



**Land Acquisition and Resettlement Plan
for rehabilitation-reconstruction works on
The Khulo – Zarzma section of Batumi (Angisa) – Akhaltsikhe road**

(Section 1 – Khulo – Goderdzi Pass)

December, 2016



act

Table of contents

Abbreviations.....	3
1. Introduction.....	5
2. Census and Impact Evaluation	6
3. Socio – economic information.....	16
4. Legal and Political Framework	21
5. Institutional Organization.....	34
6. Consultations and Participation.....	38
7. Grievance Redress Mechanism	41
8. Costs and financing	43
9. Monitoring and Reporting.....	54
ANNEX 1 INFORMATION BOOKLET.....	57
ANNEX 2 PUBLIC CONSULTATIONS.....	66
ANNEX 3 ACQUISITION AND COMPENSATION SCHEME	73
Figure 1: Type of land ownership	7
Figure 2: Type of Land Use and Land Groups by Land Purchase Compensation Rates	8
Figure 3: Affected crops.....	9
Figure 4: Affected trees	9
Figure 5: Project Impacted Buildings	14
Figure 6: Affected vulnerable HHs.....	16
Figure 7: Demographics of the APs.....	17
Figure 8: Level of education of APs	17
Figure 9: Average annual income of HH according to sources of income	18
Figure 10: Average annual income according to sources	18
Figure 11: Average annual expenses	18
Figure 12: Debts.....	19
Figure 13: Sources of drinking water	19
Figure 14: Types of toilet	19
Figure 15: Types of fuel used for cooking	20
Figure 16: Distance to different public services	20
Figure 17: Comparison of Georgian Laws on LAR and WB Resettlement Policy	23
Figure 18: Compensation entitlement matrix	27
Figure 19 - Similar land plots belonging to Type V from the city of Khulo to intersection of resort Beshumi	30
Figure 20. Corrections to the affected land plots to be evaluated (GEL, unit: 1.00 sq.m.)	31
Figure 21 Estimation of Type V land value in villages	32
Figure 22: Estimation of compensation rates for land plots according to types and purpose.....	33
Figure 23: Summary on consulted parties and consultation methods.....	39
Figure 24: Grievance Resolution Process.....	42
Figure 25. Cost for permanent acquisition of land	44
Figure 26: Compensations for Buildings	45
Figure 27: cost of affected crops	46
Figure 28: Compensation for fruit trees	47
Figure 29: Compensation for Business	51
Figure 30: Cost for allowances.....	52
Figure 31: Capacity Building and Management Cost.....	52
Figure 32: Summary Estimate of LAR Costs	53
Figure 33: Monitoring Indicators	56

Abbreviations

ACS	–	Acquisition and Compensation Scheme
AH	–	Affected Household
AP	–	Affected Person
DMS	–	Detailed Measurement Survey
GRC	–	Grievance Redress Commission
IA	–	Implementing Agency
IFI	-	International Financing Institution
EMA	–	External Monitoring Agency
km	–	Kilometre
LAR	–	Land Acquisition and Resettlement
LARF	–	Land Acquisition and Resettlement Framework
LRAP	–	Land Acquisition and Resettlement Action Plan
M&E	–	Monitoring and Evaluation
NAPR	–	National Agency of Public Registry
NGO	–	Non-Governmental Organization
PAP	–	Project Affected Persons
PRRC	–	Property Right Recognition Commission
R&R	–	Resettlement and Rehabilitation
RMT	–	Resettlement Management Team
RoW	–	Right of Way
SSC	–	Social Security Consultant
SES	–	Social-Economic Survey
SPS	–	Security Principles Declaration
WB	-	World Bank

Definition of Land Acquisition and Resettlement Terms

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.

Indigenous Peoples – population residing near the territory where project beneficiaries, as a part of the project, should implement voluntary resettlement.

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 Person (AP): any Individual affected by Project-related impacts, such as changes in the use of land, water, natural resources or loss of income.

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 a AP/AH from her/his pre-Project place of residence.

Replacement Cost: The value determined to be fair compensation for land based on its productive potential and location. The replacement cost of houses and structures (current fair market price of building materials and labour without depreciation or deductions for salvaged building material), and the market value of residential land, crops, trees, and other commodities.

