that the APs participate in the process. Income loss due to loss of harvest and business closure will be compensated to cover net loss. The above-listed laws and regulations give the possibility of applying the following mechanisms for legal application of the property rights:

- (i) Obtaining the right on way without expropriation through the payment of due compensation (on the basis of a contract of agreement or a court decision) prior to commencement of the activities.
- (ii) Expropriation which gives the possibility of obtaining permanent right to land and/or other real estate property on the basis of Eminent Domain Law or a court decision through the payment of due compensation.

76. Land will be acquired, first on the basis of negotiated settlement with individual affected entities. Should the contract negotiation not yield an agreement, the expropriation process under the eminent domain will start. Under the existing Law in Georgia, the president will issue an order for expropriation based on the request from relevant state agencies. Relevant regional court will assess the presidential order and determine the case of public needs, and grant the expropriation entity rights to obtain land. The court will also appoint a third party to assess the market value of lost assets and determine the compensation payable to relevant land owners accordingly to the value of assets thus found.

4.2.2 ADB's Policy on Involuntary Resettlement

77. Three important elements of ADB's involuntary resettlement policy are (i) compensation to replace lost assets, livelihood, and income; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it. For any ADB operation requiring involuntary resettlement, resettlement planning is an integral part of project design, to be dealt with from the earliest stages of the project cycle, taking into account the following basic principles:

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples,

and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.

- (iii) Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- (viii) Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders.

Disclose the final resettlement plan and its updates to affected persons and other stakeholders.

- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- (xii) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

4.2.3 Comparison of ADB Policy with Georgian Laws and Legislation

78. Overall, the legislation of Georgia adequately reflects the major provisions of the ADB Safeguards Policy Statement 2009 but a few differences are to be noted. The most significant of these differences is that under Georgian legislation/regulation, emphasis is put on the definition of formal property rights and on how the acquisition of properties for public purposes is to be implemented and compensated while in the case of ADB policy emphasis is put both on the compensation of rightfully owned affected assets and on the general rehabilitation of the livelihood of Affected People (AP) and Households (AH). Because of this, ADB policy complements the Georgian legislation/regulation with additional requirements related to (i) the economic rehabilitation of all AP/AH (including those who do not have legal/formal rights on assets acquired by a project); (ii) the provision of indemnities for loss of business and income, (iii) and the provision of special allowances covering AP/AH expenses during the resettlement process or covering the special needs of severely affected or vulnerable AP/AHs. Also, in addition, the legislation of Georgia does not require any specific measure regarding the need to prepare LARPs based on extensive public consultations. The differences between Georgia law/regulation and ADB policy are outlined in Table IV-1.

TABLE 0-1: COMPARISON OF GEORGIAN LAWS ON LAR AND ADB RESETTLEMENT POLICY

Georgia Laws and Regulations	ADB Involuntary Resettlement Policy
Land compensation only for titled landowners. In practice legalizable land owners are also compensated after they register their ownership with the NAPR.	Lack of title should not be a bar to compensation and/or rehabilitation. Non-titled landowners receive rehabilitation assistance.
Only registered houses/buildings are compensated for damages/demolition caused by a project	All Affected houses/buildings are compensated for buildings damages/demolition caused by a project
Crop losses compensation provided only to registered landowners.	Crop losses compensation provided to landowners and sharecrop/lease tenants whether registered or not

Land Acquisition Committee is the only pre-litigation final authority to decide disputes and address complaints regarding quantification and assessment of compensation for the affected assets.	Complaints & grievances are resolved informally through community participation in the Grievance Redress Committees (GRC), Local governments, and NGO and/or local-level community based organizations (CBOs).
Decisions regarding LAR are discussed only between the landowners and the Land Acquisition Authorities.	Information on quantification, affected items value assets, entitlements, and compensation/financial assistance amounts are to be disclosed to the APs prior to appraisal.
Loss of income is considered for compensation but no provision for income/livelihood rehabilitation, allowances for severely affected or vulnerable APs, or resettlement expenses.	ADB policy requires rehabilitation for income/livelihood, severe losses, and for expenses incurred by the APs during the relocation process.
There is provision for consultation with APs but there is no specific plan for public consultation under the Georgian laws	Public consultation and participation is the integral part of ADB's policy which is a continuous process at conception, preparation, implementation and finally at post implementation period

79. To reconcile the gaps between Georgia laws/regulations and ADB Policy (ADB's SPS 2009), RDMRDI has adopted this policy for the Project, ensuring compensation at full replacement cost of all items, the rehabilitation of informal settlers, and the provision of subsidies or allowances for AHs those will be relocated, suffer business losses, or will be severely affected.

4.2.4 Resettlement Policy Commitments for the Project

80. The resettlement policy for the project has been designed to (a) cover all APs irrespective of their title to land, (b) provide replacement cost compensation for lost assets, and (c) restore or enhance the livelihoods of all categories of APs. The households/persons affected by the project interventions will receive cash compensation for land and other assets at full replacement cost as per market price at the time of dispossession. Additional measures will be taken to ensure minimum disruption during the project construction period. Physically and economically affected households will receive due compensation, relocation assistance, and allowances in accordance with the following guidelines and policy which are also part of the Land Acquisition and Resettlement Framework⁵ of the Program and the Georgian laws on land acquisition and ADB's SPS 2009:

- (i) Land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative project designs.
- (ii) Where unavoidable, a time-bound LARP will be prepared and APs will be assisted in improving or at least regaining their pre-program standard of living.
- (iii) Land will be acquired through a contract agreement to the extent possible. Expropriation process will be sought only as the last resort when all possibilities of negotiation fail.

⁵ Government of Georgia: Subregional Road Corridors Development Program, Land Acquisition and Resettlement Framework, July 2009.

- (iv) Consultation with APs on compensation, disclosure of resettlement information to APs, and participation of APs in planning and implementing of the project will be ensured.
- (v) Vulnerable and severely APs will be provided special assistance.
- (vi) Non-titled APs (e.g., informal dwellers or squatters, APs without registration details) will receive a livelihood allowance in lieu of land compensation and will be fully compensated for losses other than land.
- (vii) Legalizable APs (APs possessing ownership documents but with title formalization pending, as well as APs who are not registered but have residential land or agricultural plots adjacent to the residential land) will be legalized and fully compensated for land losses.
- (viii) The land users who are not registered but legitimately use agricultural land not adjacent to residential plots will be provided with cash compensation at full replacement cost, according to the Decree of the Government of 2011. The payments will be executed without registration in NAPR.
- (ix) Provision of income restoration and rehabilitation compensation will be made.
- (x) The LARP will be disclosed to the APs in the local language which is Georgian.
- (xi) Payment of compensation, resettlement assistance and rehabilitation measures the rates set in this LARP will be fully provided prior to the contractor taking physical acquisition of the land and prior to the commencement of any construction activities on a particular package.
- (xii) Compensation will be provided at least at the rates detailed in this LARP although some modification in excess will be possible during the discussions preceding the signing of the contract
- (xiii) Complaints will be reviewed using the existing grievance redress mechanisms.

4.2.5 Land Acquisition Process

81. Complete and accurate registration of private land as per current laws governing land acquisition in Georgia is the precondition for proceeding with acquisition of private land by agencies requiring land for land based infrastructure development. RDMRDI for construction of the Batumi Bypass will acquire private land under eminent domain through negotiated settlement wherever possible, based on meaningful consultation with APs, including those without legal title to assets. The land buyer will offer adequate and fair price for land and/or other assets. RDMRDI will ensure that the process of land acquisition with the APs openly address the risks of asymmetry of information and bargaining power of the parties involved in such transactions. Only in case the there is no agreement to land acquisition, expropriation will be sought.

82. The detail design consultant has prepared an estimate of compensation and entitlement of individual APs under the subtitle of Acquisition and Compensation Matrix (ACM), see Annex 6. ACM is a detailed programme for execution of Batumi Bypass LARP as per land acquisition and resettlement framework consistent with ADB's involuntary resettlement policy (SPS 2009).

83. Following the ACM, LARC, assisted by LAR Team at rayon level will offer to each of the APs the compensation rates defined in this LARP. Upon successful settlement, Land Acquisition

Agreements will be signed with legalized/titled owners of acquired land parcels and Agreement of Entitlement with the non-titled APs. Any grievances of the APs will be resolved through approved grievance redress mechanism of the Project.

84. In case an AP does not accept the rates defined in this LARP even after attempts to resolve through the grievance redressing mechanism exercise, RDMRDI will seek concurrence of the appropriate authority in the management for proceeding with Expropriation Process under the eminent domain for acquisition of the land through Rayon courts.

85. The detail design consultant has prepared fresh maps of the acquired plots with geometric details required for legalization. RDMRDI will provide these maps to the concerned legalizable owners. The process will be followed by endorsement of these maps and ownership documents by the Sakrebulo and finally getting them registered in the local registration office prior to the receipt of the project compensation. A detailed procedure of legalization of legalizable owners is provided in Annex 1.

4.3 Compensation Eligibility and Entitlements

4.3.1 Eligibility

86. APs entitled for compensation or at least rehabilitation provisions under the Project are:

- (i) All APs losing land either covered by legal title/traditional land rights, Legalizable, or without legal status;
- (ii) Tenants and sharecroppers whether registered or not;
- (iii) Owners of buildings, crops, plants, or other objects attached to the land; and
- (iv) APs losing business, income, and salaries.

87. Compensation eligibility will be limited by a cut-off date to be set for each subproject on the day of the beginning of the AP Census and DMS – 25 April 2016. APs who settle in the affected areas after the cut-off date will not be eligible for compensation. They, however will be given sufficient advance notice, requested to vacate premises and dismantle affected structures prior to project implementation. Their dismantled structures materials will not be confiscated and they will not pay any fine or suffer any sanction.

4.3.2 Definition of Entitlements

88. Entitlement provisions for APs losing land, houses, and income and rehabilitation subsidies will include provisions for permanent or temporary land losses, buildings losses, crops and trees losses, a relocation subsidy, and a business losses allowance based on tax declarations and/or existing minimum market rates. These entitlements are detailed below:

1. **Agricultural land impacts** will be compensated at full replacement cost. When 10% or more of total agricultural land owned by AP is acquired, AP (owners, leaseholders and sharecroppers) will get an additional allowance for severe impacts equal to one additional crop compensation or 3 months income at minimum subsistence (in case if crop compensation is not applicable). Legalizable APs will be legalized and paid as titled owners. APs who are not registered but have residential land or agricultural plots adjacent to the residential land will be fully compensated but not legalized. APs that are not legitimate land users or squatters (these are APs who were not land leasers under the old system or occupy a plot illegally) will be compensated with one time self-relocation allowances in cash equal to 1 year of minimum subsistence⁶. If the remaining part of a particular plot becomes inaccessible or unviable for cultivation or for any use after the acquisition, then the remaining land may be considered for acquisition if the owner requests.
2. **Non-agricultural land (Residential/commercial land)**. Titled settlers will be compensated at full replacement cost free of depreciation. Legalizable settlers will be legalized, registered in NAPR and compensated as titled APs. Non-titled and non-legalizable land users will be compensated with one time self-relocation allowances in cash equal to 1 year of minimum subsistence.
3. **Houses, buildings, and structures** will be compensated in cash at full replacement cost free of deductions for depreciation, and transaction costs irrespective of the registration status of the affected land. In case of partial impacts and unwillingness of the owner to relocate, compensation will cover only the affected portion of a building and its full rehabilitation to previous use. Full compensation will be paid if partial impacts imperil the viability of the whole building. Construction materials remaining after the demolition of the structures will be deemed as ownership of the AH.
4. **Crops**: Cash compensation at current market rates for the gross value of 1 year's harvest by default. Crop compensation will be paid both to landowners and tenants based on their specific sharecropping agreements.
5. **Trees**: Cash compensation at market price based on type, age and productivity of trees.
6. **Businesses**: If business is lost permanently it will be compensated in cash equal to a 1-year income based on tax declaration or, if unavailable, based on the official maximum income waived from income tax; temporary business losses will be compensated in cash for the business interruption period based on tax declaration or, if unavailable, official maximum income waived from income tax.

⁶ In absence of a minimum subsistence in Georgia the figures used are based on the minimum subsistence income x month calculated for a family of 5 persons. The most recent information from National Statistics Office of Georgia for April 2016 is 321 GEL per household (of five people).

7. **Agricultural Tenant:** if agricultural tenants are affected, it will be compensated in the form of assistance equivalent to 1 year of cash return from the land under tenancy as per recorded proof, or in its absence, official minimum subsistence income for 1 year.
8. **Loss of wages/employment:** if employees loss their wages due to the project interventions, they will be compensated in the form of assistance equivalent to 3 months of minimum subsistence.
9. **Relocation/Shifting Allowance:** Physically displaced households forced to relocate will receive a relocation subsidy sufficient to cover transport costs and living expenses for 1 month.
10. **Community Structures and Public Utilities:** Will be fully replaced or rehabilitated so as to satisfy their pre-project functions.
11. **Vulnerable people Livelihood:** Vulnerable AH (below poverty line, women headed or with members with disabilities or pensioners) will receive an allowance equivalent to 3 months of minimum subsistence.

4.3.3 Compensation Entitlement Matrix

89. Tasks under the Project will be implemented according to a compensation eligibility and entitlements framework in line with both Georgia laws and regulation and ADB Policy (SPS 2009). A summary entitlements matrix is included in **Table IV-2** below.

TABLE 0-2: COMPENSATION ENTITLEMENT MATRIX

Type of Loss	Application	Definition of AH/APs	Compensation Entitlements
Land			
Permanent loss of agricultural land	AP losing productive land regardless of impact severity	Owner with full registration	Cash compensation at full replacement cost. If the residual plot becomes unviable for cultivation, the project will acquire it if the owner so desires.
		Legalizable Owner Owner with legalizable land, the land occupied by a house or located close to the house that is currently untitled, but is occupied by users who were legitimate land leasers under old Soviet land administration system. APs with title formalization pending or APs who have residential land.	The ownership rights of these APs will be recognized by the project, the land registered in NAPR and the APs provided with cash compensation at full replacement cost.
		APs who are not registered but	These will not be registered in NAPR.

		legitimately use land not adjacent to residential plots	However the APs will be provided with cash compensation at full replacement cost, according to the Decree of the Government of 01.03.2011 .
		APs that are not legitimate land users or squatters (these are APs who were not land leasers under the old system or occupy a plot illegally)	One time self-relocation allowance in cash equal to 12 months at minimum subsistence (*) (321 GEL per month x 12 months = 3852 GEL / AH) .
		Agricultural Tenant	One time self-relocation allowance in cash equal to 12 months at minimum subsistence (*) (321 GEL per month x 12 months = 3852 GEL / AH) .
Non-Agricultural Land	AP losing their commercial/residential land	Owner with full registration	Cash compensation at full replacement cost. If the residual plot becomes unviable for residential/commercial use, the project will acquire it if the owner so desires.
		Legalizable Owner APs with title formalization pending or APs who have residential land or agricultural plots adjacent to the residential land	The ownership rights of these APs will be recognized, the land registered in NAPR and the APs provided with cash compensation at full replacement cost.
		Non-legalizable land users (APs without registration/valid documents using land permanently)	One time self-relocation allowance in cash equal to 12 months at minimum subsistence (*) (321 GEL per month x 12 months=3852 GEL / AH) .
Buildings and Structures			
Residential and non-residential structures/assets		All AHs regardless of their legal ownership/ registration status (including legalizable and Informal Settlers)	Full impact: Cash compensation for building/structures losses at full replacement costs free of depreciation and transaction costs Partial impact: repairs compensation.
Loss of Community Infrastructure/Common Property Resources			
Loss of common property resources	Community/Public Assets	Community/Government	Reconstruction of the lost facilities and structures and reinstatement of services in consultation with community and restoration of their functions
Loss of Income and Livelihood			
Crops	Standing crops affected or affected agricultural land, used permanently for crop cultivation.	All APs regardless of legal status (including legalizable and Informal Settlers)	Crop compensation in cash at market rate (corresponds to gross crop value of expected harvest)
Trees	Trees affected	All APs regardless of legal	Cash compensation at market rate on the

		status (including legalizable and Informal Settlers)	basis of type, age and productive value of the trees (based on the expected yield of the tree, multiplied by the number of years required to grow a tree of equivalent productivity).
Business/Employment	Business/employment loss	All APs regardless of legal status (including legalizable and Informal Settlers)	<p>Owner:</p> <p>(i) (<u>permanent impact</u>) cash indemnity of 1 year net income;</p> <p>(ii) (<u>temporary impact</u>) cash indemnity of net income for months of business stoppage. Assessment to be based on tax declaration or, in its absence, minimum subsistence (*).</p> <p>Permanent worker/employees: indemnity for lost wages equal to 3 months of minimum subsistence. (321 GEL per month x 3 months=963 GEL / AH)</p>
Allowances			
Severe Impacts	(i) 10% or more loss in income or productive assets (ii) physically relocated AHs	All severely AHs including informal settlers	Agricultural income: 1 additional crop compensation for 1 year's yield of affected land or an allowance covering 3 months of minimum subsistence (*) (321 GEL per month x 3 months = 963 GEL / AH)
Relocation/Shifting	Transport/transition costs	All AHs to be relocated	An allowance covering transport and livelihood expenses for the transitional period. (200 GEL as vehicle hire charge + 321 GEL per month x 3 months =1163 GEL/AH)
Vulnerable People Allowances		All AHs qualifying as vulnerable	Allowance equivalent to 3 months of minimum subsistence (*) and employment priority in project-related jobs (321 GEL per month x 3 months = 963 GEL / AH)
Temporary impacts during construction		All APs	Due compensation to be assessed and paid when the impacts are identified based on the above provisions.

(*) In absence of a minimum subsistence in Georgia the figures used are based on the minimum subsistence income calculated for a family of 5 persons. The most recent information from National Statistics Office of Georgia for April 2016 it is 321 GEL per household (of five people).

4.3.4 Assistance for severely affected and Vulnerable AH

90. Vulnerable households are households who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by

resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

91. Poor (receiving government subsidies) and women headed are considered as vulnerable households. Households with members with disabilities or people in pension age will receive the allowance only if they are economically marginal (scored at or below 70,000 points by respective social protection agency of Georgia). The vulnerable household requires special assistance for resettlement.

92. Vulnerable AHs are entitled to an allowance equivalent to 3 months of minimum subsistence and employment priority in project-related jobs. AHs are considered as vulnerable in case they are registered as poor in the local social services or are women-headed.

93. The above AH will receive an allowance of 321 GEL per month x 3 months=963 GEL / AH in all. In absence of an official minimum subsistence, these figures are taken from the Government of Georgia Statistics Department data on minimum subsistence income for a family of 5 person.

94. Severely AH will receive an allowance equivalent to 1 additional crop compensation equal to 1 year income or of 3 months minimum subsistence in case the AH is not subject for crop compensation.

4.3.5 Valuation and Compensation Rates

a) Principles and Methodology

95. The principles of valuation of acquired land and assets have been devised as per ADB policy on involuntary resettlement (SPS 2009). The policy states that all loss of the APs have to be compensated at full replacement cost at the time of dispossession of the property for purpose of infrastructure projects. The calculation of replacement costs will be based on (i) fair market value at the time of dispossession, (ii) transaction/legalization costs, (iii) transitional and restoration (land preparation and reconstruction) costs, and (v) other applicable payments. In order to ensure compensation at replacement cost, good practice examples in compliance with ADB policy were followed for determining the replacement cost of acquired assets.

96. The calculation of unit value is done keeping in consideration the current market rate so as to meet with the replacement cost of the land and lost assets etc. An experienced and registered independent local company was employed to do the valuation of land, structures, buildings, trees, crops etc. The approach of the evaluator was to make the assessment for each type of land and assets by location. The valuation was done when the census and DMS were conducted by the same company who prepared the map of affected plots with demarcation of cut-off areas. The valuation company engaged its experts for its respective areas who made site visits for physical verification of each category of the losses. The expert team also took into consideration the reference of previous valuation if available and also used their recommended periodic release of market survey. Based on this methodology the unit rate was derived. The unit rates used in this report are based on the evaluation agency's assessment with their standard methods for calculating the sample assets.

b) Determination of Compensation Rates

97. Replacement cost of land has been determined based on existing market rates to the extent possible and adding the applicable transaction cost like registration with the NAPR at the rayon level Registration Office and the rayon PRRC. Market rates were defined taking into account the type of land, its purported use, and location.

98. Replacement cost of houses/buildings was determined based on construction type, cost of materials, transportation, types of construction, land preparation, labour, and other construction costs at current rates. No deduction for depreciation and transaction costs will be applied.

99. Market value of annual crops has been determined at the farm gate for the first year crop (wholesale price without transportation costs).

100. Tree market value has been set based on different methods for wood and fruit trees. Wood trees are valued based on growth category and value of wood of the tree at the age the tree was cut. Fruit trees will be compensated at market rate on the basis of type, age and productive value of the trees (based on the expected yield of the tree, multiplied by the number of years required to grow a tree of equivalent productivity).

101. The unit compensation rates recommended by the valuation company have been reviewed and approved by the RDMRDI and will be offered to the APs. Detailed methodology for determining valuations and compensation rates is included in Annex 1.