Cut-off date—start date of the census of project affected persons and inventory of assets affected by the project. Persons occupying the project area after the cut-off date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the cut –off date will not be compensated.

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.

District (municipality): Local self-government

Sakrebulo (village): representative body of local self-government.

1. Introduction

1.1 General information about the project

Development of the transport sector plays one of the most important roles in sustainable economic advancement of Georgia and overcoming poverty. Worsening of the condition of transport infrastructure increases production costs for business, prevents attraction of foreign investments, prevents the growth of transit transportation and leaves significant groups of population beyond main economic activities. Georgia has convenient geographic location on the crossroad of East-West (between Black and Caspian Seas) and North-South (between Russia and Turkey) transit corridors. Trade with neighbour countries is crucial for the country's economy for which organized and improved roads are one of the most important factors.

Secondary Batumi-Akhalsikhe road crosses territories of Adjara Autonomous Republic and Samtskhe-Javakheti region. Road section km 80 – km 110 is in poor condition and needs rehabilitation together with reconstruction of some parts. Implementation of these works will improve capacity of project road and will ensure better connection of Batumi and Akhalsikhe with Beshumi, which makes a ski resort currently under construction near this village more attractive and comfortable for tourists. At the same time, better road will assist improvement of social and economic condition of Upper Adjara and Samtskhe-Javakheti residents.

1.1.2. Efforts to minimize land acquisition and resettlement impacts and other social factors

In the process of drafting the road design, significant attention was paid to minimize harmful influence of land acquisition and involuntary resettlement. Best efforts were made for optimal engineering decision in order to avoid acquisition of large amount of land and resettlement.

1.1.3. RoW

Designed width of the road is max. 9.0 m while it reduces to 6 m within village Khulo. RoW within which land acquisition takes place does not exceed 15 meters.

1.2. Resettlement Classification

Project affected area includes private and state land plots. In total, 561 land parcels with total area of 1678035 sq.m. are affected out of which 233797 is under permanent impact. Number of Affected Households is 394. From them, 187 households (239 land parcels) are severely affected as they lose more than 10% of arable land. In accordance with the Asian Development Bank Safeguard policy 2009, the project was enlisted as Category A and needs preparation of full-scale resettlement plan.

In total, area of affected land in **private** ownership/usage equals 1625635 sq.m out of which 233797 is under permanent impact and is subject to acquisition. Affected land parcels fall into the following legal categories according to status of legal right on asset: **Category 1.** Titled private land plots with registration. Number of land parcels in 1st category is 260 with total area of 722203 out of which 133147 is under permanent impact and is subject to acquisition. **Category 2.** Private land plots subject to legalization. The given RAP includes 80 land plots with total area of 310686 out of which 21371 is under permanent impact and is subject to acquisition. **Category 3.** Land parcels in rightful ownership which are subject to registration. 3rd category consists of 194 land parcels with total area of 592746 out of which 64443 is under permanent impact and is subject to acquisition. The project also impacts 27 state land plots with total areas of 52400 sqm. out of which 14836 sqm is under permanent impact. The land plots under state ownership can be assigned into following categories: **Category 4.** State land plots illegally occupied by private users. There are 5 cases with total are of 23493 sqm out of which 12396 sqm is under permanent impact. **Category 5.** State land plots not used by private users. In total, 22 land plots are classified under this category with total are of 28907 sqm out of which 2440 sqm is under permanent impact.

In total, 394 households are affected under the project, out of which 187 households are severely affected (they permanently lose more than 10% of productive land).

1.3 Preparation of LARP

Preliminary version of LARP was prepared on May 5, 2013 based on detailed design and DMS. LARP is based on detailed project, it is final and fully satisfies the respective laws of Georgia and safety requirements of donor organizations. Preparation of LARP included: (i) detailed measurements; (ii) detail assessment of assets/inspection of documents for each affected plot/object; (iii) census of 100% of households. This process included intensive consultations with district officials and affected individuals. APs were provided with information leaflets. The final date was set to be June 5, 2013. APs occupying the project affected after this cut-off date won't be entitled for compensation. However, they will receive prepayment for leaving and demolishing their facilities before the project starts. Demolished materials will not be confiscated and they will not pay any penalties nor be charged with any sanctions.

The given document was prepared based on updated detailed measurements and social survey according to preliminary version of LARP. The surveys were conducted from September, 2016 to October. The final date cut-off date is October 8, 2016.

1.4 Terms of project implementation

For development and implementation of LARP main stages after sub-project must be taken into consideration:

- (i) Signing a contract: approval of LARP by donor bank and GoG, publication of LARP and distribution of leaflets, hiring an independent agency of monitoring;
- (ii) Commencement of construction works: full and satisfactory implementation of LARP (including expropriation) which will be confirmed by appropriateness report issued by independent agency of monitoring. This term should be clearly distinguished while assigning a contract.

2. Census and Impact Evaluation

2.1 Introduction

The given impact assessment details loss of land, structures and other assets located in Khulo Municipality, Georgia. Compensation and rehabilitation measures have been worked out based on these impacts. A detailed inventory of all the impacts has been done following the final route of the road.

Digitized cadastral maps were collected from the NAPR and updated according to actual field survey. Route of final RoW was marked on digital cadastral maps and on-site topographic measurement by means of DGPS in order to identify the affected land parcels and correct geometric data in order to ensure demarcation of land parcels, as well as to identify quantity of land parcels, including parts appeared in impact area. With the cadastral details from land survey, detail measurement survey (DMS) and Census of 100% of AHs were undertaken. Surveys were conducted from September, 2016 to October, 2016. Additionally, a socio-economic survey (SES) of households was carried out in the project affected areas in order to understand the socio-economic condition of the affected population. The end date of the DMS and the AP census survey is considered as the compensation eligibility cut-off date which is October 8 of 2016.

2.2 Impact of land, other assets and income

2.2.1 General classification of affected land

Project affected area includes private and state land plots. In total, 561 land parcels with total area of 1678035 sq.m. are affected out of which 233797 is under permanent impact. Number of Affected Households is 394. From them, 187 households (239 land parcels) are severely affected as they lose more than 10% of arable land. In accordance with the Asian Development Bank Safeguard policy 2009, the project was enlisted as Category A and needs preparation of full-scale resettlement plan.

In total, area of affected land in **private** ownership/usage equals 1625635 sq.m out of which 233797 is under permanent impact and is subject to acquisition. Affected land parcels fall into the following legal categories according to status of legal right on asset: **Category 1.** Titled private land plots with registration. Number of land parcels in 1st category is 260 with total area of 722203 out of which 133147 is under permanent impact and is subject to acquisition. **Category 2.** Private land plots subject to legalization. The given RAP includes 80 land plots with total area of 310686 out of which 21371 is under permanent impact and is subject to acquisition. **Category 3.** Land parcels in rightful ownership which are subject to registration. 3rd category consists of 194 land parcels with total area of 592746 out of which 64443 is under permanent impact and is subject to acquisition. The project also impacts 27 state land plots with total areas of 52400 sqm. out of which 14836 sqm is under permanent impact. The land plots under state ownership can be assigned into following categories: **Category 4.** State land plots illegally occupied by private users. There are 5 cases with total are of 23493 sqm out of which 12396 sqm is under permanent impact. **Category 5.** State land plots not used by private users. In total, 22 land plots are classified under this category with total are of 28907 sqm out of which 2440 sqm is under permanent impact.

In total, 394 households are affected under the project, out of which 187 households are severely affected (they permanently lose more than 10% of productive land).

Price of land parcels and categories of compensation in project impact area are determined according to type of use of land and distance from the existing road. Information about impact on land parcels are given based on land classification and legal categories, which match with determination of compensation rates and amounts according to methods of land use and their locations. Affected land parcels are classified into 8 main types:

- Type I – non-agricultural land plots located in city of Khulo;
- Type II – agricultural land plots located in city of Khulo used for residential means;
- Type III – agricultural land plots located in city of Khulo and used for harvesting crops;
- Type IV – non-agricultural land plots located from city of Khulo to Beshumi diverticle (villages and area between settlements);
- Type V – agricultural land plots located from city of Khulo to Beshumi diverticle and are used for residential means;
- Type VI – agricultural land plots located from city of Khulo to Beshumi diverticle (villages and area between settlements) and are used for harvesting crops;
- Type VII – agricultural land plots located from city of Khulo to Beshumi diverticle and do not belong to IV, V, VI types.
- Type VIII – Agricultural and non-agricultural land plots located near to resort Goderzi.