INSTITUTIONAL ARRANGEMENTS

Introduction

102. Ministry of Regional Development and Infrastructure (MRDI) is the executing agency (EA) of the Project on behalf of the Government of Georgia and the Roads Department of the MRDI (RDMRDI) is the implementing agency (IA). The Asian Development Bank (ADB) is financing the Project for design, civil works construction and construction supervision. RDMRDI is responsible for road construction as well as land acquisition and resettlement of the APs due to land acquisition and project construction. Batumi Bypass LARP covers the road section located in Batumi and Khelvachauri rayon (km 0.0 – km 13.7) under Section 1 Contract 4. The compensation/ rehabilitation program described in Batumi Bypass LARP involves distinct processes and dynamics and different actors. RDMRDI has the lead responsibility for road construction, as well as implementation of Batumi Bypass LARP with assistance from consultants.

103. RDMRDI is assisted by a number of other government departments and private agencies in the design, construction and operation of the Project. Pursuant to the active legislations, National Agency of Public Registry (NAPR) within the Ministry of Justice is in charge of the recognition of ownership rights of rightful owners, registration of land ownership, with process verification and certification from Village Communities, Notaries, Property Rights Recognition Commission (PRRC), and Sakrebulo. Rayon NAPR is also responsible for registering transfer of acquired land from landowners to the RDMRDI. The local governments at Rayon and village levels are involved in the legalization of legalizable land parcels and subsequently land acquisition and resettlement of APs. The Ministry of Natural Resources and Environmental Protection is responsible for environmental issues.

104. Batumi Bypass LARP comprises the sections passing through Batumi and Khelvachauri rayon under section-1 (0.00 - 13.7 km). NAPR, Local Administration and PRRC are all involved in Batumi Bypass LARP.

5.2 Land Registration Organizations

105. Government agencies active at various levels in the process of legalization of privately owned land parcels are described hereunder.

5.2.1 Gamgeoba of Community

106. Community level Gamgeoba is the executive branch of self-government headed by Gamgebeli. Gamgebeli has the primary role in the process of legalization and registration of land parcels. Gamgebeli confirms ownership of affected land plots, parameters of land plots and endorses the cadastral maps and related data prepared for case of legalization⁷. Gamgebeli plays

⁷ Owners for legalization of their unregistered land parcels, in normal procedure, use the services of private mapping agencies and experts on payment for preparation of land details (maps and plot LARP (Batumi Bypass)

important role for legalization of non-rightful owners (owners in possession before the enactment of current law on privatization of land in Georgia without prior permission of the government). Gangeoba has power to authorize⁸ details of the occupied land parcel and verify its usage pattern as the first hand verification and authorization for further consideration in the Property Rights Registration Commission (PRRC) as a basic step for registration with the Public Registry. Neighbours of applicants for legalization have roles in the authorization process.

5.2.2 Sakrebulo

107. Sakrebulo is the representative branch of self-government at rayon and village level. The village/rayon level Sakrebulo has now less involvement in the process of legalization of legalizable land plots. However, Rayon Sakrebulo assists the PRRC in the process of authorization of application of non-rightful owners.

5.2.3 Property Rights Recognition Commission

108. Under the Law of Georgia on Recognition of the Property Ownership Rights Regarding the Land Plots Owned (Used) by Physical Persons or Legal entities; 2007, the Government of Georgia has established the PRRC at the Rayon level for recognition of ownership rights of non-rightful owners for registration. PRRC verifies and authorizes application of ownership for registration with the NAPR. PRRC authorizes application of only those APs, who are not registered but have residential land or agricultural plots adjacent to the residential land (“non-rightful land owners”, according to definition of Georgian regulations).

5.2.4 Rayon Registration Office

109. NAPR is in charge of the registration of land ownership and its transfer through acquisition agreement from landowners to the RDMRDI. Rayon Archives are now transferred in the possession of the Rayon Registration Offices of the NAPR. Rayon Archive is used for cross verification of ownership document and validity of physical possession of land by persons seeking registration as legalizable owner, in the case, owner does not have available documentation proving ownership rights on the adjacent land plot or in case there is any doubt regarding the plot.

110. Rayon Registration Office of the NAPR is the Rayon level authority for executing registration of land parcels in the name of the applicants based on package of application documents provided by rightful owners (APs possessing ownership documents but with title formalization pending) or by non-rightful owners after receiving appropriate certificate from PRRC as the case may be. The owners submit both soft copy and hard copy of plot maps with

parameters). In case of this project, the consultants have been assisting in preparing basic documents like maps and plot details.

⁸ This is not mandatory but one of the possible procedures for legalization of the non-rightful owners. Witnesses' signature confirmed notarially is also legally acceptable for confirmation of non-rightful ownership of land plot.

geometric details for record in the Rayon and Central NAPR. Batumi and Khelvachauri rayon NAPR is involved in the updating and implementation of Batumi Bypass LARP.

5.3 Land Acquisition and Resettlement Organizations

5.3.1 RDMRDI of Georgia

111. RDMRDI has the overall responsibility of design, land acquisition and resettlement, construction, construction monitoring and supervision of the Project. This also includes financing and executing land acquisition and resettlement tasks and cross-agency coordination. RDMRDI will exercise its functions through its existing Resettlement Unit (RU), which is subdivision of the Roads Development and Resettlement Division (RDRD), and LAR Commission⁹.

112. A Resettlement Unit (RU) under the RDRD headed by a Head of the Unit and staffed with other personnel having specific experience and skills in LAR is responsible for LAR activities related to the project. RU is responsible for all technical work to accomplish all LAR preparation and implementation tasks and coordination within the RDMRDI, as well as at central and local government levels.

113. LAR Commission (LARC) within RDMRDI has the authority to finally endorse all LAR related decisions and actions (i.e. approval of LARP, initiation of compensation payments etc.). LARC sits for reviewing issues for decision on as and when necessary basis. LARC will oversee and monitor implementation of the Batumi Bypass LARP to ensure that all APs are duly compensated and that mitigating measures are instituted by the Civil Works Contractor as a result of temporary impacts. It is also the final pre-litigation authority to provide decision on grievances those cannot be resolved at the regional level. LARC will ensure that the Project is implemented in accordance with the ADB policy requirements and the approved Batumi Bypass LARP. A Grievance Redress Committee (GRC) at the Gangeoba level of the Rayons will be working to resolve the grievances of APs as a means of reducing grievances and avoiding expropriation process for acquisition of land.

114. The structure of the LARC includes experienced and skilled experts of economics and law, who simultaneously take responsible positions in RDMRDI. In case of need, on the basis of agreement with RDMRDI management and LARC the structure can be expanded inviting professionals of different sectors in response of the volume of LAR work for a project. The core team of the LARC is represented by RU, which is supplemented by legal experts, financial experts, engineers and the like from other departments of RDMRDI.

115. The specific tasks of the RU will be to (i) establish LARC capacity at the regional level offices of the RDMRDI; (ii) ensure proper internal monitoring; and (iii) hire, following ADB recommendation the external monitoring agency; (iv) conduct all technical work to accomplish all LAR preparation and implementation tasks; (v) maintain the coordination of all land acquisition and resettlement related activities within the RDMRDI, as well as at central and local

⁹ LAR Commission have been established by RDMRDI first in 03.05.2007 by the order #40, and since then this mechanism is used for implementing LAR activities.

government levels; and (vi) provide all necessary documentation to ensure the prompt allocation of land acquisition and resettlement budgets to the APs.

5.3.2 TRRC

116. Transport Reform and Rehabilitation Centre (TRRC), a special independent agency, has been established within RDMRDI for financial management of ADB and World Bank financed projects. TRRC will get funds directly from the Ministry of Finance allocated for the project and disburse it to APs following requisition from RU, RDMRDI. TRRC will review, scrutinize and transfer the amount of compensation and allowances in the bank account of APs mentioned in the Compensation and Allowance Ledger prepared, confirmed and produced by RU of RDMRDI for each AP.

5.3.3 Rayon LAR Team

117. Rayon LAR Team will assist the central LARC and provide assistance to APs in the process of legalization of legalizable owners. Based on the RDMRDI's LARC decision and the LARP prices, the offer of acquisition of land parcels shall be undertaken. If an AP agrees on the acquisition he/she will confirm such agreement in writing by signing the Sales/Acquisition Agreement that will be registered with the Public Registry. This agreement will serve as the basis for compensation payment processing and release. If agreement is not reached between the AP and the LAR Team, the later will inform the LARC, which will take decision to start expropriation.

5.3.4 Local Governments

118. Local administration especially at Rayon level has direct jurisdiction for land administration, valuation, verification and acquisition. To confirm the surveys and the asset valuations carried out by the LAR consultants, RDMRDI through its consultants will establish Rayon Level LAR Teams which will have designated officials from the Batumi and Khelvachauri Rayon administration (Rayon Sakrebulo; Gamgebeli) and representatives of each affected village/community administration (representatives of all affected community/village).

5.4 Other Organizations and Agencies

5.4.1 Civil Works Contractor

119. Civil Works Contractor to be appointed by the RDMRDI to undertake the construction will be responsible for mitigating impacts resulting from the construction activities. Based on the LARP and the Technical Design, the parcel of land that will be identified and acquired as part of road ROW will be demarcated to clearly delineate it from the remaining non-acquired parts. The construction activities shall be monitored closely by the RDMRDI to ensure compliance to the temporary mitigating measures.

5.4.2 Consultants and Auditors

120. The design consultant will be responsible for preparation and implementation of Batumi Bypass LARP and a construction supervision consultant will be in place to supervise civil works construction.

Design Consultant: The design consultant has an international social development and resettlement specialist and a national resettlement / social specialist for finalizing LARP for each construction stage. The design consultant has hired a survey and independent audit agency for land acquisition and resettlement survey and documentation including census, socioeconomic survey, inventory of losses, and valuation of land and assets for replacement value. Batumi Bypass LARP has been prepared based on findings of the surveys following the final alignment as per detailed engineering design.

Construction Supervision Consultant: Construction supervision consultant (CSC) will have land acquisition and resettlement specialists to oversee all resettlement related issues that may arise during the construction

5.4.3 Court of Georgia

121. The Court of Georgia (1. Batumi City Court 2. Kutaisi Appeals Court 3. Supreme Court of Georgia) shall be the last resort for issues and concerns regarding the implementation of the Batumi Bypass LARP. In case there is no agreement between the RDRD and the APs concerning the acquisition of private properties, the RDMRDI with the mandate for expropriation based on existing legislations will submit to the Court a request for expropriation. Upon its approval and following prescribed procedure, RDMRDI will then take over the concerned property after having been given by the Court the right of the Expropriator. Review of specific cases starts at local courts.

122. Furthermore, in cases where complaints and grievances regarding Batumi Bypass LARP implementation and compensation are not solved at the various levels as prescribed in the agreed Grievance Redress Mechanism, the APs will have the right to appeal the case to the Court: 1. Batumi city court 2. Kutaisi appeal court, 3. Supreme court of Georgia as a last resort. Its decision shall be final and executory.

5.4.4 Ministry of Finance

123. The budgets for the implementation of Batumi Bypass LARP will be provided to RDMRDI by the Ministry of Finance following its official approval. The Batumi Bypass LARP budget will be allocated on the accounts of TRRC that is responsible for the financial management of the project.

5.4.5 Ministry of Justice

124. The Ministry of Justice is responsible for legal matters regarding land ownership, and National Agency of Public Registry (NAPR) within the Ministry of Justice is in charge of the registration of land ownership and its transfer through acquisition agreement from landowners to the Road Department.

5.4.6 Ministry of Economy and Sustainable Development

125. Ministry of Economy and Sustainable Development (MOESD) issues a decree confirming necessity for expropriation and assigning RD as an entity that can be granted the right for expropriation. Decision on the expropriation will be resolved in about 1 month.

5.4.7 Adjara Ministry of Finance and Economy

126. Adjara Ministry of Finance and Economy (MOFE) has the authority in land registration cases, providing the confirmation of land occupancy and usage.

5.4.8 ADB

127. Besides supervising the Project periodically, ADB will review Batumi Bypass LARP and External Monitor's compliance report, and provide clearance to contract awards signing and initiation of civil works.

5.4.9 Monitoring Agency

128. RDMRDI will appoint an independent external monitoring agency (EMA) for external monitoring and ex-post evaluation of the Batumi Bypass LARP implementation. External monitoring covers all aspects of Batumi Bypass LARP implementation, starting from legalization and finishing with payment of all compensation and rehabilitation allowances before starting civil works. The external monitoring will be executed by the hired company or person.

129. An organization chart showing all the concerned institutions to be involved in the LAR activities is depicted in Figure V-1:

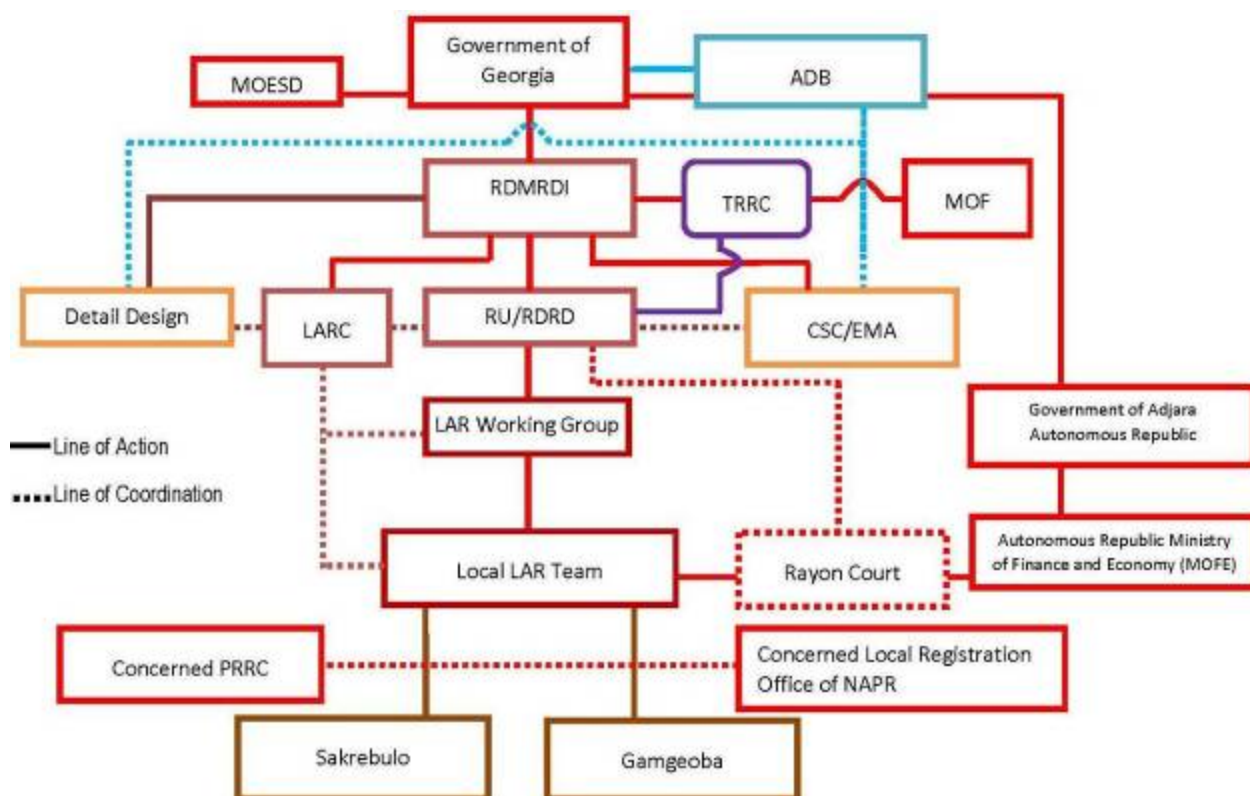


FIGURE V-1: LAR ORGANIZATION CHART

5.5 Capacity Building on LAR

130. Close consultations were held with all the concerned departments. RDMRDI has already an established Resettlement Unit under RDRD dealing with roads development, land acquisition and resettlement. Capacity building training was also conducted through a series of consultations and informal training sessions in the local administration level. The staff of department were provided with the following training during the last year under the ADB TA 7433-REG¹⁰ (the RETA) program:

1. Training on Development of Grievance Redress Mechanism for ADB financed Projects - 7 July 2015, ADB Resident Mission, Tbilisi, Georgia. Participants: Mariam Gogishvili (Head of Resettlement and Environmental Protection Division, RD), Zaur Apshinashvili (Deputy Head of Resettlement and Environmental Protection Division, RD), Gia Sopadze (Head of Environmental Protection unit, RD), Mariam Begiashvili (Consultant of Resettlement and Environmental Protection Division, RD), Mamuka Ghelekva (Local Consultant of Resettlement and Environment Protection Division, RD), Archil Jorbenadze (ADB Project Coordinator, ETCIC/TRRC).
2. "Monitoring Mechanisms in ADB Financed Projects" - 19-20 October 2015, Kvareli, Georgia. Participants: Mariam Gogishvili (Head of Resettlement and Environmental

¹⁰ Regional Technical Assistance Project TA-7433 REG: Mainstreaming Land Acquisition and Resettlement in the Central and West Asia Region.

Protection Division, RD), Pikria Kvernadze (Head of Legal Division, RD) Nino Mtsuravishvili (Head of Resettlement Unit, RD), Gia Sopadze (Head of Environmental Protection Unit, RD), Mariam Begiashvili (Consultant of Resettlement and Environmental Protection Division, RD), Mamuka Gelekva (Local Consultant of Resettlement and Environment Protection Division, RD), Giorgi Iremashvili (Senior Specialist of Resettlement Unit, RD) Archil Jorbenadze (ADB Project Coordinator, ETCIC/TRRC),

3. Regional Valuation Workshop - Mainstreaming Land Acquisition and Resettlement Safeguards in Central and West Asia - 26-27 November 2015, Baku, Azerbaijan. Participants: Mariam Gogishvili (Head of Resettlement and Environmental Protection Division, RD),
4. General training for new staff of PIU/CC/SC – on ADB Environmental Safeguards Requirements and new Waste Management Code of Georgia – 25 January 2016, ADB Resident Mission, Tbilisi, Georgia. Participants: Gia Sopadze (Head of Environmental Protection Unit, RD), Rusudan Gholijashvili (Senior Specialist of Environmental Protection Unit, RD).
5. The representative of RDMRDI at regional level (Mamuka Ghelekva – Resettlement consultant of Adjara Bypass Road, Merab Gvarishvili – Roads Department of Adjara) was also responsible for the planning of LAR activities and was responsible for coordinating with the rayon administration. Rayon level LAR Teams were formed at each rayon that will be responsible for LAR activities assisting the LARC of the RDMRDI in the process of LARP implementation.

131. In terms of capacity and manpower resources within RU of the RDRD, some expansion of the capacity on LAR currently available at RDRD is planned, in order to allow improved and more effective execution of all LAR related tasks for the project. RU of the RDRD is in a process of expansion and new staff members will be hired before the Batumi Bypass LARP implementation starts. All concerned staff both at RU, LARC, at Rayon and field levels involved in LAR activities will undergo training on ADB resettlement policy and management. The training will be provided under the ADB RETA for capacity building of executing agencies on involuntary resettlement. Training will cover the following topics:

- (i) Principles and procedures of land acquisition (ADB and GOG);
- (ii) Stakeholder engagement
- (iii) Public consultation and participation process;
- (iv) Entitlements and compensation and assistance disbursement mechanisms;
- (v) Grievance redress; and
- (vi) Monitoring of resettlement operations.

CONSULTATION AND PARTICIPATION

6.1 Introduction

132. 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 has been a major principle in the planning and preparation of the detailed design of the Project. ADB SPS (2009) gives high priority on public consultation and participation to enhance the community voice and assure incorporation of community's views in design and implementation of a socially and environmentally compliant project. The Georgian laws also place strong emphasis on consultation and notification to ensure that the APs participate in the process.

133. The focus of these consultations are to ensure that the AP and other stakeholders are informed, educated, consulted and allowed to participate actively in the process of road development and preparation of social and resettlement plan; reducing public resistance to change; helping mitigate and minimize any probable negative impact and bringing in the benefit of the project to the people.

6.2 Consultation Process and Methodology

134. Consultation with local communities and government bodies in the project process was instrumental for alignment demarcation and selection of route for the Adjara bypass road. The route of the project road underwent several changes to avoid dense settlement, environmentally protected areas, civic amenities, and land acquisition. The public consultation process entailed clearly explaining the project and its impacts to the community through introducing the project and its impacts through leaflets in local language, clearly explaining to the communities in informal and formal consultation meetings and individual level discussion during the census and detailed measurement surveys of land and property.

135. Consultations with the APs in the project affected areas were conducted during the final Batumi bypass road under section 1 LARP preparation. There was a prefeasibility study, prior to the feasibility study to define the project alignment. During the feasibility study, a number of consultation events were arranged at various stages of social and resettlement preparation i.e., alternative alignment feasibility study, cadastral survey of affected lands, land census survey, socio-economic survey and targeted consultation meetings with APs and local stakeholder organizations and individuals. The APs, their community, and local government officials were consulted to inform, educate and provide feedback in the project design (see Table VI-2 and Annex 4).

136. Various methods used for stakeholder's consultation and participation with concerned stakeholders are described in Table VI-1.