The aggregated figures for the land parcels of different categories are given below in the tables 1 and 2.

Figure 1: Type of land ownership

Tenure categories	N of land plots	Total Area (sq.m)	Acquisition Area (sq.m.)
Compensable land			
Category 1. Privately owned registered land plots	260	722203	133147
Category 2. Land plots used by APs which are legalizable	80	310686	21371
Category 3. Rightfully owned land plots subject to registration	194	592746	64443
Subtotal compensable	534	1625635	218961
Non-compensable land			
Category 4. State owned, used by private users (squatters) – non legalizable	5	23493	12396
Category 5. State owned, not used by private users	22	28907	2440
Subtotal non-compensable	27	52400	14836
Total	560		232928

Figure 2: Type of Land Use and Land Groups by Land Purchase Compensation Rates

Categories by land use and cost	N of plots	Total Area (sq.m)	Area (sq.m)
Compensable land			
Type I – non-agricultural land plots located in city of Khulo;	3	2432	75
Type II – agricultural land plots located in city of Khulo used for residential means;	20	38074	4418
Type III – agricultural land plots located in city of Khulo and used for harvesting crops;	0	0	0
Type IV – non-agricultural land plots located from city of Khulo to Beshumi intersection (villages and area between settlements);	16	18141	2384
Type V – agricultural land plots located from city of Khulo to Beshumi intersection and are used for residential means;	153	605594	66311
Type VI – agricultural land plots located from city of Khulo to Beshumi intersection (villages and area between settlements) and are used for harvesting crops;	255	636905	122746
Type VII – agricultural land plots located from city of Khulo to Beshumi intersection and do not belong to IV, V, VI types.	55	118497	13942
Type VIII - Agricultural and non-agricultural land plots located near to resort Goderdzi.	32	205992	9085
Subtotal compensable	534	1625635	218961
Non-compensable land			
Type VIII - State owned, used by private users	5	23493	12396
Type IX. State owned, not used by private users	22	28907	2440
Subtotal non-compensable	27	52400	14836
Total	561	1678035	233797

2.2.2 Impact on crops

Affected crops identified on the project affected agricultural land plots are potato, tomato, maize, beans and other vegetables. The largest portion of the agricultural land is used for cultivation of potato (21853 sq.m.), it is followed by tomato (4638 sq.m.). The total figures are given in table 3.

Land plots are used for crop cultivation. Several types of crops are combined and cultivated on the same plot (e.g. maize and beans). These are complementary types of crops. Productivity of the crops per sq.m when they are cultivated together with the other complementary crop, is the same as if they are cultivated separately as they are not competing for space. Accordingly, total number of land plots and total area used for cultivation of crops is less

than a simple sum of areas of land plots used for cultivation of each type of crop. The details are given in the figure3.

Figure 3: Affected crops

Crop	Number of land plots according to crops	Area in sq.m.	Number of AHs
Potato	27	21853	22
Cabbage	1	32	1
Beans	11	1953	11
Strawberry	2	136	2
Tomato	13	4638	13
Maize	11	1953	11
Other vegetables	7	705	6
Pepper	1	40	1
Sum (one or several)	52*	29740*	45*
* The total number and area of land plots used for crop cultivation is less than a sum of numbers and areas used for separate types of crops, as on many land plots several crops are cultivated.			
Maize + Beans	7	1570	7

2.2.3 Impact on trees

It is prohibited to plant trees within the RoW and the existing trees are to be cut. Clearing right of way will cause felling down fully-productive and semi-productive fruit trees. In total **256** AHs lose trees. The timber trees as well as fruit bearing trees that will be cut at the private land plots will be passed in a possession of the owners: they may use it as timber material or sell it.

Figure 4: Affected trees

Type of tree	Age group	Price of tree, GEL	Price of yield, GEL	Number of years to be compensated	Productivity	Compensation for one year yield including harvesting costs (GEL)	Total compensation for grown-up perennial crop (GEL)	Number of HHs	Number of trees
1	2	3	4	5	6	7	8	9	10
Cherry (sweet cherry)	Seedling (<5)	5	2	5	3	6,0	35	28	105
	5-10	5	2	5	10	20,0	75	58	163
	10-20	5	2	5	16	32,0	117	57	119
	20+	5	2	5	10	20,0	75	9	14
Total								117	401
Peach	Seedling (<5)	6	1,5	5	4	6,0	27	2	2
	5-10	6	1,5	5	15	22,5	85	2	2
	10-20	6	1,5	5	40	60,0	216	0	0

Type of tree	Age group	Price of tree, GEL	Price of yield, GEL	Number of years to be compensated	Productivity	Compensation for one year yield including harvesting costs (GEL)	Total compensation for grown-up perennial crop (GEL)	Number of HHs	Number of trees
1	2	3	4	5	6	7	8	9	10
	20+	6	1,5	5	25	37,5	137	0	0
Total								4	4
Apricot (Wild Apricot)	Seedling (<5)	4	1,5	5	3	4,5	27	0	0
	5-10	4	1,5	5	15	22,5	83	0	0
	10-20	4	1,5	5	40	60,0	214	0	0
	20+	4	1,5	5	25	37,5	135	0	0
Total								0	0
Walnut	Seedling (<5)	10	5	5	4	20,0	80	60	210
	5-10	10	5	10	15	75,0	535	62	181
	10-20	10	5	10	25	125,0	1235	102	359
	20+	10	5	10	30	150,0	1510	101	566
Total								200	1316
Quince	Seedling (<5)	4	1,5	5	3	4,5	20	3	3
	5-10	4	1,5	5	15	22,5	83	16	30
	10-20	4	1,5	5	30	45,0	162	8	12
	20+	4	1,5	5	20	30,0	109	0	0
Total								24	45
Pear	Seedling (<5)	4	1,2	5	7	8,4	33	27	73
	5-10	4	1,2	7	20	24,0	122	46	95
	10-20	4	1,2	7	70	84,0	416	51	128
	20+	4	1,2	7	45	54,0	269	22	70
Total								110	366
Plum	Seedling (<5)	4	0,8	5	8	6,4	26	18	45
	5-10	4	0,8	5	15	12,0	46	40	117
	10-20	4	0,8	5	30	24,0	88	33	143
	20+	4	0,8	5	20	16,0	60	1	1
Total								75	306
Mulberry	Seedling (<5)	5	1,5	5	4	6,0	26	3	4
	5-10	5	1,5	5	10	15,0	58	1	1
	10-20	5	1,5	5	16	24,0	89	7	9
	20+	5	1,5	5	10	15,0	58	1	1

Type of tree	Age group	Price of tree, GEL	Price of yield, GEL	Number of years to be compensated	Productivity	Compensation for one year yield including harvesting costs (GEL)	Total compensation for grown-up perennial crop (GEL)	Number of HHs	Number of trees
1	2	3	4	5	6	7	8	9	10
Total								12	15
Hazelnut	Seedling (<5)	2	4	5	2	8,0	30	17	106
	5-10	2	4	5	5	20,0	75	23	60
	10-20	2	4	5	6	24,0	90	9	52
	20+	2	4	5	4	16,0	55	0	0
Total								45	218
Cherry plum	Seedling (<5)	3	0,8	5	7	5,6	23	25	46
	5-10	3	0,8	5	15	12,0	45	68	206
	10-20	3	0,8	5	50	40,0	143	84	359
	20+	3	0,8	5	25	20,0	73	6	14
Total								135	625
Apple	Seedling (<5)	4	1	5	5	5,0	22	18	38
	5-10	4	1	6	25	25,0	109	34	63
	10-20	4	1	6	70	70,0	298	73	274
	20+	4	1	6	40	40,0	172	4	19
Total								102	394
Grapes / vine	Seedling (<5)	2	1,5	4	5	7,5	23	6	14
	5-10	2	1,5	4	7	10,5	31	7	46
	10-20	2	1,5	4	9	13,5	40	36	88
	20+	2	1,5	4	5	7,5	23	3	7
Total								50	155
Cornel	Seedling (<5)	3	2	5	2	4,0	17	0	0
	5-10	3	2	5	3	6,0	24	0	0
	10-20	3	2	5	4	8,0	31	0	0
	20+	3	2	5	3	6,0	24	0	0
Total								0	0
Persimmon / Japanese apple	Seedling (<5)	2	1	5	5	5,0	20	3	4
	5-10	2	1	6	10	10,0	44	2	2
	10-20	2	1	6	30	30,0	128	1	2
	20+	2	1	6	20	20,0	86	0	0
Total								6	8
Fig	Seedling (<5)	3	1,5	5	5	7,5	29	0	0