TABLE 0-1: SUMMARY ON PARTIES CONSULTED AND CONSULTATION METHODS

Stakeholders	Purpose	Method
Likely APs and their community Public meetings (see Annex 4) were conducted during the preparation of the final version of LARP and will be continued during the implementation phase. Details will be provided in internal monitoring reports.	To inform the APs, get their views on likely impacts, eligibility and entitlements, as well as procedures for compensation, relocation and rehabilitation.	Public meetings with all AH during the implementation of the socio-economic survey.
National Agency for Public Registry under the ministry of Justice Was conducted during the preparation of the final version of LARP and will be continued throughout implementation.	To collect the cadastral map and to know the details of the affected parcels and people	Consultation and discussion with officials
Local Government at Rayon Level (District Municipality), Gangebeli Was conducted during the preparation of the final version of LARP and will be continued throughout implementation	To seek their cooperation for carrying out the impact assessment survey and to address issues related to missing plots (Legalizable Owners)	Individual meetings with the officials of respective rayons and discussions
Property Recognition Commission in the Rayon Level and Sakrebulo Was conducted during the preparation of the final version of LARP and will be continued throughout implementation	To seek their cooperation for carrying out the impact assessment survey and to sort out the problem related to missing plots (Legalizable Owners)	Meeting and training

6.3 Summary of Consultation during Feasibility Study

137. The major findings of the consultations held at various locations in the course of the overall corridor project feasibility study development are summarized below.

- (i) The likely APs and their community are aware about the project.
- (ii) APs losing their properties expected a proper compensation package.
- (iii) The structure owners request adequate compensation to rebuild their structure at alternative site. They should get advance notice for relocation.
- (iv) Measures should focus on installing speed limit, children signs as well as putting pedestrian areas, adequate footpaths.
- (v) Government should provide the alternative land to the landless people for their relocation.
- (vi) The compensation should be based on the fair assessment.

- (vii) Contractors should be advised by the project authority to employ the local people.
- (viii) APs have consideration that proximity to the road will create the problem of noise.

6.4 Consultation meetings with APs during Batumi Bypass LARP Preparation

138. As part of detailed design work, disclosure and consultation meetings were carried out in the project area. These meetings were attended by APs, their community, local government officials, and the social safeguard team comprising international and national consultants of the detailed design consultant. The main objectives of these meetings were to deliver information to the APs and their community about the project objectives, design and policies on land acquisition, compensation and rehabilitation of APs. The draft policy of compensation and allowances (as per the project Land Acquisition and Resettlement Framework) to the AP were shared and the purpose and procedures of legalization of rightful and non-rightful land rights through leaflets and oral explanation. Valuation methodology and grievance mechanism were also briefed to the participants.

139. The two public meetings were organized by RDMRDI, with participation and facilitation of both RDMRDI, the consultants and respective local authorities. The first meeting, was held on 01 April 2016 in the village of Ortabatumi (the venue was House of Culture). Participants of the meeting (45 attendants) were provided with project information and responses to all questions raised. The second larger meeting (156 participants) was held on 20 May 2016. This meeting was also attended by the ADB consultants. Meeting participants were provided with project brochure with relevant information about the proposed resettlement. The matters discussed at these consultation meetings are detailed in Table VI-2 (see also Annex 4, where the complete list of participants and the meeting photos are provided).

Table 0-2: Matters Discussed in the Public Consultation Meetings with the AP

2016.04.01, meeting in village **Ortabatumi**, number of participants **45**.

Matters Discussed	
<p>General Summary of meeting: APs from territorial unit of Batumi - Mtsvane Kontskhi, villages Makhinjauri, Gantiadi, Tsinsvla and Salibauri of Makhinjauri and Ortabatumi Sakrebulo of Khelvachauri municipality attended the meeting. Questions mainly related to timeframe of project and right of way start, identification of right of way boundaries and property valuation principles</p>	
Questions	Answers
<p>When the Project will start? When the construction and land purchasing process will start?</p>	<p>At the moment technical part of Project is completed. Preparation works for Environmental protection and Land Acquisition and Resettlement components should be finished in June. After approval of all the components in order to choose construction company tender will be announced. After the tender winner company is fixed construction process will launch. Realization of those procedures may take several months. Land Acquisition process should be completed before construction starts.</p>
<p>Is there any guideline, which establishes distance between the residential house and road passage from the point of view of dwelling validity?</p>	<p>Road alignment meets engineering and technical requirements and is based upon the environment impact assessment. Therefore, if your house is located beyond the road passage, it is suitable for dwelling.</p>
<p>Is it possible to change the size and configuration of non-registered plots?</p>	<p>The size and configuration of non-registered plots were specified in the course of cadastral valuation process. Therefore, if no additional circumstances emerge (e.g. plaintiff, which is unknown at the moment) no changes are expected. In this case the question should be considered within the existing legislation provisions.</p>
<p>When it will be known which buildings are to be taken down?</p>	<p>Project affected buildings and structures are in the course of inventory.</p>
<p>What are the compensatory amounts for land, buildings and fruit-trees?</p>	<p>At the moment, special group of experts are working for evaluate current market prices of all affected assets. The main compensatory principle is to restore real value of property. Details would be conveyed to all of you by means of special informational booklets, which are to be distributed among you at the soonest possible time.</p>
<p>Is it possible to construct bridges and overpasses over the existing houses?</p>	<p>Following to the existing regulations existence of buildings under the bridges and overpasses is inadmissible.</p>
<p>If remaining land plot is so small, that it is not viable to utilize, what kind of compensation will be paid for that part of land</p>	<p>In this case whole plot will be purchased.</p>

2016.05.20, meeting in village **Ortabatumi**, number of participants **156**.

Matters Discussed	
<p>General Summary of meeting: APs from territorial unit of Batumi - Mtsvane Kontskhi, villages Makhinjauri, Gantiadi, Tsinsvla and Salibauri of Makhinjauri and Ortabatumi Sakrebulo of Khelvachauri municipality attended the meeting. Questions mainly related to timeframe of project and right of way start, identification of right of way boundaries and property valuation principles as well as employment possibilities for the road construction works</p>	
Questions	Answers
<p>If the access road to the remaining part of plot is destroyed will be constructed another one?</p>	<p>Project engineering-technical component provides for maintaining all access roads. Besides, the Land Acquisition and Resettlement Plan provides for the purchase of the remaining land plot if it is no longer viable.</p>
<p>Is the introduced project of road passage the final one or it can be subjected to further amendments?</p>	<p>Presented road alignment version is final.</p>
<p>Will the local population be engaged in the road construction?</p>	<p>The contractor will be obliged to employ a number of local workers. The number will be fixed in the contract.</p>
<p>Is there a certain unit cost of 1 sq. m of land plot?</p>	<p>At the moment, special group of experts are working for evaluate current market prices of all affected assets. The main compensatory principle is to restore real value of property. Details would be conveyed to all of you by means of special informational booklets, which are to be distributed among you at the soonest possible time</p>
<p>Some of land plots are not affected by the Project, but still during the construction process potable water supply (spring or running water) may be damaged. Buildings may suffer from vibration and landslides induced by the construction activities. Who will compensate those losses?</p>	<p>Construction company is responsible for all the damages harmed to the local population during the construction activities.</p>
<p>During the road construction activities there will be dust, noise etc. Who will watch over these problems in order to keep them within permissible limits?</p>	<p>Specific issues concerning environment impact are reflected in the section of Project devoted to the environmental problems. On this basis there will be devised environment affect management plan and its terms will be obligatory for construction company. Supervising company exercises control upon those problems.</p>
<p>If head of family is dead, who will receive entitlement payment?</p>	<p>If the owner is dead compensation will be given to the lawful heir.</p>

6.5 Changes in LAR approach following the meetings

140. Following consultations described in the preceding sections, a modification to the planned compensation program was made. This was to differentiate the value of agricultural land plots based on use. Agricultural plots intended for residential use will be compensated more than agricultural land plots used only for agriculture.

6.6 Consultation and Participation Plan

141. RU on behalf of RDMRDI will disclose information for effective implementation and timely execution of Batumi Bypass LARP. Village level consultations with APs has been conducted during the updating of Batumi Bypass LARP. For the benefit of the community in general and APs in particular, Batumi Bypass LARP has been made available in concerned offices at rayon Sakrebulo and the community level Gamgeoba. An information leaflet (in Georgian) will be distributed among the APs and their community, prior to commencement of LARP implementation. A copy of the English version of LAR Leaflet is attached in Annex-3.

142. For continued consultations, the following steps are envisaged in the project:

- (i) Final Batumi Bypass LARP will be disclosed on RD website and locally, at locations readily accessible to AP, upon receiving approval from ADB.
- (ii) RDMRDI will organize public meetings and will apprise the communities about the progress in the implementation of resettlement, and social activities.
- (iii) RDMRDI through its RU will organize public meetings to inform the community about the compensation and assistance to be paid. Regular update of the progress of the resettlement component of the project will be placed for public display at the local level RDMRDI office and at local Rayon Office.
- (iv) All monitoring and evaluation reports of Batumi Bypass LARP component of the project will be disclosed to the community.
- (v) Key features of the entitlements will be disclosed along the project corridor.
- (vi) RDMRDI will conduct information dissemination sessions at Gamgeoba and solicit the help of the local community leaders to encourage the participation of the APs in Batumi Bypass LARP implementation.
- (vii) RDMRDI will ensure that vulnerable groups understand the process and to take their specific needs into account.

143. Following are the ongoing and planned consultation efforts of RDMRDI:

- a. RDMRDI meetings about the progress in the implementation of resettlement and social activities (since the beginning of July, 2016)
- b. RDMRDI information dissemination sessions at Gamgeoba for help of the local community leaders to encourage the participation of the APs in Batumi Bypass LARP implementation (since the beginning of June, 2016)

- c. RDMRDI information meetings about monitoring and evaluation reports of Batumi Bypass LARP (to be initiated in September, 2016)

6.7 Disclosure

144. Electronic version of the Final Batumi Bypass LARP will be placed on RDMRDI web-site. The summary of Batumi Bypass LARP will be translated into local language (Georgian) and will be disclosed to APs at local level. The copy of the Batumi Bypass LARP (Georgian version) will be available at the concerned offices of Khelvachauri and Batumi Municipality as well as Gamgeoba offices at local level.

145. The final Batumi Bypass LARP will be submitted to ADB for approval and no civil works contract will be awarded until all land acquisition and resettlement required for the contract have been completed and all project affected people have been compensated in accordance with the provisions of the LARP.

GRIEVANCE REDRESS MECHANISM

Objectives

146. A grievance mechanism has been established to allow an AP appealing 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, and they will also be informed at time of payment of compensation. Care shall always be taken to prevent grievances rather than going through a redress process. This shall be done through careful LAR design and implementation, by ensuring full participation and consultation with the APs, and by establishing extensive communication and coordination between the affected communities, the RDMRDI, and local governments in general.

7.2 Formation of GRC

147. A Grievance Redress Committee (GRC) has been established at the community level (village/community authority) to resolve complaints and grievances through community participation. The Local Grievance Redress Committee (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. During the LARP preparation process, community concern about the project has been high and a number of concerns have already been expressed. These have been recorded in the Grievance Log and are being addressed by RDMRDI and the GRC. A summary of concerns received to date is provided in a summary grievance log in Annex 5.

148. Concerns received and recorded in the Grievance Log to date can be grouped into the following categories:

- Local population, whose property is in immediate proximity of the impact corridor, but outside of impact corridor (beyond 32 m from centerline) and which are requesting to be included among APs and subjected to LAR.
- Local population, whose land plot partly falls within the impact corridor and other part falls outside. They are requesting acquisition of entire land plot (including parts outside of impact corridor). The justifications are varied, but include the following arguments: (a) land plot outside of impact corridor would remain without the access road; (b) agricultural and residential use value of the remaining land plot is decreased; (c) locals consider, that construction environmental impacts, such as dust, noise and vibration will damage properties immediately outside the impact corridor, such as houses, plants, crops.

The concerns have been logged as grievances and are being considered individually by the GRC and RDMRDI.

149. GRCs have been established at the community level at Gamgeoba with an office order from the Ministry of Regional Development and Infrastructure (MRDI) with the following persons:

Representatives of local authorities (Gamgeoba):

1. Gogita Darchia – Gamgebeli of Makhinjauri
2. Djumber Beridze – Gamgebeli of Makhinjauri
3. Irakli Turmanidze – Gamgebeli of Salibauri
4. Tamaz Khalvashi – Gamgebeli of Tsinsvla
5. Merab Mikheladze – Gamgebeli of Gantiadi
6. Avtandil Tarieladze – Gamgebeli of Kapreshumi

Representatives of Roads Department of Adjara

1. Mamuka Ghelekva – Resettlement consultant of Adjara Bypass Road
2. Merab Gvarishvili – Roads Department of Adjara (GRC Secretary)
3. Giorgi Iremashvili – Senior Specialist on Environmental Protection and Resettlement Division, with special mission in Adjara Region.
4. 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

7.3 Grievance Resolution Process

150. The member secretary of GRCs and Rayon level LAR Team will be regularly available and accessible for APs to address concerns and grievances. The LAR Team will assist the aggrieved APs in formally lodging their claims to the GRC and where applicable to RU at RDMRDI in Tbilisi. The complaints and grievances from the APs will be addressed through the process described below in Table VII-1. The grievance resolution and acquisition processes are presented the flow diagram shown at Figure VII-1.

TABLE 0-1: GRIEVANCE RESOLUTION PROCESS

Steps	Action level	Process
Step 1	Contract agreement	When during the contract discussion any grievances arise, solutions acceptable to both Rayon’s LAR Team and the APs will be sought. If any aggrieved AP is not satisfied with the solutions, the next option will be to lodge grievances to the GRC.
Step 2	GRC Resolution	<p>If the grievance is not solved at the previous level, the LAR Team will assist the aggrieved APs to formally lodge the grievances with the respective GRC. The aggrieved APs are encouraged to lodge the complaint within 1 week of failure of negotiation at village level and produce documents supporting his/her claim.</p> <p>The GRC member secretary will review the complaint and prepare a Case File for GRC hearing and resolution. A formal hearing will be held with the GRC at a date fixed by the GRC member secretary in consultation with Convener and the aggrieved APs.</p> <p>On the date of hearing, the aggrieved AP will appear before the GRC at the Gangeoba office and produce evidence in support of his/her claim. The member secretary will note down the statements of the complainant and document all evidence.</p> <p>The decisions from majority of the members will be considered final from the GRC and will be issued by the Convener and signed by other members of the GRC. The case record will be updated and the decision will be communicated to the complainant AP by the LAR Team at the village level.</p>
Step 3	Decision from central RDMRDI	If any aggrieved AP is unsatisfied with the GRC decision, the next option will be to lodge grievances to the RU at RDMRDI at the national level and the AP will be encouraged to do this within 2 weeks after receiving the decision from GRC. The complainants, must produce documents supporting his/her claim. The RU will review the GRC hearing records and convey its decisions to the aggrieved APs within 2 weeks after receiving the complaint.
Step 4	Decision from court	<p>If the grievance redress system fails to satisfy the aggrieved APs, they can pursue further action by submitting their case to the appropriate court of law (Rayon Court).</p> <p>In case, if the ruling by the court is below the market price assessed through the open market survey earlier, RDMRDI will provide additional funds to ensure that compensation provided reflects full replacement cost.</p>

7.4 GRC Records and Documentation

151. RU of RDMRDI headquarters will keep record of complaints received for its use as well as for review by ADB during regular supervisions.

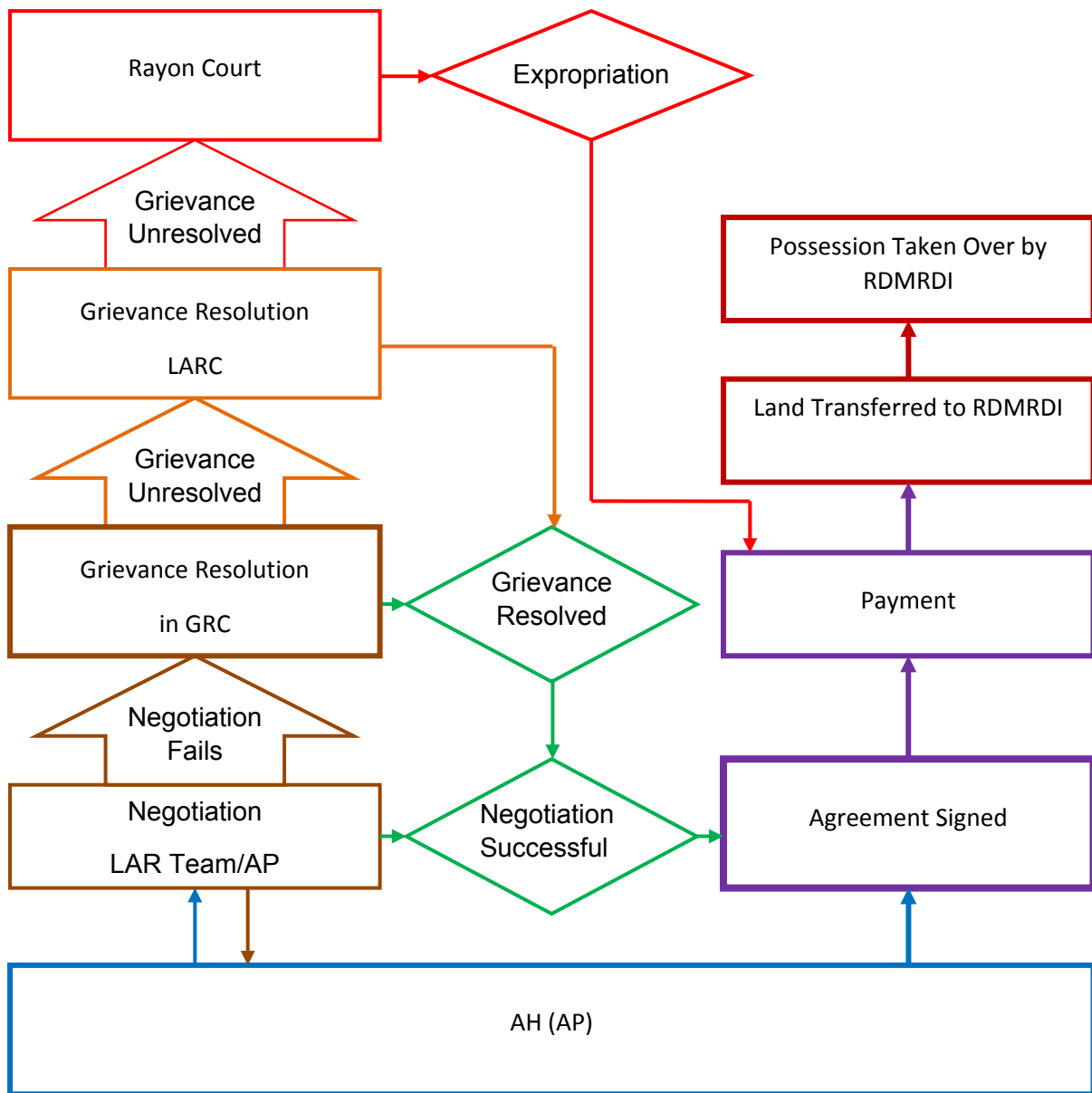


FIGURE 0-1: GRIEVANCE RESOLUTION AND ACQUISITION PROCESS

IMPLEMENTATION SCHEDULE

General

152. The time bound implementation schedule of the Batumi Bypass LARP has been prepared in consultation with the RDMRDI. All activities related to LAR have been planned to ensure that compensation is paid prior to displacement and commencement of civil works construction. The most important acquisition activity, relating to the privatization process in Georgia, is the legalization of legalizable owners of the identified land parcels for acquisition. The legal status of affected land parcels in the project road in Batumi and Khelvachauri Rayon has been identified through title search during the land acquisition and resettlement survey and documentation work in March–June 2011. The titled, non-titled and legalizable owners of land parcels to be acquired have been identified in the survey.

153. This version of the LARP is implementation ready. RDMRDI has reviewed and approved this document including compensation package and compensation rates and forwarded to ADB for approval. Tasks for the Batumi Bypass LARP are divided into (i) Final Preparation including LARP approval various Initial tasks including legalization of legalizable APs and signing of contracts with APs; (ii) LARP implementation including processing and making payment of compensation and allowances and (iii) evaluation of implementation. Public consultation, internal monitoring and grievance redress will be undertaken continuously throughout the project duration. The LAR milestones include (i) approval of Batumi Bypass LARP, (ii) signing of contract awards, (iii) letter to proceed for civil works construction and (iv) start of physical civil works. A post –implementation evaluation will be carried out after completion of LARP implementation by external monitor.

8.2 Batumi Bypass LARP Implementation

154. The Resettlement Unit of the RDRD under RDMRDI coordinates relevant institutions including TRRC, LARC, LAR Team, GRC for the Project. RD will implement actions for legalization of legalizable owners listed in the ACM of Batumi Bypass LARP (ACM-I) at the field level. All arrangements will be set for signing the contract agreement with the APs and the process will be executed for land acquisition and compensation agreements. Representatives of the APs and NGOs will be engaged in GRC (e.g. participation of Land Resource Management Commission of the Academy of Sciences of Georgia is currently negotiated). Trainings on LAR implementation and grievance redress matters will be conducted by RU for the members of GRC and LARC. After completion of legalization of all legalizable owners of land parcels under LARP, RDMRDI will award civil works contracts (signing of contract awards). The initial LAR activities are:

- (i) Establishment of LAR Institutions and GRM;
- (ii) Legalization of Rightful owners of land parcels;
- (iii) Agreement with APs and signing contract agreements;
- (iv) Updating of LAR Budgets;
- (v) Confirmation of updated impact data and of compensation amounts;

155. Payment of compensation and allowances under LARP will proceed as follows:

- (i) Signing of contacts with APs
- (ii) Disclosure and consultation

- (iii) Transfer of compensation and allowance to APs' bank account and registration of land in PR on GSE name
- (iv) Compliance review and reporting
- (v) Notice to proceed for Civil works construction
- (vi) Relocation of affected structures/ assets
- (vii) Monitoring

156. If necessary, where negotiated settlement cannot be achieved, the following expropriation procedures will be carried out:

1. RDMRDI submits request to MRDI to start expropriation process,
2. MRDI submits request to MoESD to issues an order on awarding RDMRDI right to expropriate,
3. MoESD issues an order on awarding RDMRDI right to expropriate and publishes it on Legislative Herald website of Ministry of Justice, www.Matsne.gov.ge. Simultaneously RDMRDI requests Public Register to make a notice that mentioned Plot is under expropriation procedures (approximately two weeks),
4. RDMRDI publishes in the national and local newspapers intention of going to the court, (approximately two weeks),
5. RDMRDI submits Case to Local Court in Adjara,
6. Court hearing (not later two months),
7. Court decision and Enforcement Letter (approximately two weeks),
8. RDMRDI submits Court decision to Pubic Register (approximately 10 days),
9. Payment to AP account or to Notary Account (approximately 10 days),
10. RDMRDI sends official letter to the AP with mentioning of period of Physical Resettlement (in case of Residential House one month, in case of Plot without Structures Two weeks).

8.3 Post Implementation Evaluation

157. The post-implementation evaluation will be conducted after one year of completion of the LARP implementation and upon start of the civil works construction. An independent External Monitoring Agency (EMA) will carry out the evaluation.

8.4 LARP Implementation Time Schedule ➔

158. The time bound LARP implementation is presented in Figure VIII-1. Land acquisition agreements and payment of compensation and allowances will go simultaneously and a sequence of one week time from offer of compensation to agreement, agreement to requisition and requisition to payment transfer is considered. A buffer period of one month has been included in the schedule for relocation of housing. Relocation of housing will also go by sections. Under the circumstances, the implementation schedule may include phased approach for civil works construction.

159. The tender procedures will start on 1st of September, 2016 and finish on 25th of November, 2016. The anticipated date of contract signing is the second week of March, 2017. The date of works commencement is the end of March, 2017.

FIGURE 0-1: LARP IMPLEMENTATION SCHEDULE

LARP Tasks	2016																2017																											
	May				June				July				August				September				October				November				December				January				February				March			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4				
End of LARP surveys/valuation	█	█	█	█	█																																							
LAR Institutions Establishment	█	█	█	█	█	█																																						
AP Consultation	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█																								
Draft LARP Finalized	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█																								
ADB final review and approval											█	█																																
Government approval											█	█																																
Disclosure															█	█																												
Legalization															█	█	█	█	█	█	█	█	█	█	█	█	█	█																
AP agreements signing																																												
Allocation of LAR budget																																												
Transfer of budget to TRRC																																												
Transfer of budget to AP bank account																																												
Compensation deposit in TRRC account x unsolved cases																																												
Grievance resolution																																												

COSTS AND FINANCING

General

160. The land acquisition and resettlement cost estimate under Batumi Bypass LARP includes eligible compensation, resettlement allowances and support cost for implementation of 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 fashion. 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 LARP are as follows:

- 1 Compensation for agricultural, residential and commercial land at replacement value
- 2 Compensation for structures and buildings at their replacement cost
- 3 Compensation for business/employment loss
- 4 Compensation for crops and trees
- 5 Assistance for severely AHs
- 6 Assistance for vulnerable groups for their livelihood restoration
- 7 Cost for implementation of Batumi Bypass LARP.

9.2 Itemized Budgets

161. The following section deals with calculations for various types of compensation and allowances as per the entitlements and as per the rates determined at current market price. Compensation will be provided at least at the rates detailed in this LARP although some modification in excess will be possible during the discussions preceding the signing of the contract.

9.2.1 Compensation for Land

162. Compensation of agricultural land has been derived based on the information provided by the independent evaluator. The land is categorized in to three types such as agricultural, residential and commercial/industrial. Cost of legalization is included in the costs. Land valuation for this project was conducted individually for each land plot. The cost for land acquisition is given in Table IX-2.

TABLE 0-1: COST FOR LAND ACQUISITION

		Area (sq. m)	Average compensation rate (GEL/sq. m)	Total Cost (GEL)
Agricultural	-	131735	46.24	6091732
Non-Agricultural	Residential	116622	55.70	6496136
	Comm./Indastr.	1532	46.19	70766
Sub-total (non-agriculture)		118154	55.58	6566902
Total	-	249889	50.66	12658634

TABLE IX-2: COST FOR LAND ACQUISITION BY LAND CATEGORIES

No.	Land Categories	AHs	No. of Plots	Compensation rate (GEL/sq. m)	Area (sq. m)	Total (GEL)
1	Area with residential houses commercially attractive for hotel type buildings development is located along the bypass road accessible by internal roads from both sides, one- or two-storey residential houses with adjusted household plots, most houses have sea view	21	62	88	28362	2495856
2	Located in distance from bypass road is accessible only through the internal village road, settled at the relief and steep slope area mostly with sea view, area is rarely settled	8	25	50	14997	749850
3	Evaluated objects are located at the densely settled area at relief and steep slope, tourist infrastructure is less developed, has partial sea view, is located along the internal district road	14	45	57	15876	904932
4	Evaluated objects are located within the urban area in the proximity of bypass road and railway station with possibility of commercial attractiveness, characterized with flat relief	17	25	110	6188	680680
5	Evaluated objects with residential attractiveness and possibility for commercial development are located along the well-developed road	13	24	103	6276	646428
	Evaluated objects are mostly agricultural objects located at the relief, steep and terraced slope, access road is available only via internal paths through the adjusted plots	5	14	51	4675	238425
	Evaluated objects are located at the eminence part of the slope with sea view, residential and commercial perspective, accessible through the complicated internal road	9	19	72	6876	495072
6	Evaluated objects are located at the hilly relief of medium density with mixed type plots: residential and agricultural without commercial attractiveness and sea view	53	187	39	84552	3297528
7	Evaluated objects mostly agricultural are located at the flat relief along the road	37	117	46	50770	2335420

No.	Land Categories	AHs	No. of Plots	Compensation rate (GEL/sq. m)	Area (sq. m)	Total (GEL)
	Evaluated objects are mostly residential buildings located at the flat relief of medium density without commercial attractiveness and sea view	4	21	55	6095	335225
8	Existing plots are agricultural plots located in distance from the road without the access, mainly at the mountain slope, the adjacent area is not settled and has no possibility for commercial development, agriculture is less developed, most area is unused	20	35	19	25222	479218
		-	0	690	249889	12658634

9.2.2 Compensation for Building/Structure

163. Compensation of buildings/structures is calculated individually for each category of buildings/structures. The value of concrete buildings/structures is defined by the independent evaluator as per their standard evaluation methodology. Details of buildings/structures compensation is given in Tables IX-3 and IX-4.

TABLE 0-3: COMPENSATION RATES FOR BUILDING/STRUCTURE

Type	Characteristic - Materials	Total Area of Buildings/ Structures (sq. m)	Average Cost (GEL/sq. m)	Total (GEL)	
Residential	Block (B)	9634,1	730	7036953,69	
	Block-Wood (BW)	1290,2	633	817166	
	Other (Wood, etc.)	95,8	10	950	
Total		11020,1	713	7855069,69	
Supplementary Facility	Storage / Cattle House, etc.	-	3344,01	238	797453,85
	Garage	-	115,3	432	49800
	Other	-	-	-	138515
Total		3459,31	-	985768,85	
Industrial/Commercial	Industrial Building	-	144	47	6838
	Industrial Storage	-	-	-	-
	Commercial Building	-	-	-	-
Total		144	47	6838	
Grand Total		11279,4	-	8847676,54	

TABLE 0-4: COMPENSATION COST FOR FENCE/WALL

Type	Total Area of Fence -Wall (sq. m)	Average Price (GEL/sq. m)	Total Cost (GEL)
Concrete-Steel - Block-Cement	1813.7	85	153741
Fences Socle	1778	50	89477
Other	11742	30	351900
Total	15333.7	39	595118

9.2.3 Compensation cost for Crops

164. Crop compensation will be paid to all APs in cash at full market rate. The detail on crop compensation is described in Table IX-5 and Table IX-6.

TABLE 0-5: COMPENSATION RATES FOR CROPS (GEL/SQ. M)

Type	Compensation rate (GEL/sq. m)
Corn	0.23
Beans	0.21
Vegetables	0.59
Other	0.27

TABLE 0-6: COMPENSATION COST FOR CROPS

Type	Area (sq. m)	Total Cost (GEL)
Corn	200	46
Beans	3370	707.7
Vegetables	2590	1528.1
Total	6160	2281.8

9.2.4 Compensation for Trees

165. Possible income is considered while determining the compensation rate of productive trees. Compensation rate and the calculation of trees costs are given in Table IX-7 and IX-8 below.

TABLE 0-7: COMPENSATION RATES FOR TREES (GEL/TREE)

	Age group				
	< 5	5-10	10-14	15-20	20+
Mandarin	35	150	300	300	100
Orange	50	175	350	350	140
Lemon	30	56	147	147	105
Fig	15	70	140	140	70
Persimmon	15	70	140	140	70
Medlar	15	56	105	105	56
Apple	35	100	200	200	80
Pear	45	90	300	300	260
Plum	18	70	130	115	55
Walnut	35	100	300	400	400
Hazelnut	10	52	140	104	80
Grape	15	25	75	75	50
Kiwi	24	58	125	125	88
Faijoa	24	58	125	125	88
Others	33	110	110	88	58
Tea (sq. m)	2				

TABLE 0-8: COMPENSATION COST FOR TREES

	Age group					Total
	< 5	5-9	10-14	15-20	20+	
Mandarin	3570	1200	5100	11100	255500	276470
Orange	1500	175	350	6300	54180	62505
Lemon	660	336	1617	6027	53445	62085
Fig	615	3360	4760	5600	5600	19935
Persimmon	1320	4130	9660	4900	12600	32610
Medlar	2040	3920	5985	7245	5096	24286
Apple	2415	4000	8200	9400	4320	28335
Pear	4275	2880	12300	12000	41860	73315
Plum	3456	8680	11960	11040	10120	45256
Walnut	42105	29900	66600	87200	168400	394205
Hazelnut	23330	19032	94920	59072	160800	357154
Grape	1485	1575	7125	8475	17100	35760
Kiwi	816	928	2875	3125	4312	12056
Feijoa	312	2900	3625	5500	2992	15329
Others	15510	30690	45760	18392	28420	138772
Tea (sq. m)	6616					
Total	103409	113706	280837	255376	824745	1584689

9.2.5 Compensation for Business/Employment

166. Within this project Business/Employment is not affected.

9.2.6 Resettlement Allowances

167. There are various allowances being provided to the AH. These are: (i) Severely Impact Allowance, (ii) Allowance for vulnerable, and (iii) relocation allowance. Following are the description of each category of unit rates proposed for various allowances.

168. The unit rate for severely impact allowances have been considered based on loss of more than 10% income sources. In case of affecting agriculture income AHs will get one additional crop compensation covering 1 year yield from affected land.

169. Relocation allowances have been considered as taking into account the cost for hiring a vehicle to transport the belongings houses and travelling of household members. The rate for hiring a vehicle is taken as GEL 200. Household requiring relocation will also be provided livelihood allowance equivalent to three months of minimum subsistence as above described. In all the relocation allowance will be GEL 1196 GEL.

170. The allowance for vulnerable AP is the same (996 GEL) as the one described above for severely AH.

171. Details of calculations on various types of allowances are described in Table IX-9.

TABLE 0-9: COST FOR ALLOWANCES

Affected HH	Number of HH	Allowance rate (GEL/HH)	Allowance cost (GEL)
Relocation Allowance	69	1163	80247
Severely Affected	193	963	185859
Vulnerable Allowance	92	963	88596
Total			171124,8

9.3 LARP Management Cost

172. The RU, RDMRDI will need to employ one independent monitoring agency for external monitoring of LARP implementation for a period of 2 months. Miscellaneous expenses have been kept as a provision to cover the administrative cost as may be incurred during implementation of the LARP. Details of the LARP implementation management cost is given in Table IX-10.

TABLE 0-10: CAPACITY BUILDING AND MANAGEMENT COST

No.	Item	Unit	Quantity	Unit Cost (GEL)	Total Cost (GEL)
1	Cost for EMA	Months	4	10000	40000
2	Miscellaneous Administrative Cost	Months	8	4000	32000
Total					72000

9.4 Summary LAR Cost and Flow of Funds

173. The total LAR cost calculated for the implementation of the project is 26526612 GEL (12395613 USD). The summary LAR cost estimate is given in Table IX-11. All LAR related funds will be spent in one full year before the start of civil works construction. If the implementation of this LARP covers two fiscals, the allocation of funds will be sought accordingly. Transport Reform and Rehabilitation Centre (TRRC) is responsible for financial management of external financed projects. TRRC will get funds directly from the Ministry of Finance allocated for the project and disburse to APs following requisition from RU, RDMRDI.

TABLE 0-11: SUMMARY ESTIMATE OF LAR COSTS

No.	Item	Cost (GEL)	Cost (USD)
A	Compensation		
1	Compensation for Land	12658634	
2	Compensation for Structures/Buildings	9442795	
4	Compensation of crop	2282	
5	Compensation for trees	1584689	
6	Compensation for Business /Employment	0	
	Sub Total A	23688400	
B	Allowances		
1	Severely AHs	80247	
2	Relocation/Shifting	185859	
3	Vulnerable Households	88596	
	Sub Total B	354702	
C	Support Cost for RP Implementation		
1	Cost for EMA	40000	
2	Miscellaneous Administrative Cost	32000	
	Sub Total C	72000	
	Total LAR Cost (A+B+C)	24115102	
	Contingency @ 10 % of the Total LAR Cost	2411510	
	Grand Total	26526612	12395613

9.5 Justification of Cost Estimates and Updating LAR Budget

174. Land acquisition and resettlement surveys included a valuation survey of affected land and assets. The survey consulted relevant transactions in case of land and local markets in case of building, trees and crops. In determining allowances to vulnerable households, the existing minimum subsistence rates have been considered. Actual market price has been considered for valuation of crops.

175. The prices are, therefore, replacement value at current market price and ensure full replacement cost to the affected land, building/structures, crops and trees. Detailed methodology followed for determining replacement value of affected assets is given in Annex 1.

9.6 Source of Financing

176. All funds for compensation and allowances commensurate to Batumi Bypass LARP will be provided from the Government of Georgia's public fund. RDMRDI will ensure the allocation of funds for compensation to be paid for land acquisition and resettlement. RDMRDI will get the budget approved from the Ministry of Finance and allocate in advance the funds for implementation of Batumi Bypass LARP.

MONITORING AND REPORTING

Introduction

177. The main objective of implementation of Batumi Bypass LARP 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 LARP, its implementation and delivery of institutional and financial assistance to the APs has been designed as an integral part of the overall functioning and management of the Project. RU of RDMRDI will ensure the execution of timely monitoring of the monitoring and evaluation (M&E) indicators (process, delivery and impact indicators) of LAR tasks. The purpose of the Monitoring and Evaluation (M&E) is to provide feedback to all stakeholders on progress made in view of a timely and comprehensive implementation of the LARP and to identify problems as early as possible to facilitate well-timed 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 mitigate problems.

10.2 Monitoring and Evaluation Indicators

178. Compliance of the Batumi Bypass LARP policy and targets in the implementation process will be monitored against set indicators. These indicators and benchmarks will be judged for implementation process, outcomes and impacts.

10.3 Level of Monitoring

179. Monitoring of LAR task in the Project will be carried out at two levels. The Head of RU will carry out regular internal monitoring for the RDMRDI with inputs from LAR teams at field operation. External monitoring will be commissioned by RDMRDI employing an independent external monitor.

10.4 Internal Monitoring

180. Internal monitoring will be carried out routinely by RU during implementation of the LARP. The results will be communicated to the LARC and ADB monthly. Indicators for internal monitoring will be those related to process, immediate outputs and impacts. This information will be collected directly from the RU representatives in the rayon level LAR Teams reported to LARC to assess the progress and results of LARP implementation, and to adjust the work program, if necessary. The monthly reports will be quarterly consolidated in the standard supervision reports to ADB. Quarterly LAR reports will be disclosed on ADB web site.

181. The report of internal monitoring will contain: (i) accomplishment to-date, (ii) objectives attained and not attained during the period, (iii) problems encountered, and (iv) suggested options for corrective measures. The internal monitoring report will primarily be prepared by the RU resettlement specialists. The

international resettlement specialist with CSC will assist LARC in preparing the overall resettlement status in the PPR in consultation with the national resettlement specialist. However, the national resettlement specialists will particularly monitor the activities of LAR teams and report to LARC on a monthly basis under the guidance of the international.

10.5 External Monitoring

182. According to the tasks, external monitoring will be carried out by an External Monitoring Agency (EMA) to be selected among NGOs, academic/research institutes or independent consultants. The tasks assigned to the EMA will be the external monitoring of LARP implementation and the preparation at its end of a compliance report to indicate that the LARP has been fully implemented in accordance with the requirements of SPS 2009. This report will be the basis for ADB to provide no objection to the start of civil works. The tasks assigned to the EMA will also include monitoring of the compensation of unforeseen impacts that may occur during construction and the Post-compensation evaluation of the degree of AP rehabilitation achieved a year after the LARP has been implemented.

10.5.1 EMA Tasks

183. For each subproject involving land acquisition/resettlement, the EMA will closely monitor the implementation of the LARP and engage in the following tasks: (i) review of LARP and Information pamphlet disclosure; (ii) review of action taken by the PIU to compensate the APs with particular attention to the way this action fits the stipulation of the LARP; (iii) review all compensation tallies; (iv) verify whether the compensation is provided thoroughly to all APs and in the amounts defined in the LARP and in the AP contracts; (v) assess the satisfaction of the APs with the information campaign and with the compensation/rehabilitation package offered to them; (vi) review the legalization process and assess its effectiveness; (vii) review complaints & grievances case; (viii) carry out an AP satisfaction survey with a 20% sample of the APs. Immediately after the implementation of the LARP the EMA will prepare the Compliance Report. The report will include well-argued sections on the following:

- i. Assessment of the way the compensation has been carried out in relation of the stipulations of the LARP;
- ii. Verification that all APs have been compensated in the amounts stipulated in the LARP
- iii. Assessment of the effectiveness and thoroughness of the Legalization process
- iv. Review of complaint and grievance cases and of their solution
 - v. Assessment of the rehabilitation program for severely affected and vulnerable APs
 - vi. Assessment of the satisfaction of the APs
- vii. Lesson learned to be applied to the next projects, and;
- viii. General assessment of LARP implementation and recommendations to ADB regarding the provision of No Objection Letter to start the civil works.

184. The EMA will carry out its activities in close communication with the RDMRDI and will engage in desk activities and field activities and for this s/he will hire an appropriate number of assistants to carry out the AP satisfaction survey and to review the compensation tallies. The monitoring activities assigned to the

consultant will start immediately after Government approval of the LARPs and will last until LARP implementation is concluded.

10.5.2 Post-Implementation Evaluation

185. The independent consultant will carry out a post-implementation evaluation of the Batumi Bypass LARP about a year after completion of its implementation. The compelling reason for this study is to find out if the objectives of the Batumi Bypass LARP have been attained or not. The benchmark data of socioeconomic survey of severely APs conducted during the preparation of the Batumi Bypass LARP will be used to compare the pre and post project conditions. The post- implementation evaluation will recommend appropriate supplemental assistance for the APs should the outcome of the study show that the objectives of the Batumi Bypass LARP have not been attained. For this task the EMA will:

186. Review as needed the survey indicators

- (i) Assess the livelihood impact of the land acquisition/resettlement on the APs through formal and informal surveys with the population in project areas affected and non-affected. The EMA shall conduct a formal survey of a representative sample of men and women APs to determine changes that have occurred on the APs. In parallel the EMA will also compare the situation of the APs with non- affected neighbours similar in terms of livelihood level to the APs. Unstructured data gathering methods and consultation with APs, officials and community leaders will also be used in carrying out the evaluation to supplement the findings from the formal survey. Finally the assessment will look into potential differential impact or benefit that men and women have APs experienced from the resettlement activities. The result of the surveys will serve as the end term review report of the EMA for the Project.
- (ii) Assess again satisfaction on the valuation of assets and entitlements, timing of payments, fund availability and disbursements. In the same post-LARP survey, the EMA shall ascertain the satisfaction of APs on the valuation of assets, as well as, the scope and timing of assistance provided under the LARP.
- (iii) Assess the long-term efficiency, effectiveness and sustainability of the land acquisition/resettlement program, drawing lessons for future resettlement policy formulation and planning and future LARP planning and implementation. Should the outcome of the study show that the LARP objectives have not been attained, the EMA will recommend appropriate supplemental assistance for the APs.
- (iv) Preparation of the valuation report. Prior to submission of the post-LARP report, the EMA shall ensure that informal and formal meetings are held with the men and women representatives from the APs, community leaders and other key officials and seek feedback on the contents/analysis in the review report. Highlights of these consultations will also be attached as annex to the report.

10.5.3 Monitoring Indicators

187. Indicators listed in Table X-1, possible among others, will be use us Monitoring Indicators for Batumi Bypass LARP.

TABLE 0-1: MONITORING INDICATORS

Monitoring Indicator	Basis for Indicators
Basic Information on AP Households	<p>Location</p> <p>Composition and structure: ages, educational and skill levels</p> <p>Gender of household head</p> <p>Ethnic group</p> <p>Access to health, education, utilities, and other social services</p> <p>Housing type</p> <p>Land and other resource ownership and utilization patterns</p> <p>Occupations and employment patterns</p> <p>Income sources and levels</p> <p>Agricultural production data (for rural households)</p> <p>Participation in neighbourhood or community groups</p> <p>Access to cultural sites and events</p> <p>Value of all asset forming entitlements and resettlement entitlements</p>
Benefit Monitoring	<p>What changes have occurred in terms of patterns of occupation, production, and resource use compared to the pre-project situation?</p> <p>What changes have occurred in income and expenditure patterns compared to the pre-project situation?</p> <p>What have been the changes in cost of living compared to the pre-project situation?</p> <p>Have APs' incomes kept pace with these changes?</p> <p>What changes have taken place in key social and cultural parameters relating to living standards?</p>
Restoration of Living Standards	<p>Were house compensations made free of depreciation, fees or transfer costs to the APs?</p> <p>Have perceptions of community been changed?</p> <p>Have the AP achieved replacement of key social and cultural elements?</p>
Restoration of Livelihood	<p>Were compensation payments free of deduction for depreciation, fees or transfer costs to the AP?</p> <p>Were compensation payments sufficient to replace lost assets?</p> <p>Did transfer and relocation payments cover these costs?</p>

Monitoring Indicator	Basis for Indicators
	<p>Did income substitution allow for re-establishment of enterprises and production?</p> <p>Have enterprises affected received sufficient assistance to re-establish themselves?</p> <p>Do jobs provided restore pre-project income levels and living standards?</p>
Levels of AP Satisfaction	<p>How much does the AP know about resettlement, procedures and entitlements?</p> <p>Do they know if these have been met?</p> <p>How do the AP assess the extent to which their own living standards and livelihoods have been restored?</p> <p>How much does the AP know about grievance and conflict resolution procedures?</p> <p>How did resettlement implementers deal with unforeseen problems?</p>
Effectiveness of Resettlement Planning	<p>Were the AP and their assets correctly enumerated?</p> <p>Were land speculators assisted?</p> <p>Was the time frame and budget sufficient to meet objectives?</p> <p>Were entitlements too appropriate (wide or narrow)?</p> <p>Were vulnerable groups identified and assisted?</p>
Other Impacts	<p>Were there unintended environmental impacts?</p> <p>Were there unintended impacts on employment or incomes?</p>

Annex 1

Valuation Methods, Valuation of Losses and Compensations

Valuation of the Cost of Buildings and Structures

Project affected land and buildings/structures have been valued individually in compliance with the below principles. Valuation was done by the certified valuator. The detailed report by valuator is submitted to the Roads Department.

1. **Land Valuation;** Land has been valued at replacement cost based on the average market value. That is based on the average sale value of comparable land in type, location and features. Based on the average market sales, adjustments were made according to the comparison parameters, in the following sequence as applicable:

- 1 Transfer of ownership rights for the real estate property;
- 2 Financial conditions;
- 3 Sale conditions;
- 4 Further costs related to sale;
- 5 Sales dynamics at the market (the sale date);
- 6 Location;
- 7 Physical parameters;
- 8 Economic parameters;
- 9 Use;
- 10 Existence of real estate property.

2. **Buildings Valuation.** Buildings have been valued at replacement cost based on the direct and indirect costs at market value necessary for the construction of a comparable building i.e. what construction of a building of similar parameters would cost today. No deductions were made for amortization. The parameters for calculating the direct and indirect costs are the following as applicable to individual cases.

- a. Direct costs include:
 - 6 Salaries of workers;
 - 7 Purchase of construction materials;
 - 8 Preparatory expenses;
 - 9 Rent or purchase of equipment;
 - 10 Profit and overhead expenses of the constructor;

- 11 Expenses incurred to ensure safety measures during the construction/repair;
- 12 The cost of arranging temporary structures;
- 13 Temporary communications (electricity, water, gas supply etc.);
- 14 Warehouse costs;
- 15 Transportation costs;
- 16 Other costs

b. Indirect costs include:

Cost of professional services:

- a. Compensation of the architect/designer;
- b. Compensation for engineering services;
- c. Legal expenses;
- d. Compensation for valuator's services;
- e. Other expenses

Expenses incurred to receive permits;

Insurance costs;

Financing %;

Guarantee necessary to secure the contract implementation by the contractor building the new building;

Other expenses

3. **Compensations for Annual Crops:** This item has been valued at market price by multiplication of crops and its market price.

Compensations for Perennial Plants: These items have been valued differently for by fruit types and age.

Fruit Trees have been valued to the following parameters:

- 1) Product of the tree at the productive stage or age of the tree at the moment of cutting (which is defined by tables prepared by the consultants based on figures from the Department of Statistics of Georgia and recognized academic publications which detail the average productivity of a tree within intervals of 5 years) of the tree at the moment of cutting;

- 2) Average value of future produce lost at farm gate market price (defined based on the numbers of productive years from the year a tree is cut to the year when a tree will stop production), and;
- 3) Number of years needed to re-grow the tree at the productive stage (age) in which it was cut.

The valuation of the tree obtained will be discounted for: the value of yearly productive inputs (the future income to be compensated are virtual and therefore should not involve productive inputs costs). The formula to compensate one productive tree will thus be:

$$C=(K*V*L) - M$$

Where:

C – is compensation value of tree.

K – is average annual productivity of 1 tree for remaining productive years.

V – is market price at farm gate of 1 kg product.

L – is years to be compensated (years needed for growing up a tree of the same rate of productivity as the one cut).

M – is average annual expenses for agricultural works.

Annex 2

LEGALIZATION OF PRIVATE OWNERSHIP OF LAND IN GEORGIA AUTONOMOUS REPUBLIC ADJARA

Introduction

(i) Correct and accurate initial registration of ownership rights is the necessary condition for undertaking voluntary acquisition or mandatory expropriation of real property. Pursuant to article 312 of the Civil Code of Georgia the records at the Public Registry are considered accurate until their inaccuracy is not proved. Therefore, throughout the presumption of the article 312 of the Civil Code of Georgia the inaccurate data available at the Public Registry shall be corrected with precise data. Therefore, landowners shall carry out precise demarcation and legalization of his/her land parcel(s) through proper procedure. The land owners have to apply to the Public Registry with necessary documents as proof of the ownership and description of land, Cadastral Map with precise survey data and documents verifying ownership right (Receive-Delivery Act, or Registration Certificate, or the extract from the land distribution list issued by the local self-government body, or the statement on the landowner's registration as a tax payer in 1992-2001 years).

(ii) After the disintegration of the Soviet Union, all land in Georgia came under the state ownership. The Government of Georgia (GOG) started privatization of land in 2004 as an essential part of the economic reform in the country. The GOG applies various methods to privatize state-owned property including competitive bidding, auctions, lease, redemption and direct sale. However, lands under private occupation with traditional rights are being legalized through registration with National Agency for Public Registry (NAPR) of the Ministry of Justice. The pattern of privately owned lands in Georgia is determined by allocation of land plots after the independence from Soviet system. In the Soviet times the agricultural lands were used by collective farms financed by the State. During the privatization process the lands of collective farms were divided into small parcels and distributed among households who no longer receive agricultural subsidy from the State.

Privatization in Adjara

(iii) Privatization of state land was initiated in most part of Georgia except in Adjara prior to 2007. In 2007, a Presidential Decree and order (2007 order- 525) was issued that land under the ownership of government/state should be privatized in Adjara.

(iv) As per the Decree, Property Recognition Commission (PRC) has been established which is functional at the district municipality (Rayon) level across the country. This commission was authorized to provide the legal status of the land to the owners and to recognize the owners. The commission started the administrative procedure based on the individual application of the citizens. The procedure is similar all over the country and includes the following steps:

1. Application of the citizens for privatization of the land parcel.
2. The citizens were asked to produce certain documents such as Lease Agreement, Construction Permission, any document related to lease and construction permit

prevailed anytime after the Soviet Period (During the state ownership there were the cases of having small individual lease, cheques/receipts of the taxes and land fees etc. as part of the evidence for having any land under their possession).

3. The citizens were asked to carry out a physical and geometric survey of their respective plots at their own cost prior to approach the commission and during the submissions of application.
4. Each application was to be supported with the details of this survey of the respective plots.
5. Based on the application and the survey details of the respective plots, the Property Recognition Commission used to go to the site for verification and checking the details on the ground. The checking and verification activity of the Commission was usually done based on the discussion with the owners and having witness of the neighbours.
6. Following the on-the-site verification, the Property Recognition Commission used to approve or reject the status of ownership of that particular plot.
7. If approved by the Commission, the owner used to go to the National Agency of Public Registry under the Ministry of Justice to get that particular plot registered.

Complexities of Ownership Recognition

(v) Ownership recognition experienced multiple difficulties that hindered progress of the process in Adjara. The cases of multiple ownership of the same land parcel is a major setback in the process. No authentication was obtained in some of the cases. The difficulties in the registration process were observed as follows:

- In Adjara, some of the people (the original owner having the original document during the post-Soviet Period) used to be absent from using the land for several years. In the absence of the original owner, the same parcel is occupied by another individual and was being used for their need.
- During the privatization process, the occupant approached to the Commission with the survey details to get the parcel recognized.
- When the original owner got to know about the land privatization, then he/she also approached the Commission for the same recognition and ownership of the same parcel. This caused the entire process complicated and unreliable.

(vi) Under the above circumstances, the original owners started suing the Commission and the government. The most problematic zone was in Khelvachauri Rayon and especially in the sea side area. Therefore, some of these cases were referred to the court. The court could not take any active action or initiate any discussion to these cases which ultimately resulted in non-recognition of these cases. These cases are still pending in the court and the verdict is still awaited.

Steps Taken to Address the Issue

(vii) However, based on the above experience, there were amendments issued to the Decree.¹¹ The amendments again allowed the registration and recognition process. According to the amendments, land can be recognised and legalized to those persons and parcels, if there is any structure, either permanent or temporary in nature, exist in that particular parcel or in case, if the illegally occupied land parcel is adjacent to the rightfully owned land parcel and is of less area than the rightfully owned land. The owners have to do the proper mapping and avail authorization from the local administration for recognition of the ownership rights and follow up registration. Therefore, recognition is still open by the Property Recognition Commission, which is linked to the certification of ownership.

Status on Registration on Pure Land and Reality in Present Situation

(viii) The registration for pure land (land parcel without having structure) has not been - stopped. However, in practice, most of the owners are not initiating any new land registration for the pure land because; there is no requirement for them for new registration as buying and selling of pure land is not so prevalent in present situation. Also, these owners are using their respective plots based on the mutual understanding among the neighbours.

(ix) In reality, some of these land parcels and owners can still be converted into legal owners provided the initiation for land registration for pure land is taken by the owners. These cases under the current situation are considered as Legalizable Owners. Currently, there is no problem associated with urban and residential plots. Also, there is some cases pending in the court related to land registration, which needs to be addressed. The current ownership of land can be broadly categorized as follows:

- (i) **Legal Owner/ Title Holder:** Owners and users of land having their title registered in the Public Registry.
- (ii) **Legalizable Owner:**
 - a. **Rightful Owners** – the owners with old document proof although not having registration in the Public Registry under the Laws of Georgia on Privatization of State-owned Agricultural Land, (July 8, 2005) and The Law of Georgia on Public Register (No 820; December 19 of 2008); (the current legislation).
 - b. **Non-rightful owners** - unauthorised land users having right to legalize landownership rights provided by the current legislation. The legalization of landownership rights, under the current legislation is allowed for following cases:
 - (x) The state owned agricultural or non-agricultural land plot with residential house or supporting structures on it is occupied by the physical or legal person without permission before the current law came in force in 2007.

¹¹ Vide Presidential orders No. 11 of 14.01.2008; No. 92 of 19.02.2008; No. 152 of 24.03.2008; No. 194 of 15.04.2008; No. 375 of 21.07; No. 585 of 05.12.2008 and No. 46 of 22.01.2010.

(xi) Land plot occupied by person without permission is adjacent to the land parcel rightfully owned or used by this person, taking into account that the illegally occupied land parcel should be of less area than the legally owned adjacent land parcel.

However, there are certain restrictions on privatization of land¹² (attachment-2).

(iii) **Non-Legalizable Landowners:** Illegal/Squatters having no right to legalize landownership rights under the current legislation. Persons having no document of possessing the land in concern before the enactment of the current law in 2007 are not legalizable.

(xii) Legalisation of Rightful Landownership rights is executed directly by Rayon Registration Offices of NAPR. The applicants should submit old documents proving the ownership rights and precise cadastral maps of the land plot and structures on it.

(xiii) Legalisation of Non-rightful Landownership rights is authorized by Property Recognition Commission (in each Rayon) through reviewing the application documents, evaluating eligibility against the restriction lists given in the law and local land use development plans. In case of positive decision and upon payment by the applicant of relevant amount of money to a special account, if applicable,¹³ the Commission issues certificate on ownership right. Based on that certificate the Rayon Registration Office of NAPR will register the ownership rights on land plot and structures.

National Survey

(xiv) In 2003-2004, USAID, along with some International Donors carried out a national level survey of land all over Georgia. These donors started the mapping of land for whole of Georgia. The mapping was done through an independent survey by physical verification of the land parcels and consultation with the owners. The positive aspect of the USAID survey was that it recognized the plots. However, the ownership details and the parcel boundary were not demarcated on the

¹² According to the Law of Georgia On Privatization of Agricultural Land Existing in State Ownership (Article 2, Clause 3), the following categories of State-owned lands are not subject to privatization: (a) Pasturelands other than those leased out before the enactment of this law which under the act issued by the competent state or local government (self-government authority) are duly allotted to the buildings and premises located thereon which are the private property of individuals or legal entities or the property of the state; (b) Cattle transfer routes; (c) The first zone (zone of strict regime) in sanitary protection area around water supply units; (d) Lands of forest funds, which are used for agricultural purposes; (e) Recreational lands; (f) Lands occupied with historical, cultural, natural and cult-religious monuments; (g) Lands of protected territories; (h) Agricultural lands that are used by the Budget-funded institutions and legal persons of public law in form of usufruct. The lands indicated in b, c, d and e may be privatized only if significant projects are implemented, on which government of Georgia, based on the suggestion of the Ministry of Economic Development of Georgia, shall take special decision. At the same time the land indicated in c may be privatized if the conditions of sanitary protection are met. (26.10.2007).

¹³ In Adjara AR (1) Payment for allocation of land less than 3000 sq. m in village settlement for residential use is exempted for all. (2) For agricultural land of area more than 3000 sq. m, the payment is 440 GEL per HA. (3) For non-agricultural land in the first zone, the payment is 6 GEL per sq. m, which is 3.4 GEL per sq. m in second zone and 2.2 GEL per sq. m in rest of the areas. Kobuleti Municipality Sakrebulo has approved by its decree of 26.02.2010 zoning of Kobuleti rayon lands in accordance with the legislation.

ground by the survey. Also, the details of ownership were not updated because most of the people do not initiate any registration for pure land. Therefore, there is a difference between the USAID survey and the map existing during the privatization process (Rayon Map/Archives) regarding the issues related to the exact ownership, boundary of each plot and its due recognition.

Land Acquisition and Resettlement Surveys and Documentation for the Project

(xv) As the land acquisition and resettlement (LAR) activities at the feasibility study (FS) level were based on tentative alignments and existing imprecise cadastral maps, and since there was no detail estimate of losses and ownership at FS, fresh land acquisition and resettlement surveys have been being carried out through detail measurement survey, valuation survey, census survey and socioeconomic survey. The road alignment as per final engineering design is being superimposed on the updated cadastral map of Registered land plots obtained from NAPR and aerial photo (orthophoto) of concerned area. Each of the affected registered land plots in the project right of way are being identified along with its dimensions on the orthophoto. The affected plots are being listed up and cadastral details collected from Rayon NAPR, and local government offices as applicable.

(xvi) Based on this, the survey team proceeded to the sites for field survey which included identification of each plot and verification of the details shown in the National Survey Map (National Cadastre Map) and the reality on the ground. The verification survey process includes title searching through review of available documents and discussions with the owners about land parcel boundary and further discussion with the local government, the representative of the NAPR (local archives are currently transferred to NAPR rayon offices) for its cross verification. Based on these methods final details of each parcel and ownership will be confirmed. This will help to identify the legal owners, the legalizable owners (rightful and non-rightful) and the illegal occupants of state owned land. The list of various categories of ownership will be recorded with the help of local government.

(xvii) The FS noted that the some of the owners of affected land parcels have the land documents (old documents) as proof of ownership obtained during the post-soviet period. These land owners did not Register their land parcels in the rayon level registration office as it was not mandatory for them. As general estimation registered land owners in Adjara constitute 10-15% of all the legalizable pool of land owners/users.

Process for Registration of Legalizable Owners

(xviii) An initial level of discussions were initiated during the Census Survey by the FS consultant with the stakeholders, including the affected people, Property Recognition Commission of each Rayon (Kobuleti, Batumi and Khelvachauri) and the rayon level Registration Offices. The detail design consultant (the Consultant) has checked with relevant agencies and local experts for the land registration process in Georgia, particularly in Adjara region. This also includes the methods on how to conduct registration of un-registered land prior to disbursement of compensation to the affected people. The affected people will be made aware about the situation, the process and the tasks to be done by them for registration of land parcels. It is noted

that coordination and combined efforts are required by the APs, the consultant and all the relevant government agencies.

Registration of Rightful Owners

(xix) Recognition of ownership rights in relation with the rightfully owned/used land plot is executed through registration of ownership right directly in the Public Registry. For that purpose, the applicant has to submit:

Documents confirming rightful ownership of the land plot (annex 3).

Precise cadastral maps of the land plot.

Document confirming payment of the fee for the property recognition (51 Gel).

Identification documents of the applicant.

(xx) The process and procedure for registration of Rightful Owners needs complete the steps described as follows:

Step 1: Preparation of fresh and precise cadastral map by the owners through private agencies. The map will include all the dimensions of plots and geometrical details. The cost of preparation of map ranges from 0.06 GEL to 0.10 GEL per sq. m of land to be recognized. The duration for preparation of map will be approximately a week time. However, within the project frame, the consultant will prepare precise cadastral maps for the affected land plots and these maps along with required land descriptions will be given to the legalizable and other land owners free of charge.

Step 2: In case if the owner does not have available ownership proving documentation (annex-3) or in case there is any doubt regarding the plot, the owner has to apply to the local community level self-government (Sakrebulo and Gamgeoba) and local Rayon NAPR Office (where Archives are kept) for the proof and cross verification of the land details.

Step 3: after the verification from NAPR rayon Office, the owners will take the endorsement from the community municipal office (Gamgeoba).

Step 4: Following the authorization from Gamgebeli the owners will approach to the Rayon level Registration Office of the NAPR. The owners will provide all the above proof to the registration office. The registration office will verify the completeness of all required application documents. The owners have to submit both the soft copy and hard copy of the plot maps along with its coordinates for record in the Public Registry office. The registration process will take 4 working days in normal situation and the property recognition fee will be 51 GEL per registration. In case of urgency, the owners have to pay 150 GEL to get the registration done in one working day and 200 GEL, if the registration needs to be done immediately. However, the registration office for affected legalizable owners will not charge the urgency cost and will be able to complete each case in maximum 6 days. After the finalization of registration, the Public Registry office

will compile the land records and will update the cadastral details. The updated details will be sent to the central Public Registry for centralized record.

In case, there remains further dispute related to ownership, the case may be referred to the court. The project authority may estimate the price of that particular land and may deposit the amount in the State Budget allocated for the Project. The payment to the real owner will be executed from the State Budget according to the court decision upon confirmation by the Roads Department as LARP implementing agency. The case will be resolved in the Rayon Court.

Registration of Non-Rightful Owners

(xxi) For recognition of the ownership rights on non-rightfully owned land plot the owner/user should submit to Property Recognition Commission application letter through the Office of Sakrebulo with the following supplementary documentation:

Document confirming the fact of non-rightful ownership/use of the land plot (see annex 3) or attestation of witness (neighbours etc.).

Precise cadastral maps of the land plot

Information needed for determination of the fee for property recognition

Copies of the identification documents of the applicant

(xxii) The process and procedure for registration of Non-Rightful Owners needs the following steps as described below:

(xxiii) **Step 1:** Preparation of fresh and precise cadastral map by the owners through private agencies. The map will include all the dimensions of plots and geometrical details. The cost of preparation of map ranges from 0.06 GEL to 0.10 GEL per sq. m of land to be recognized. The duration for preparation of map will be approximately a week time. However, within the project frame, the consultant will prepare precise cadastral maps for the affected land plots and these maps along with required land descriptions will be given to the legalizable and other land owners free of charge.

(xxiv) **Step 2:** The map and its details will be authorized and the land usage pattern will be verified by the neighbours. The community local administration (Gamageoba) may also certify the authorization.

(xxv) **Step 3:** Following the authorization from the neighbours, the same has to be notarized. Cost of Ontarian confirmation of neighbours witness will be 15 GEL for each case.

(xxvi) **Step 4:** The land owner/user will approach to the Property Recognition Commission through Office of Sakrebulo with a package of documents confirming eligibility for legalization of the land plot according to the current legislation. This includes ownership documents (see annex-3) related to the adjacent land plots owned by the applicant rightfully.

- (xxvii) **Step 5:** In case if, the owner does not have available documentation proving ownership rights on the adjacent land plot or in case there is any doubt regarding the plot, the owner will apply to the local NAPR Archives for the proof and cross verification of the land details.
- (xxviii) **Step 6:** after the verification, the Office of Sakrebulo will endorse the application and authorize the case for recognition.
- (xxix) **Step 7:** Following the authorization from Sakrebulo, the owners will approach to the Property Recognition Commission. The owners will provide all the above proof to the Commission. The Commission will verify the documents, make physical verification and organize an open disclosure meeting on site with prior notice to the concerned community peoples. If the documents are clear and the land is free from any dispute from anybody, then the Commission will notify the applicant to deposit payment for the land (if applicable). After payment, or if the payment is not applicable, the commission will issue certificate on ownership right to the owners.
- (xxx) **Step 8:** Based on the above steps, the owners will go to the Public Registry at their respective rayon for registration. The owners have to submit both the soft copy and hard copy of the plot maps along with its coordinates. The registration process will take 4 working days in normal situation and the property recognition fee will be 51 GEL per registration. In case of urgency, the owners have to pay 150 GEL to get the registration done in one working day and 200 GEL, if the registration needs to be done immediately. However, the registration office for affected legalizable owners will not charge the urgency cost and will be able to complete each case in maximum 6 days. After the finalization of registration, the Public Registry office will compile the land records and will update the cadastral details. The updated details will be sent to the central Public Registry for centralized record.
- (xxxii) **In case**, there remains further dispute related to ownership, the case may be referred to the court. The project authority may estimate the price of that particular land and may deposit the amount in the State Budget allocated for the Project. The payment to the real owner will be executed from the State Budget according to the court decision upon confirmation by the Road Department as RAP implementing agency.

Actions at Detail Design

(xxxii) The most important issue for timely acquisition of land is the coordination between the Roads Department and the respective rayon and municipality level administration (, Rayon and municipal Gamgeoba and PRC). These issues have been identified and brought to the notice of concerned stakeholders by the feasibility study consultant, as well as DD Consultant, through consultation and review of existing process of privatization. The Consultant is in the process of seeking cooperation from the concerned registration services and local government offices.

Services of an experienced survey and audit agency have been being utilized to identify the current owners (users) of affected land parcels as per final engineering design of the road.

(xxxiii) All the legalizable owners (rightful and non-rightful) are being identified through extensive title search. Fresh and precise maps of land parcels (with standard coordinates) and geometric details will be provided to the legalizable owners in CD-ROM and printed copies. A generic instruction leaflet has been distributed to the affected persons on the process of legalization of legalizable land parcels. The survey agency is also counselling the AP persons on the process and its urgency for timely receipt of compensation for their acquired land. All legalizable owners will be provided with the detailed cadastral maps and case-specific instructions on further steps for legalisation.

(xxxiv) The registration will be completed for the legalizable owners during the implementation of LARP and prior to the disbursement of compensation. The cost involved in the registration process will be reimbursed from the Project during LARP preparation and implementation. The affected legalizable owners have to initiate the land registration at their own cost in the beginning with such assurance from the Roads Department. The above activities are part of Pre-Disbursement of Compensation.

(xxxv) Once the payment of compensation is complete for the affected land/assets, the acquired land will be transferred (Registered) in the name of Roads Department and the remaining portion will belong to the affected owners. This registration is basically the change of ownership after the acquisition. However, if the road alignment divides the plot into many parts then each of the remaining part need to be remapped and needs to be re-Registered. This will clearly demarcate the acquired land as the property of RD and the remaining belongs to the affected owners.

Annex 3

INFORMATION LEAFLET

LAND ACQUISITION AND RESETTLEMENT STRATEGY

KOBULETI AND BATUMI BYPASS PROJECTS

ADB IS A POTENTIAL GRANTOR OF PROJECT IMPLEMENTATION

Information for APs

Introduction

This Leaflet is an instrument to disclose to the APs the compensation strategy and procedures developed in the Land Acquisition and Resettlement Plan (LARP).

Project Background

The Government of Georgia (GOG) intends to construct two bypass roads in the vicinity of Batumi and Kobuleti in order to reduce the traffic, traffic jams and accidents on the existing Poti-Sarpi highway. In 2005-2006 the Government carried out pre-feasibility study¹⁴, which identified the route which will bypass the cities of Batumi and Kobuleti. The Government of Georgia applied for assistance to the Asian Development Bank (ADB) for preparing and financing the construction of those two bypass roads. Through the technical assistance programme¹⁵ the Asian Development Bank carried out feasibility study in 2009, and identified 48 km. section of the project road (Kobuleti bypass road 31 km, Kobuleti-Batumi road section – 3 km, and Batumi bypass road – 16.2 km.) and prepared preliminary design projects. Based on the results of feasibility study a detailed design project of Batumi and Kobuleti bypass roads was prepared under the transport corridor investment project. Two loans were allocated by the Asian Development Bank (loans No 2560-GEO No 2843-GEO) for financing Kobuleti bypass road. Currently, one of the priorities of the country in terms of development of road infrastructure is the construction of Batumi bypass road, which will reduce the transit traffic in the largest tourist cities of Georgia and facilitate its future development. Georgia has a strategic location, which must be utilized at its full extent. The country is located between Europe and Azerbaijan, Armenia and the countries of Central Asia and in case of development of the transportation infrastructure, the main transport corridor connecting with the European countries through Poti and Batumi ports can be created. Georgia can also connect Russia and Turkey with each other. Such location of Georgia proves that it is the main transportation link between the Black Sea, the Caspian Sea and the Central Asia, which is historically known as the Silk Road, and TRACECA project is trying to restore that road. Transit as well as bilateral trade with the neighbouring countries is an important aspect for economic development. The project road has an important potential of increasing sub-regional trade and tourism income together with the main trading partners of Georgia. Another advantage of the project is that reduction of traffic and accidents in Batumi and Kobuleti will also create a favourable environment for future investments in Batumi and Kobuleti. However, the project road has an important potential of increasing sub-regional and regional trade. The goals of the

¹⁴ The project proposal for the construction of Senaki-Poti-Sarpi highway on the Choloki segment and on the bypass road segments of Makhinjauri and Batumi. Design and Research Institute of Georgia, 2005.

¹⁵ ADB TA No. 7059-GEO: Preparation of the development project of Ajara bypass road, 2009.

project are as follows: (I) 4% increase in the sub-regional trade via Turkey border after 5 years from the completion of the project; (II) 30% increase in transboundary cargo transportation from 1.0 million tons to 1.3 million tons by 2015 in comparison with 2008; (III) annual increase by 10% of the registered guests to Adjara region.

The Impacts Corridor

The 13.7 km Batumi bypass road under section-1 will pass through mostly mountainous urban and semi urban area. The final design include construction of road with 25 bridges, 5 interchanges; 5 tunnels and necessary culverts for ensuring services of all other connected roads. The usual width of this road's ROW is 40 meters except interchanges, tunnels and bridges points. The bridges are designed for two lane carriageway and considerations are made for future widening to four lanes. Average span length of bridges is 30 meters (starting from 12 meters to 50 meters) and typical width is 15 meters.

Minimizing Land Acquisition and Resettlement

Due considerations have been given during the alignment selection and engineering design to minimize the adverse impacts of land acquisition and involuntary resettlement. Efforts have been put to incorporate best engineering solution in avoiding large scale land acquisition and resettlement. Following are the specific measures adopted for the selection of the route:

- Road alignment route has been well tuned on site to avoid densely settlement areas;
- Interchanges with local roads have been designed to avoid resettlement. Designs of interchanges were reviewed by resettlement specialists and their recommendations were considered in the final design.
- Construction of 5 tunnels has greatly contributed in avoiding land acquisition and resettlement impacts.
- Provision of necessary culverts in final engineering design will keep all other infrastructure services functional and effective avoiding any environment negative impacts.
- Slope cutting has been reduced and massive revetment walls have been included in project design to avoid the risk of landslide in the remote land parcels and thereby avoid acquisition of land in the risk zone.

Planning and Implementing the Compensation and Rehabilitation Program for the Project

To plan and implement the compensation and rehabilitation program for this project in a way fitting ADB policy, the Road Department will prepared a LARP. The LARP in Georgian will be deposited for public consultation at the road department's website and at Sakrebulo offices. The Document details the impacts, the compensation eligibility and entitlements, the compensation rates for different affected items and the procedures for the land acquisition and resettlement implementation as summarized in the following sections.

Resettlement Policy and Principles

Land for construction of the new road will be acquired under the laws of Georgia and the ADB SPS. All AP will be compensated at the replacement rates and receive adequate allowances according to severity of impacts and vulnerability status. The detail design consultant has investigated all alternatives to avoid built-up areas and environmentally protected areas in order to minimize impacts. Land acquisition for the project is based on the following principles:

- (i) Land acquisition and resettlement impacts will be avoided or minimized through all viable alternative project designs;
- (ii) A time-bound action plan will be prepared and implemented to regaining the pre-program standard of living of the unavoidable AP;
- (iii) The APs will be consulted and their opinions will be considered in the project design and implementation;
- (iv) Loss of land and assets will be compensated at full replacement cost following current market price at the time of dispossession of land and assets;
- (v) Non-titled APs will be compensated for lost assets other than land and provided with livelihood allowance in lieu of land compensation;
- (vi) All legalizable APs will be legalized and fully compensated for land losses;
- (vii) Vulnerable and severely APs will be provided special assistance;
- (viii) Land acquisition and resettlement policy and procedure will be disclosed to APs in local language;
- (ix) Compensation will be provided at least at the rates detailed in this LARP ;
- (x) Payment of compensation, resettlement assistance and rehabilitation measures will be provided prior to the start of civil works construction; and
- (xi) Appropriate mechanisms will be established to solve APs grievances, if occurs.

Compensation Eligibility and Entitlements

Land acquisition and resettlement tasks will be implemented according to the following stipulations:

Eligibility. APs entitled for compensation or at least rehabilitation under the Project are:

- (i) all APs with legal or traditional title as well as legalizable, or without legal status;
- (ii) tenants or tenant sharers whether registered or not;
- (iii) owners of buildings, crops, plants, or other items attached to the land; and
- (iv) APs losing business, income, or salaries.

Compensation eligibility is limited by a cut-off date on the day of the beginning of the AP Census and detailed measurement survey (DMS). The compensation entitlement matrix for the project is included below.

Type of Loss	Application	Definition of AH/APs	Compensation Entitlements
Land			
Permanent loss of agricultural land	AP losing productive land regardless of impact severity	Owner with full registration	Cash compensation at full replacement cost. If the residual plot becomes unviable for cultivation, the project will acquire it if the owner so desire.
		Legalizable Owner Owner with legalizable land, the land occupied by a house or located close to the house that is currently untitled, but is occupied by users who were legitimate land leasers under old Soviet land administration system. APs with title formalization pending or APs who have residential land.	The ownership rights of these APs will be recognized by the project, the land registered in NAPR and the APs provided with cash compensation at full replacement cost.
		APs who are not registered but legitimately use land not adjacent to residential plots	These will not be registered in NAPR. However the APs will be provided with cash compensation at full replacement cost, according to the Decree of the Government of 01.03.2011.
		APs that are not legitimate land users or squatters (these are APs who were not land leasers under the old system or occupy a plot illegally)	One time self-relocation allowance in cash equal to 12 months at minimum subsistence (*) (321 GEL per month x 12 months = 3852 GEL / AH).
		Agricultural Tenant	One time self-relocation allowance in cash equal to 12 months at minimum subsistence (*) (321 GEL per month x 12 months = 3852 GEL / AH).
Non-Agricultural Land	AP losing their commercial/residential land	Owner with full registration	Cash compensation at full replacement cost. If the residual plot becomes unviable for residential/commercial use, the project will acquire it if the owner so desires.
		Legalizable Owner APs with title formalization pending or APs who have residential land or agricultural plots adjacent to the residential land	The ownership rights of these APs will be recognized, the land registered in NAPR and the APs provided with cash compensation at full replacement cost.
		Non-legalizable land users (APs without registration/valid documents	One time self-relocation allowance in cash equal to 12 months at minimum subsistence (*) (321 GEL per month x 12

		using land permanently)	months=3852 GEL / AH).
Buildings and Structures			
Residential and non-residential structures/assets		All AHs regardless of their legal ownership/ registration status (including legalizable and Informal Settlers)	Full impact: Cash compensation for building/structures losses at full replacement costs free of depreciation and transaction costs Partial impact: repairs compensation.
Loss of Community Infrastructure/Common Property Resources			
Loss of common property resources	Community/Public Assets	Community/Government	Reconstruction of the lost facilities and structures and reinstatement of services in consultation with community and restoration of their functions
Loss of Income and Livelihood			
Crops	Standing crops affected or affected agricultural land, used permanently for crop cultivation.	All APs regardless of legal status (including legalizable and Informal Settlers)	Crop compensation in cash at market rate (corresponds to gross crop value of expected harvest)
Trees	Trees affected	All APs regardless of legal status (including legalizable and Informal Settlers)	Cash compensation at market rate on the basis of type, age and productive value of the trees (based on the expected yield of the tree, multiplied by the number of years required to grow a tree of equivalent productivity).
Business/Employment	Business/employment loss	All APs regardless of legal status (including legalizable and Informal Settlers)	Owner: (i) (permanent impact) cash indemnity of 1 year net income; (ii) (temporary impact) cash indemnity of net income for months of business stoppage. Assessment to be based on tax declaration or, in its absence, minimum subsistence (*). Permanent worker/employees: indemnity for lost wages equal to 3 months of minimum subsistence. (321 GEL per month x 3 months=963 GEL / AH)
Allowances			
Severe Impacts	(i) >10% or more loss in income or productive assets (ii) physically relocated AHs	All severely AHs including informal settlers	Agricultural income: 1 additional crop compensation for 1 year's yield of affected land or an allowance covering 3 months of minimum subsistence (*) (321 GEL per month x 3 months = 963 GEL / AH)
Relocation/Shifting	Transport/transition costs	All AHs to be relocated	An allowance covering transport and livelihood expenses for the transitional period. (200 GEL as vehicle hire charge +

			321 GEL per month x 3 months =1163 GEL/AH)
Vulnerable People Allowances		All AHs below poverty line, headed by Women	Allowance equivalent to 3 months of minimum subsistence (*) and employment priority in project-related jobs (321 GEL per month x 3 months = 963 GEL / AH)
Temporary impacts during construction		All APs	Due compensation to be assessed and paid when the impacts are identified based on the above provisions.

(*) In absence of a minimum subsistence in Georgia the figures used are based on the minimum subsistence income calculated for a family of 5 persons. The most recent information from National Statistics Office of Georgia for April 2016 it is 321 GEL per household (of five people).

Complaints and Grievance Redress Mechanism

A grievance mechanism will be available to allow APs to appeal any disagreeable decision, practice or activity arising from land or other assets compensation. A Grievance Redress Committee (GRC) will be established community level in all local Gamgeoba to solve complaints and grievances informally through community participation. The GRCs will include representatives from RDMRDI and local Gamgeoba, APs, women APs (if any), and local NGOs.

Grievance Resolution Process

Steps	Action level	Process
Step 1	Contract agreement	At the contract agreement negotiation level, if any grievances arise, solutions acceptable to both LAR Team and the APs will be sought. If any aggrieved AP is not satisfied with the solutions, the next option will be to lodge grievances to the GRC.
Step 2	GRC Resolution	<p>If the grievance is not solved during the contract agreement negotiation level, the LAR Team will assist the aggrieved APs to formally lodge the grievances with the respective GRC. The aggrieved APs must lodge the complaint within 1 week of failure of negotiation at the village level. The AP must produce documents supporting his/her claim.</p> <p>Member secretary of the GRC will scrutinize the complaints and prepare Case File for the GRC hearing. A formal hearing will be held before the GRC at a date fixed by the member secretary of GRC in consultation with the committee member responsible for convening a hearing and the aggrieved APs. On the date of hearing, the aggrieved AP will appear at the Gamgeoba office and produce proof to the GRC in support of his/her claim. The member secretary will note down the statements of the complainant and document all proof.</p> <p>The decisions from majority of the GRC members will be considered final. The decision will be issued by the person responsible for convening a hearing and signed by other members of the GRC. The case record will be updated and the decision will be communicated to the complainant AP by</p>

Grievance Resolution Process

Steps	Action level	Process
		the LAR Team at the village level.
Step 3	Decision from central RDMRDI	If any aggrieved AP is not satisfied with the GRC decision, the next option will be to lodge grievances to RU at RDMRDI at the national level within 2 weeks after receiving the decision from GRC. The AP, in the complaint, must produce documents supporting his/her claim. The RU will review the proceedings of the GRC hearing and convey its decisions to the aggrieved APs within 2 weeks after receiving the complaint.
Step 4	Decision from court	If a grievance redress system fail to satisfy the aggrieved APs, they can pursue further action by submitting their case to the appropriate court of law (Rayon Court). In case, if the ruling by the court is higher the market price assessed through the open market survey earlier, RDMRDI will provide additional funds to ensure that compensation provided reflects full replacement cost.

Special Recommendations to APs for Legalization of Legalizable Plots

It is likely that many land parcels to be acquired are not registered or not properly registered. AP who occupies plots that are not owned by others or the state and that are legitimately used by them but have not been registered under the privatization process may be legalized. The legalization process is in progress and will be completed soon.

The Roads Department and local governments of project areas are already assisting the APs by preparing accurate land parcel maps with geometric descriptions which will be provided to them. However in order to do so in the best possible way the Project authorities need the APs collaboration. As soon as the documentation is available register your land parcels to avoid complexity and delays in land acquisition and receipt of compensation. To facilitate, the cost of registration of land parcels has been included the replacement cost of land.

Contact Information

For any information and advice, please feel free to approach the following contacts:

- (i) Road Department of RDMRDI: 12 Kazbegi str., Tbilisi, Georgia
Deputy Head of the Resettlement Department:
Mikhail Ujmajuridze Tel: 577613305
- (ii) Head of the Resettlement Unit:
Nino Mtsuravishvili, Tel: 595026688

Complaints and Grievance Submission Form

Adjara #	
Name, Last name	
Contact Information	<p>(i) Mail: Please indicate the postal address:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>(ii) Telephone: _____</p> <p>(iii) E-mail: _____</p>
Please indicate the preferable means of communication (Mail, Telephone, E-mail)	
The language desirable for the communication	<p>(iv) Georgian</p> <p>(v) English</p> <p>(vi) Russian</p>
Describe the grievance/claim: _____ What is the complaint about? What is the claim? _____	
Date of Negotiation:	Resolution of Negotiation:
Date of incident/claim	
What is the basis of your claim?	
Signature: _____ Date: _____	

Annex 4

List of Public Meeting Participants and Photos



Public meeting 1 in village Ortabatumi, 01 April 2016

#	Name/Surname	Address	Phone/Mobile	E-mail
1	Devadze Narguli	Khelvachauri rayon, village Gantiadi	557-67-12-67	
2	Vasadze Guguli	Town Makhinjauri	598-09-15-24	
3	Khoroishvili Lia	Town Makhinjauri	558-19-21-39	
4	Badaghua Vakhtangi	Town Makhinjauri	558-62-96-43	
5	Khachaturiani Samvel	Markoz #36	555-16-85-29	
6	Mkheidze Giuli	Village Gantiadi	599-85-09-76	giuli67@mail.ru
7	Machutadze Merab	Village Gantiadi	557-42-77-07	
8	Kartsivadze Lasha	Village Gantiadi	591-97-87-21 558-17-16-18	
9	Tsilsani Suliko	Village Gantiadi	557-22-66-64	
10	Beridze Nariman	Makhinjauri	599-39-86-46	
11	Chaghalidze Zurabi	Makhinjauri	557-92-42-94	
12	Jortmenadze Mikheil	Ortabatumi	593-45-32-77	
13	Shotadze Ketevan	Batumi, str. Chavchavadze #51-57	577-45-60-61	keti_sh@mail.ru
14	Rurua Gurami	Village Tsinsvla	593-71-30-54	
15	Chkhaidze Tengiz	Village Tsinsvla	557-40-91-00	
16	Tsutsunava Shorena	Makhinjauri	557-08-08-87	
17	Bejanidze Shorena	Makhinjauri	571-09-29-44	

18	Bejanidze Madona	Village Gantiadi	593-27-67-25	
19	Bakuridze Emzari	Ortabatumi	593-00-80-06	graf007@inbox.ru
20	Gogitidze E.	Village Gantiadi	557-02-18-48	
21	Bolkvadze Avtandil	Salibaruri	577-30-18-85	
22	Surmanidze Gia	Salibaruri	577-33-64-63	
23	Enver Jortmenadze	Ortabatumi	558-07-07-29	
24	Jortmenadze Neli	Ortabatumi	557-60-67-74	
25	Beridze Haidar	Makhinjauri	555-73-70-01	
26	Shuladze	Makhinjauri	593-57-07-58	
27	Dolidze Oksana	Makhinjauri		
28	Mkheidze Merab	Village Gantiadi	593-72-60-37	
29	Dolidze Nino	Makhinjauri	595-75-65-65	
30	Chaghalidze Sofio	S. Kapreshemi	593-14-61-00	
31	Kochalidze Jhujhuna	Makhinjauri	599-53-96-72	
32	Beridze Zaira Rusudan Beridze	Batumi	558-58-44-91	
33	Jakeli Zviad	Makhinjauri, str. Aghmashenebeli #24	577-78-19-39	zviad@mail.ru
34	Chincharadze Rusudan	Makhinjauri, str. Aghmashenebeli #20	555-57-25-01	pruco1962@mail.ru
35	Tsintsadze Nana	Village Tsinsvla, Batumi	599-70-83-50	
36	Gogiashvili Lida	Village Tsinsvla, Batumi, str. Gorgasali #6	593-10-19-54	
37	Kontselidze Otari	Makhinjauri, str. Aghmashenebeli #22	593-26-55-21	
38	Beridze Tariel	Makhinjauri, str. Aghmashenebeli #26	577-97-99-09	
39	Mamuchadze Tamara	Pridon Khalvashi avenue, alley #4	599-11-97-84	
40	Shavadze Jemali		571-06-44-10	
41	Gogiashvili Emini	Pridon Khalvashi avenue, alley #4, flat #20	558-71-25-66	
42	Shavadze Iamze		558-99-41-99	
43	Turmanidze Revaz	Makhvilauri	599-10-00-16	
44	Avaliani Madona	Kv. Sameba	592-05-57-08	
45	Abeslamidze Jhujhuna	Kv. Sameba	574-12-09-10	



Public meeting 2 in village Ortabatumi, 20 May 2016

#	Name/Surname	Address	Phone/Mobile	E-mail
1	Beridze Haidar	Makhinjauri	555-73-70-01	
2	Cincadze Nuri	Makhinjauri	599-04-14-56	
3	Jijavadze Khusein	Makhinjauri	577-15-10-53	
4	Djidjavadze Zauri	Makhinjauri	557-75-42-25	
5	Gvasalia Avtandil	Makhinjauri, Chincharadze str. #41	577-22-22-70 577-22-22-57 577-22-22-71	gvasalia@rambler.ru
6	Jincharadze Bagrat		599-71-61-80	
7	Tsintsadze Nugzar	Makhinjauri, Iberia str. #19	593-68-88-80	
8	Kiladze Izolda	Kapreshumi	514-22-58-58	
9	Chijvadze Haidar	Makhinjauri	568-75-49-74	
10	Churkveidze Marina		555-74-40-65	
11	Phutkaradze Roman	Village Salibauri	555-27-27-06	
12	Jincharadze Davit	Village Salibauri	555-50-19-30	
13	Churkveidze Tamila		599-25-27-34	
14	Tamasashvili Nodari	Batumi, str. M. Abashidze #60, flat #28	577-42-44-55	
15	Shotadze Ketevan	Town Makhinjauri	577-45-60-61	
16	Churkveidze Jemali		593-59-91-87	
17	Akhvlediani Gocha		557-49-05-05	
18	Tsintsadze Nana	Batumi, str. Pushkini #133, flat #8	599-70-83-50	
19	Aishe Chikvadze		557-18-69-77	
20	Kikava Izet	Ortabatumi	577-11-21-85	
21	Sapharidze Ramaz	Village Salibauri	577-30-79-16 551-00-40-95	
22	Chkhaidze Gela	Village Tsinsvla	558-28-11-52	
23	Tarelidze Natela	Village Salibauri	558-34-20-70	

24	Chkhaidze Tengiz	Village Tsinsvla	557-40-91-00	
25	Surmanidze Irakli	Village Tsinsvla	555-56-00-05	
26	Tsintsadze Teimuraz	Makhinjauri	568-42-34-59	
27	Kartsivadze Giorgi	Batumi	557-55-55-90	gio.karci@mail.ru
28	Tsintsadze Giorgi	Makhinjauri	595-07-22-79	
29	Loria Avtandil	Makhinjauri	599-15-65-77	
30	Kekelidze Temuri	Str. Aghmashenebeli #5, flat #10	568-84-83-46 558-51-94-47	
31	Shavadze Aleksandre	Village Gantiadi	551-53-85-61	
32	Kakhidze Omari	Str. Vrasnovi #15, Mtsvane-Kontskhi	558-11-68-68	
33	Phutkaradze Khatuna	Kv. Sameba	593-44-13-86	
34	Bolkvadze Merab	Batumi, str. Rustaveli #61/24	579-94-00-00 595-94-00-00	lebroni@mail.ru
35	Beridze Archil	Makhinjauri	577-20-17-80	
36	Devadze Narguli	Khelvachauri, village Gantiadi	557-32-15-17 597-70-63-90	
37	Mikeladze Inga	Makhinjauri	593-75-49-35	
38	Kondaridze Tengiz	Village Salibauri	577-24-28-77	
39	Badzaghua Vakhtang	Makhinjauri, str. Aghmashenebeli #18	558-62-96-43	
40	Phutkaradze Aleksandre	Batumi, str. Nijaradze	577-10-79-03	
41	Kondaria Guguli	Village Salibauri	593-37-01-08	
42	Tsilosani Suliko	Khelvachauri, village Gantiadi	557-22-66-64	
43	Turmanidze Nazi	Village Salibauri	568-66-72-92	
44	Shanidze Nodari		577-29-12-50	
45	Gogiberidze Malkhaz	Makhinjauri, Shartenzia alley #12	577-47-57-74	
46	Ivanadze S.		593-54-15-15	
47	Phutkaradze Nestan	Village Gantiadi	557-15-47-60	
48	Shavadze Malkhazi	Village Salibauri	591-71-80-96	
49	Gogitidze Jemal	Khelvachauri, village Gantiadi	555-95-67-05	
50	Kerishi Ludmila	Salibauri	555-72-77-04	
51	Shota Chaghalidze	Salibauri	557-30-12-07	
52	Markariani Suren	Salibauri	577-71-22-93	
53	Mziuri	Salibauri	593-22-63-78	
54	Narguli	Makhinjauri	593-17-89-57	
55	Dolidze Emir	Village Gantiadi	599-10-62-68	
56	Bolkvadze Rolandi	Batumi, str. Ureki #13	555-40-00-07	

57	Zoidze Jumberi	Khelvachauri, village Gantiadi	555-20-61-24	
58	Mkheidze Giuli	Village Gantiadi	599-85-09-76	Giuli67@mail.ru
59	Jortmenadze Jemali	Village Tsinsvla	593-90-54-06	
60	Khorava Madona	Village Salibauri	555-93-05-81	
61	Mkeidze Irma	Khelvachauri, village Gantiadi	593-57-65-49	
62	Kiladze Avtandil	Kapreshumi	557-38-35-72	
63	Davitadze Omari	Village Gantiadi	593-45-09-98	
64	Khachaturiani Samvel	Village Gantiadi	555-16-85-29 555-73-98-48	
65	Gundadze Kakha	Makhinjauri	577-38-38-54	
66	Temuri	Village Salibauri	593-54-15-15	
67	Jortmenadze Enver		593-93-44-21 591-91-09-49	
68	Jijavadze Merab	Mtsvane Kontskhi	599-17-77-89	
69	Zoidze Simon	Village Gantiadi	555-18-06-65 558-11-80-92	
70	Jincharadze Rusudan	Str. Aghmashenebeli, flat #20	555-57-25-01	
71	Ustiashvili Archil		595-90-31-89	
72	Bolkvadze Giorgi	Makhinjauri	597-88-89-90 555-55-99-05	
73	Mkheidze Haidar	Village Gantiadi	555-25-73-49	
74	Gasanovi Vitali		599-98-75-04	
75	Mkheidze Merabi	Village Gantiadi	593-12-46-22	
76	Samvelidze Izolda	Makhinjauri, Tamar Mephe alley #4	555-96-15-89	isamvelidze@mail.ru
77	Tebidze Roman		593-60-36-36	
78	Dolidze Nino		557-38-77-37	
79	Vasadze Guguli	Makhinjauri	598-09-14-24	
80	Shavadze Zaza	Str. Khimshiashvili #9a, flat #64	599-55-50-75 557-92-41-94	
81	Kontselidze Otari	Makhinjauri, str. Aghmashenebeli #22	593-26-55-21	
82	Baramidze Imeda		557-70-27-37	
83	Akhvletian Temuri		557-96-75-15	
84	Mamuchadze Gurami		577-23-32-03	
85	Tarieladze Marina		790-15-67-20	
86	Nodari		591-95-30-95	
87	Nugzar		591-95-30-95	
88	Phartenadze Merab		599-17-01-21	

89	Akhvlediani Irakli		593-55-00-09 593-43-20-40	
90	Beridze Tariel		577-97-99-09	
91	Beridze Margo	Village Gantiadi	593-32-57-85	
92	Khalvashi Laura	Makhinjauri, str. Tsereteli #3	558-01-01-18 555-25-80-45	
93	Davitadze Gocha	Village Gantiadi, house 24	558-79-23-89	
94	Phaghava Mzia		593-38-75-06	
95	Gogitidze Shakro	Village Gantiadi	558-52-12-37	
96	Cheishvili Liana	Str. Koncelidze #62a	593-71-95-63	
97	Gogitidze Tina	Village Gantiadi	591-05-53-20	
98	Iremadze Guram	Kv. Sameba	25-09-04 591-95-80-64	
99	Jortmenadze Mikheil	Village Tsinsvla	593-45-32-77	
100	Kvirikadze Resan		599-19-14-85	
101	Girgiladze Iosebi	Village Salibauri	591-71-65-33	
102	Jakeli Zviad	Makhinjauri, str. Aghmashenebeli #24	577-78-19-39	zviad@mail.ru
103	Bedinadze Guram	Kv. Sameba	591-71-09-82	
104	Svanidze Venara		597-09-77-46	
105	Phutaradze Zaza		593-32-54-32	
106	Mukutadze Vakhtangi		555-97-09-43	
107	Makharadze Avtandil	Village Gantiadi	593-34-32-48	
108	Sharashidze Temuri	Village Salibauri	595-85-82-56	gioboy001@gmail.com
109	Makharadze Khatuna	Str. Z. Gorgiladze #75	599-55-50-75	
110	Mikeladze Malkhazi		593-95-76-05	
111	Tsintsaladze Revaz	Str. Hortenzia #5	593-30-39-64	
112	Beridze Jemal	Str. Memed Kontselidze #71	558-72-23-80	
113	Berdzenishvili	Str. Agmashenebeli #5	599-71-60-21	-
114	Kirkidze Tamazi		591-71-22-30	
115	Gogvadze Jumber		595-77-60-24	
116	Gogvadze Teimuraz		599-71-60-52	
117	Bejanidze Bidzina	Khelvachauri, village Gantiadi	571-09-09-44 593-27-67-25	
118	Khebaia Roman		595-80-99-88	
119	Dolidze Natela	Makhinjauri	593-32-41-67	
120	Khalvashi Suliko Khalvashi Tamila	Makhinjauri, Tamar Mephe alley #3	593-96-00-06	
121	Jortmenadze Jemal	Village Tsinsvla	593-90-54-06	

122	Manasiani Archili	Makhinjauri, str. Aghmashenebeli #5	593-37-01-83	
123	Tandilava Edisher		577-39-54-54	
124	Khavtadze Khatuna		599-29-71-71	
125	Kartivadze Ali	Ortabatumi	599-55-27-99 599-55-18-99	
126	Vasadze Jemal	Khelvachauri	599-53-27-31	
127	Kvtaradze Vaja		599-11-96-77	
128	Makharadze Murman	Makhinjauri, str. Aghmashenebeli #5	555-06-07-17	
129	Surmanidze Badri	Makhinjauri, str. Aghmashenebeli #5	593-47-59-59 555-49-22-08	
130	Turmanidze Sulkhan	Khelvachauri, village Kv. Sameba	557-41-03-03	
131	Tsetserava Shorena	Str. Aghmashenebeli	557-08-08-87 593-04-04-05	
132	Beridze Abdi	Makhinjauri, str. Krasnovi	599-06-67-41	agroadjara@mail.ru
133	Vladimer	Village Salibauri	599-54-61-90	
134	Phagava Iveri	Ortabatumi	599-93-71-40	
135	Phagava Iuri	Ortabatumi	555-90-61-39	
136	Chukhalova Svetlana	Makhinjauri, str. Jinjaradze #27	555-56-40-31	
137	Lortkipanidze Vaja	Village Gantiadi	592-11-35-22	
138	Sharadze Ilia		558-16-67-63	
139	Kiladze Aleksandre	Village Tsinsvla, Kapreshumi	551-13-07-16	
140	Tsiteladze I.		558-16-67-63	
141	Kiladze Shushana	Kapreshumi	591-44-89-66	
142	Dumbadze Shalva	Makhinjauri, str. Chincharadze #35	558-15-85-67	
143	Mamuladze Maia Kotrikadze Koba	Village Salibauri	591-38-42-24 599-38-57-30	
144	Abuladze Vaja	Village Salibauri	555-12-69-49 591-95-46-08	
145	Komakhiani Zurabi	Village Gantiadi	555-91-77-61	
146	Bajelidze Tina	Khelvachauri, village Kv. Sameba	595-90-05-16	
147	Samonadze Shalva		558-40-56-43	
148	Phutkaradze Zurabi	Khelvachauri, village Kv. Sameba	593-30-00-74 577-61-52-19	
149	Rurua Guram	Village Tsinsvla	593-72-30-54	
150	Kiladze	Kapreshumi	591-05-56-82	
151	Dekanadze Levan	Kv. Sameba	591-64-11-17	

152	Khendadze Zviad	Kapreshumi	599-38-84-27 599-79-05-27	
153	Chikhladze Zurab	Kv. Sameba	577-14-13-45	
154	Tsintsadze Levan	Str. Iberia #15	577-16-33-08	tsintsadze_l@mail.ru
155	Kochalidze Jhujhuna	Makhinjauri	599-53-96-72 595-91-25-48	
156	Beridze Zaira	Batumi, str. Metaksa-2	558-58-44-91	

Annex 5

Summary Log of Grievances Received by RDMRDI to 10 July 2016

			Ownership							Grievance	Status
Territorial Organ	Municipality	Plot #	Owner/User	ID Code	Full Area of Plot (sq. m)	Impacted Area (sq. m)	Impact Level (%)	Acquisition Area (sq. m)	Phone Number		
Batumi	Batumi	006-01			1980	1980	100	1980			Under consideration
Batumi	Batumi	006-02			40	40	100	40			Under consideration
Batumi	Batumi	006-03			194	194	100	194			Under consideration
Batumi	Batumi	006-04			151	151	100	151			Under consideration
Batumi	Batumi	006-05			30	30	100	30			Under consideration
Batumi	Batumi	006-06			24	24	100	24			Under consideration
Batumi	Batumi	006-07			5	5	100	5			Under consideration
Batumi	Batumi	006-08			10	10	100	10			Under consideration
Batumi	Batumi	007-01			121	121	100	121		Requests acquaintance with agreement conditions (refuses to sign agreement act)	Under consideration
Batumi	Batumi	019-01			666	666	100	666		According to complaint access road is lost, requests acquisition of entire plot	Under consideration
Batumi	Batumi	023-01			102	102	100	102		According to complaint access road is lost, requests acquisition of entire plot	Under consideration
Batumi	Batumi	044-01			933	933	100	933		Is in Turkey (his son did not sign)	Under consideration
Batumi	Batumi	045-01			258	258	100	258		Did not sign	Under consideration
Batumi	Batumi	050-01			44	44	100	44		According to complaint access road is lost, requests acquisition of entire plot	Under consideration

Batumi	Batumi	056-01			1787	1787	100	1787		Is in the sea (ship)	Under consideration
Batumi	Batumi	059-01			1768	1768	100	1768		Under mortgage	Under consideration
Batumi	Batumi	060-01			150	150	100	150		According to complaint access road is lost, requests acquisition of entire plot	Under consideration
Makhinjauri	Khelvachauri	082-02			96	96	100	96		In Tbilisi	Under consideration
Makhinjauri	Khelvachauri	087-01			1243	1243	100	1243		Area to be determined	Under consideration
Makhinjauri	Khelvachauri	089-01			465	465	100	465		According to complaint access road is lost, requests acquisition of entire plot	Under consideration
Makhinjauri	Khelvachauri	090-01			27	27	100	27		According to complaint access road is lost, requests acquisition of entire plot	Under consideration
Makhinjauri	Khelvachauri	095-01			2558	2558	100	2558		According to complaint access road is lost, requests acquisition of entire plot	Under consideration
Makhinjauri	Khelvachauri	108-01			61	61	100	61		Refused to sign until compensation amount is known.	Under consideration
Makhinjauri	Khelvachauri	112-01			382	382	100	382		Requests road realignment	Under consideration
Makhinjauri	Khelvachauri	125-02			58	58	100	58		Land conflict with Davitadze Iago	Under consideration
Makhinjauri	Khelvachauri	126-01			2189	2189	100	2189		To be clarified, 300 sq. m to remain in ownership	Under consideration
Makhinjauri	Khelvachauri	127-01			951	951	100	951		According to complaint access road is lost, requests acquisition of entire plot	Under consideration
Ortabatumi	Khelvachauri	145-01			1950	1950	100	1950		Passed away (inheritance settlement needed)	Under consideration
Ortabatumi	Khelvachauri	163-01			64	64	100	64		According to complaint access road is lost, requests acquisition of entire plot	Under consideration
Ortabatumi	Khelvachauri	164-01			1404	1404	100	1404		Refused to sign until compensation amount is known	Under consideration
Khelvachauri	Khelvachauri	170-01			2848	2848	100	2848		Refused to sign until compensation amount is known	Under consideration
Ortabatumi	Khelvachauri	172-01			149	149	100	149		According to complaint access road is lost, requests acquisition of entire plot	Under consideration
Ortabatumi	Khelvachauri	174-01			110	110	100	110		According to complaint access road is lost, requests acquisition of entire plot	Under consideration
Batumi	Batumi	615-01			1191	1191	100	1191		In Tbilisi	Under consideration
Batumi	Batumi	622-01			134	134	100	134			Under consideration
Batumi	Batumi	626-01			400	400	100	400		Refused to sign until compensation amount	Under consideration

										is known	
Batumi	Batumi	632-01			81	81	100	81		Area to be determined	Under consideration
Makhinjauri	Khelvachauri	650-01			267	267	100	267		According to complaint access road is lost, requests acquisition of entire plot	Under consideration
Makhinjauri	Khelvachauri	651-01			110	110	100	110		Remaining are is 59 sq. m. Requesting full area acquisition	Under consideration
Makhinjauri	Khelvachauri	652-01			310	310	100	310		According to complaint access road is lost, requests acquisition of entire plot	Under consideration
Makhinjauri	Khelvachauri	664-01			386	386	100	386		According to complaint access road is lost, requests acquisition of entire plot	Under consideration
Ortabatumi	Khelvachauri	669-01			411	411	100	411		According to complaint access road is lost, requests acquisition of entire plot	Under consideration
Ortabatumi	Khelvachauri	671-01			334	334	100	334		Area to be determined	Under consideration

Note: Owner/User, ID Code and Phone Number field data not shown to avoid disclosure of private information.

Annex 6

Acquisition and Compensation Matrix

AH #	Affected Plot #	Owner's Name	ID #	Total area (sq. m)	Affected Plots/ Total area (sq. m)	% of Project Impact	Compensation for Lost Land (GEL)	Compensation for trees (GEL)	Compensation of tea (GEL)	Compensation for Affected Buildings and Structures (GEL)	Compensation of crop (GEL)	Allowances for Vulnerable Persons (GEL)	Additional Allowances for Physical Relocation	Allowances for Severe impact	Total Compensation and Allowances
1				2434	2434	100	214192	18970	134	4516	0	0	0	963	238775
2				969	121	12	10648	2415	0	515	0	963	0	963	15504
3				836	836	100	73568	11421	0	20727	0	0	1163	963	107842
4				2354	2354	100	207152	13833	8	1204	0	0	0	963	223160
5				401	401	100	35288	6412	0	0	0	963	0	963	43626
6				367	367	100	32296	0	0	0	0	0	0	0	32296
7				2473	2473	100	217624	20557	0	145426	0	0	1163	963	385733
8				1953	1953	100	171864	20559	0	119398	0	963	1163	963	314910
9				215	215	100	18920	2955	0	481	0	0	0	0	22356
10				504	504	100	44352	2966	0	4347	0	0	0	0	51665
11				2227	2227	100	195976	27097	172	201773	0	963	1163	963	428107
12				994	994	100	87472	7048	36	3192	0	963	0	963	99674
13				2198	161	7	14168	22535	0	5467	0	0	0	0	42170
14				2443	2443	100	214984	2261	28	270279	0	0	1163	0	488715
15				1510	114	8	10032	2852	0	790	0	963	0	0	14637
16				2725	2725	100	239800	63861	20	8915	0	0	0	963	313559
17				743	743	100	37150	11446	0	0	0	963		963	50522
18				2884	2884	100	144200	27149	4	3534	0	963	0	963	176813
19				3180	496	16	24800	1334	0	0	0	0	0	963	27097
20				377	377	100	18850	3068	0	680	0	0	0	963	23561

AH #	Affected Plot #	Owner's Name	ID #	Total area (sq. m)	Affected Plots/, Total area (sq. m)	% of Project Impact	Compensation for Lost Land (GEL)	Compensation for trees (GEL)	Compensation of tea (GEL)	Compensation for Affected Buildings and Structures (GEL)	Compensation of crop (GEL)	Allowances for Vulnerable Persons (GEL)	Additional Allowances for Physical Relocation	Allowances for Severe impact	Total Compensation and Allowances
21				885	885	100	44250	19793	12	1471	0	0	0	0	65526
22				1993	1993	100	99650	47839	80	284313	0	0	1163	0	433045
23				1532	1532	100	76600	19436	60	214729	0	0	1163	963	312951
24				994	269	27	13450	5058	0	1982	0	0	0	0	20490
25				1487	1487	100	74350	5221	160	0	0	963	0	963	81657
26				1355	1355	100	67750	17415	280	50160	0	0	0	0	135605
27				626	626	100	31300	2980	0	1308	0	0	0	0	35588
28				401	401	100	20050	2295	4	0	0	963	0	963	24275
29				489	489	100	24450	11086	0	6891	0	0	0	0	42427
30				3251	1909	59	108813	10617	0	0	0	0	0	963	120393
31				950	950	100	54150	2790	0	2077	0	963	0	963	60943
32				2241	2241	100	127737	11731	0	0	0	0	0	963	140431
33				2875	1563	54	89091	2600	0	728	0	0	0	0	92419
34				1605	96	6	5472	175	0	0	0	963	0	0	6610
35				1522	1522	100	86754	22952	60	2978	0	0	0	963	113707
36				515	95	18	5415	1976	0	868	0	0	0	963	9222
37				3440	739	21	42123	10347	0	2858	0	0	0	963	56291
38				1466	787	54	44859	2696	130	2149	0	0	0	963	50797
39				1480	1480	100	84360	8149	80	762	0	0	0	963	94314
40				2890	2264	78	129048	12831	800	2598	0	963	0	963	147203
41				3584	90	3	5130	17583	0	1385	0	0	0	0	24098
42				1930	1930	100	212300	13494	0	197886	0	0	1163	963	425806
43				648	150	23	16500	5009	0	855	0	963	0	963	24290
44				564	564	100	62040	3026	0	208224	0	963	1163	963	276379

AH #	Affected Plot #	Owner's Name	ID #	Total area (sq. m)	Affected Plots/, Total area (sq. m)	% of Project Impact	Compensation for Lost Land (GEL)	Compensation for trees (GEL)	Compensation of tea (GEL)	Compensation for Affected Buildings and Structures (GEL)	Compensation of crop (GEL)	Allowances for Vulnerable Persons (GEL)	Additional Allowances for Physical Relocation	Allowances for Severe impact	Total Compensation and Allowances
45				496	496	100	54560	3296	0	146672	0	0	1163	963	206654
46				235	235	100	25850	0	0	89426	0	963	1163	963	118365
47				921	921	100	101310	6533		314355	0	963	1163	963	425287
48				2433	420	17	46200	1708	100	2664	0	963	0	963	52598
49				1938	1938	100	106296	0	0	6125	0	0	0	0	112421
50				338	338	100	34814	226	0	215309	0	963	1163	963	253438
51				1018	1018	100	104854	8998	100	198421	0	963	1163	0	314499
52				575	575	100	59225	6589	40	1496	0	963	0	963	69276
53				1654	1654	100	170362	27965	20	320290	0	0	1163	963	520763
54				871	871	100	44421	550	1240	924	0	0	0	0	47135
55				806	806	100	41106	0	0	379	0	0	0	963	42448
56				1779	1035	58	52785	70	200	2722	0	0	0	963	56740
57				2233	1732	78	124704	8828	0	5136	0	0	0	963	139631
58				933	36	4	2592	2275	0	641	0	0	0	0	5508
59				858	858	100	61776	6916	0	304350	0	963	1163	963	376131
60				981	981	100	70632	2848	0	0	0	0	0	963	74443
61				3490	195	6	14040	0	0	0	0	0	0	0	14040
62				1361	1361	100	97992	5943	0	286	0	0	0	963	105184
63				976	976	100	70272	11377	0	197622	0	0	1163	963	281397
64				1293	465	36	33480	1445	0	0	0	0	0	963	35888
65				2860	53	2	2067	400	0	0	0	0	0	0	2467
66				1739	1567	90	61113	30735	0	579	0	963	0	963	94353
67				2461	400	16	15600	3565	0	631	0	0	0	963	20759
68				3230	2418	75	94302	21279	0	3612	0	963	0	963	121119

AH #	Affected Plot #	Owner's Name	ID #	Total area (sq. m)	Affected Plots/, Total area (sq. m)	% of Project Impact	Compensation for Lost Land (GEL)	Compensation for trees (GEL)	Compensation of tea (GEL)	Compensation for Affected Buildings and Structures (GEL)	Compensation of crop (GEL)	Allowances for Vulnerable Persons (GEL)	Additional Allowances for Physical Relocation	Allowances for Severe impact	Total Compensation and Allowances
69				1095	1050	96	40950	7076	0	1726	0	0	0	0	49752
70				4201	3040	72	118560	3553	0	3994	0	0	0	963	127070
71				2365	2365	100	92235	13112	0	2789	0	0	0	963	109099
72				920	920	100	35880	9405	0	2120	0	0	0	963	48368
73				2150	2150	100	83850	6219	2	3060	0	0	0	963	94094
74				2474	2474	100	96486	0	0	3107	0	0	0	963	100556
75				807	807	100	31473	1050	0	0	0	0	0	963	33486
76				1644	1644	100	64116	1200	0	0	0	963	0	963	67242
77				1621	1621	100	63219	3570	0	1651	0	0	0	963	69403
78				1087	55	5	2145	0	0	0	0	0	0	0	2145
79				517	517	100	20163	951	0	1821	0	0	0	963	23898
80				2686	2686	100	104754	16788	0	70453	0	963	1163	963	195084
81				4822	123	3	4797	1438	0	213	0	963	0	0	7411
82				1362	1362	100	53118	3911	8	811	0	963	0	963	59774
83				2541	382	15	14898	7353	0	4383	0	963	0	963	28560
84				1790	180	10	7020	0	0	0	0	0	0	963	7983
85				1285	1285	100	50115	12696	0	1436	0	0	0	963	65210
86				1501	435	29	16965	8146	0	0	0	0	0	0	25111
87				5484	1385	25	54015	10933	0	5158	0	963	0	963	72032
88				3114	3086	99	120354	16777	0	235632	252	0	1163	963	375141
89				7209	101	1	3939	1230	0	841	0	0	0	0	6010

AH #	Affected Plot #	Owner's Name	ID #	Total area (sq. m)	Affected Plots/, Total area (sq. m)	% of Project Impact	Compensation for Lost Land (GEL)	Compensation for trees (GEL)	Compensation of tea (GEL)	Compensation for Affected Buildings and Structures (GEL)	Compensation of crop (GEL)	Allowances for Vulnerable Persons (GEL)	Additional Allowances for Physical Relocation	Allowances for Severe impact	Total Compensation and Allowances
90				8559	8510	99	331890	43960	800	238802	0	963	1163	963	618541
91				4536	399	9	15561	3794	0	1825	0	0	0	0	21180
92				2825	2825	100	110175	10375	0	193512.5	0	0	1163	963	316188.5
93				2189	2189	100	85371	24003	0	88622.75	0	0	1163	963	200122.8
94				3323	1278	38	49842	11464	0	0	47.2	963	0	963	63279.2
95				5741	2319	40	90441	9281	0	215833	0	963	1163	963	318644
96				3320	3285	99	128115	22336	122	4099	0	0	0	963	155635
97				1481	1481	100	57759	4553	0	203002	14.7	0	1163	963	267454.7
98				2007	2007	100	78273	20844	0	3079	0	963	1163	963	105285
99				710	710	100	27690	6759	120	2684	0	963	0	963	39179
100				3309	2703	82	105417	56546	0	12024	0	963	0	963	175913
101				3255	3255	100	126945	43821	0	15133	0	0	0	0	185899
102				4129	2077	50	81003	35078	0	1987	0	963	0	963	119994
103				513	513	100	20007	16033	0	0	0	0	0	963	37003
104				3186	2444	77	134420	35018	0	221161	0	963	1163	963	393688
105				1755	1755	100	96525	42819	0	7252	0	0	1163	963	148722
106				1505	1505	100	82775	18370	0	207472	0	0	1163	963	310743
107				121	121	100	6655	0	0	138917	0	0	0	0	145572
108				3003	270	9	14850	5502	0	150	0	0	0	0	20502
109				4311	2407	56	110722	2130		9047	991.2	0	0	963	123853.2
110				1893	224	12	10304	0	0	1681	0	0	2326	963	15274

AH #	Affected Plot #	Owner's Name	ID #	Total area (sq. m)	Affected Plots/, Total area (sq. m)	% of Project Impact	Compensation for Lost Land (GEL)	Compensation for trees (GEL)	Compensation of tea (GEL)	Compensation for Affected Buildings and Structures (GEL)	Compensation of crop (GEL)	Allowances for Vulnerable Persons (GEL)	Additional Allowances for Physical Relocation	Allowances for Severe impact	Total Compensation and Allowances
111				2085	315	15	14490	0	0	423	0	0	0	963	15876
112				1147	633	55	29118	0	0	618	0	963	0	963	31662
113				2354	2354	100	108284	330	0	337	0	963	0	963	110877
114				1688	1688	100	77648	2874	0	1896	0	0	0	963	83381
115				2337	2337	100	107502	400	0	10441	0	0	0	963	119306
116				2141	1021	48	46966	0	0	642	0	0	0	0	47608
117				2420	223	9	10258	0	0	1508	0	0	0	0	11766
118				2567	108	4	4968	0	0	1177	0	0	0	0	6145
119				3020	218	7	10028	0	0	1197	0	0	0	0	11225
120				3242	687	21	31602	440	0	4550	0	0	0	963	37555
121				2951	2951	100	135746	300	0	4514	0	0	0	963	141523
122				2879	2879	100	132434	0	0	0	0	0	0	963	133397
123				3001	3001	100	138046	0	0	0	0	0	0	963	139009
124				2153	2029	94	93334	9767	0	103421	0	0	1163	963	208648
125				3564	197	6	9062	0	0	0	0	0	0	0	9062
126				2950	1525	52	70150	0	0	25753	0	0	0	0	95903
127				3171	3171	100	145866	3460	0	3011	0	0	0	963	153300
128				515	515	100	23690	0	0	1571	0	0	0	963	26224
129				639	639	100	29394	0	0	1292	0	0	0	963	31649
130				1085	76	7	3496	140	0	408	0	0	0	0	4044
131				3115	3115	100	143290	0	0	13075	0	963	0	963	158291

AH #	Affected Plot #	Owner's Name	ID #	Total area (sq. m)	Affected Plots/, Total area (sq. m)	% of Project Impact	Compensation for Lost Land (GEL)	Compensation for trees (GEL)	Compensation of tea (GEL)	Compensation for Affected Buildings and Structures (GEL)	Compensation of crop (GEL)	Allowances for Vulnerable Persons (GEL)	Additional Allowances for Physical Relocation	Allowances for Severe impact	Total Compensation and Allowances
132				1033	236	23	10856	120		5456	0	963	0	963	18358
133				1084	205	19	9430	95	0	4496	0	0	0	963	14984
134				1159	177	15	8142	0	0	5670	0	963	0	963	15738
135				3087	245	8	11270	0	0	0	0	0	0	0	11270
136				1850	1850	100	85100	7250	0	159458	0	0	1163	963	253934
137				700	700	100	32200	2784	0	183806	0	0	1163	963	220916
138				1966	474	24	21804	0	0	480	0	0	0	963	23247
139				1870	729	39	33534		0	74	0	963	0	963	35534
140				1128	1128	100	51888	1196	0	454	46	0	0	963	54547
141				1146	1069	93	49174	0	0	548	0	963	0	963	51648
142				9649	7148	74	328808	2058	0	349993	0	963	0	963	682785
143				2562	2562	100	48678	0	0	0	0	0	0	963	49641
144				2604	1028	39	19532	10930	200	1172	0	963	0	963	33760
145				1781	1781	100	33839	17242	0	2986	0	963	0	963	55993
146				963	130	14	2470	1065	0	0	35.4	0	0	0	3570.4
147				1319	371	28	32648	6605	0	0	0	963	0	963	41179
148				838	347	41	30536	6120	0	0	0	963	0	963	38582
149				2502	968	39	85184	3231	0	0	0	963	0	963	90341
150				2805	531	19	46728	2214	0	0	0	0	0	963	49905
151				7	7	107	616								
152				722	722	100	63536	1808	22	0	0	0	0	963	66329

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153				2195	710	32	62480	2405	0	256	0	0	0	0	65141
154				2551	180	7	15840	1046	2	0	0	963	0	0	17851
155				1422	1422	100	125136	7305	6	4969	0	963	0	963	139342
156				151	151	100	7550	3059	0	0	0	0	0	0	10609
157				315	315	100	15750	1719	0	1162	0	963	0	963	20557
158				2252	570	25	32490	416	110	0	0	963	0	963	34942
159				134	134	100	7638	748.0	0	0	0	0	0	963	9349
160				169	169	100	9633	480	0	0	0	0	0	963	11076
161				1035	1035	100	113850	13681	0	196116	0	963	1163	963	326736
162				1195	1195	100	68115	5532	0	0	0	0	0	963	74610
163				72	72	100	4104	139	0	0	0	0	0	0	4243
164				279	279	100	28737	3883	0	1505	0	0	0	963	35088
165				72	72	100	7416	3208	0	1472	0	0	0	963	13059
166				81	81	100	8343	526	0	1630	0	0	0	963	11462
167				81	81	100	8343	1469	0	962	0	963	0	963	12700
168				1763	1763	100	89913	27707	280	5569	0	0	0	963	124432
169				200	200	100	10200	11415	200	0	0	0	0	963	22778
170				272	272	100	19584	15004	0	2929	0	0	0	963	38480
171				1033	994	96	49700	11086	0	0	0	0	0	0	60786
172				186	186	100	20460	4266	0	27662	0	963	1163	963	55477
173				379	379	100	14781	1183	102	1534	0	0	0	963	18563

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174				893	893	100	34827	813	50	1156	0	0	0	0	36846
175				326	326	100	12714	1257	0	2914	0	0	0	0	16885
176				650	650	100	25350	2885	0	0	0	963	0	963	30161
177				107	107	100	11021	0	0	0	0	963	0	963	12947
178				263	263	100	10257	160	0	0	0	0	0	963	11380
179				2268	2268	100	88452	30016	40	247834	0	963	1163	963	369431
180				894	413	46	16107	4345	0	6900	0	0	0	0	27352
181				905	862	95	33618	5041	100	2440	88.5	0	0	963	42250.5
182				2777	1054	38	41106	3342	0	0	0	0	0	0	44448
183				508	267	53	10413	2430	140	401	0	963	0	963	15310
184				177	118	67	4602	660	0	0	0	0	0	0	5262
185				754	310	41	12090	1228	0	0	0	0	0	963	14281
186				360	191	53	7449	1530	0	466	0	0	0	0	9445
187				653	653	100	25467	2244	0	174336	0	963	1163	963	205136
188				881	857	97	33423	10870	0	1579	0	963	0	963	47798
189				331	331	100	12909	6197	0	0	0	963	0	963	21032
190				982	482	49	18798	1852	0	790	0	963	0	0	22403
191				1885	1885	100	73515	7940	400	1057	354	0	0	963	84229
192				694	694	100	27066	225	0	0	0	0	0	963	28254
193				1330	359	27	14001	400	0	541	0	0	0	0	14942
194				2100	2100	100	81900	7790	4	2762	0	963	0	963	94382

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195				1777	18	1	702								
196				1274	1274	100	49686	1200	0	2723	0	0	0	0	53609
197				506	506	100	19734	2205	0	129442	0	963	1163	963	154470
198				416	416	100	16224	1061	0	229842	0	0	0	0	247127
199				547	547	100	21333	0	0	0	0	0	0	0	21333
200				261	261	100	10179	4484	0	0	0	0	0	963	15626
201				444	444	100	17316	12891	0	8813	0	0	0	963	39983
202				1725	615	36	28290	3949	0	1155	0	0	0	963	34357
203				1203	1203	100	55338	0	0	43840	0	963	1163	963	102267
204				1201	907	76	41722	1541	0	277	0	963	0	963	45466
205				2775	402	14	18492	2391	0	496	0	0	0	963	22342
206				3998	1331	33	61226	2019	0	4330	0	0	0	963	68538
207				209	38	18	1748	56	0	1192	11.8	0	0	963	3970.8
208				606	606	100	11514	0	0	0	0	0	0	963	12477
209				881	881	100	16739	0	0	0	0	0	0	963	17702
210				2400	2400	100	45600	0	0	766	0	963	0	963	48292
211				2500	2500	100	47500	0	0	0	0	0	0	963	48463
212				513	513	100	9747	0	0	1290	0	0	0	963	12000
213				2815	2815	100	53485	0	0	0	0	0	0	963	54448
214				3700	949	26	18031	0	0	0	0	0	0	963	18994
215				2784	683	25	12977	618	0	1174	0	0	0	963	15732

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216				2406	74	3	1406	100	0	218	0	0	0	0	1724
217				531	531	100	10089	365	0	1257	0	963	0	963	13637
218				398	398	100	7562	0	0	895	0	963	0	963	10383
219				672	672	100	12768	420	0	0	0	0	0	963	14151
220				2239	2239	100	42541	13558	0	2738	441	963	0	963	61204
221				2042	2042	100	38798	1350	0	413	0	0	0	0	40561
222				2252	1572	70	29868	4747	0	1846	0	0	0	963	37424
223				1748	466	27	8854	4905	140	305	0	0	0	963	15167
224				555	555	100	48840	1687	0	0	0	0	0	963	51490
225				380	380	100	7220	2940	0	0	0	963	0	963	12086
226				1468	1468	100	129184	11189	0	0	0	0	0	963	141336
227				759	759	100	66792	0	0	0	0	0	0	963	67755
228				49	49	100	5390	313	0	1254	0	963	0	963	8883
229				29	29	99	3190	485	0	266	0	0	0	0	3941
230				68	68	100	7480	70	0	11346	0	963	1163	963	21985
231				18	18	99	1980	0	0	637	0	0	0	0	2617
232				39	39	101	4290	263	0	482	0	0	0	0	5035
233				28	28	100	3080	400	0	108	0	0	0	963	4551
234				28	28	100	3080	0	0	0	0	0	0	963	4043
235				12	12	103	1320	0	0	637	0	963	0	963	3883
236				31	31	100	3410	0	0	482	0	0	0	0	3892

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237				18	18	101	1980	360	0	108	0	963	0	963	4374
238				31	31	98	3410	0	0	59552.26	0	963	0	963	64888.26
239				27	27	99	2970	0	0	637	0	0	0	0	3607
240				73	73	100	8030	1323	0	482	0	963	0	963	11761
241				74	74	100	2886	0	0	108	0	0	1163	0	4157
242				62	62	100	6386	1559	0	59552.26	0	963	0	963	69423.26
243				31	31	101	3193	798	0	637	0	0	0	963	5591
244				4	4	102	412	515	0	482	0	963	0	963	3335
245				36	36	101	3708	1159	0	108	0	963	0	963	6901
246				0	0	0	0	0	0	59552.2632	0	0	1163	0	60715.26
247				0	0	0	0	0	0	637	0	0	1163	0	1800
248				0	0	0	0	0	0	45611.18	0	0	1163	0	46774.18
249				0	0	0	0	0	0	108	0	0	1163	0	1271
250				0	0	0	0	0	0	59552.26	0	0	1163	0	60715.26
251				0	0	0	0	0	0	63610.69	0	0	1163	0	64773.69
252				0	0	0	0	0	0	25715.65	0	0	1163	0	26878.65
253				0	0	0	0	0	0	24892.65	0	0	1163	0	26055.65
254				0	0	0	0	0	0	16624.95	0	0	1163	963	18750.95
255				0	0	0	0	0	0	43792.11	0	0	1163	0	44955.11
256				0	0	0	0	0	0	34937.4	0	963	1163	963	38026.4
257				0	0	0	0	0	0	56772.72	0	963	1163	963	59861.72

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258				0	0	0	0	0	0	137967.5	0	0	1163	963	140093.5
259				0	0	0	0	0	0	28368.86	0	0	1163	963	30494.86
260				0	0	0	0	0	0	85171.46	0	0	1163	0	86334.46
261				0	0	0	0	0	0	37495.86	0	0	1163	963	39621.86
262				0	0	0	0	0	0	73267.07	0	0	1163	0	74430.07
263				0	0	0	0	0	0	88394.27	0	0	1163	963	90520.27
264				0	0	0	0	0	0	81425.63	0	0	1163	963	83551.63
265				0	0	0	0	0	0	100277.9	0	963	1163	963	103366.9
266				0	0	0	0	0	0	111265.3	0	963	1163	963	114354.3
267				0	0	0	0	0	0	43096.11	0	0	1163	963	45222.11
268				0	0	0	0	0	0	60394.37	0	963	1163	963	63483.37
269				0	0	0	0	0	0	92554.4	0	0	1163	963	94680.4
270				0	0	0	0	0	0	96668.75	0	0	1163	963	98794.75
271				0	0	0	0	0	0	106030.2	0	0	1163	0	107193.2
272				0	0	0	0	0	0	99595.06	0	0	1163	0	100758.1
273				0	0	0	0	0	0	70758.18	0	963	1163	963	73847.18