Type of tree	Age group	Price of tree, GEL	Price of yield, GEL	Number of years to be compensated	Productivity	Compensation for one year yield including harvesting costs (GEL)	Total compensation for grown-up perennial crop (GEL)	Number of HHs	Number of trees
1	2	3	4	5	6	7	8	9	10
	5-10	3	1,5	6	10	15,0	66	1	1
	10-20	3	1,5	6	30	45,0	192	4	4
	20+	3	1,5	6	20	30,0	129	0	0
Total								5	5
Kiwifruit	Seedling (<5)	3	1,5	4	5	7,5	24	1	2
	5-10	3	1,5	4	10	15,0	45	0	0
	10-20	3	1,5	4	30	45,0	129	0	0
	20+	3	1,5	4	20	30,0	87	0	0
Total								1	2
Pomegranate	Seedling (<5)	4	2	5	5	10,0	39	0	0
	5-10	4	2	6	10	20,0	88	0	0
	10-20	4	2	6	30	60,0	256	0	0
	20+	4	2	6	20	40,0	172	0	0
Total								0	0
Tangerine	Seedling (<5)	3	1,25	5	10	12,5	47	0	0
	5-10	3	1,25	5	30	37,5	134	0	0
	10-20	3	1,25	5	80	100,0	353	0	0
	20+	3	1,25	5	50	62,5	222	0	0
Total								0	0
Orange	Seedling (<5)	4	1,5	5	10	15,0	57	0	0
	5-10	4	1,5	5	30	45,0	167	0	0
	10-20	4	1,5	5	80	120,0	424	0	0
	20+	4	1,5	5	50	75,0	267	0	0
Total								0	0
Lemon	Seedling (<5)	4	1,3	5	5	6,5	27	0	0
	5-10	4	1,3	5	15	19,5	72	0	0
	10-20	4	1,3	5	35	45,5	163	0	0
	20+	4	1,3	5	20	26,0	95	0	0
Total								0	0
Chestnut	Seedling (<5)	7	1	5	30	30,0	112	1	1
	5-10	7	1	10	50	50,0	357	8	12

Type of tree	Age group	Price of tree, GEL	Price of yield, GEL	Number of years to be compensated	Productivity	Compensation for one year yield including harvesting costs (GEL)	Total compensation for grown-up perennial crop (GEL)	Number of HHs	Number of trees
1	2	3	4	5	6	7	8	9	10
	10-20	7	1	10	120	120,0	1057	10	19
	20+	7	1	10	120	120,0	847	3	3
Total								19	35
Berries	Seedling (<5)	2	2,5	5	2	5,0	20	0	0
	5-10	2	2,5	5	3	7,5	28	0	0
	10-20	2	2,5	5	4	10,0	37	1	1
	20+	2	2,5	5	3	7,5	28	0	0
Total								1	1
Laurel	Seedling (<5)	1	4	5	1	4,0	15	0	0
	5-10	1	4	5	2	8,0	29	0	0
	10-20	1	4	5	2	8,0	29	0	0
	20+	1	4	5	1	4,0	15	0	0
Total								0	0
Cherry laurel	Seedling (<5)	2	0,25	8	2	0,5	5	0	0
	5-10	2	0,25	8	4	1,0	8	1	1
	10-20	2	0,25	8	10	2,5	16	0	0
	20+	2	0,25	8	7	1,75	12	1	1
Total								2	2
Barberry	Seedling (<5)	5	2,5	5	3	7,50	31	1	2
	5-10	5	2,5	5	5	12,50	49	0	0
	10-20	5	2,5	5	7	17,50	66	0	0
	20+	5	2,5	5	5	12,50	49	0	0
Total								1	2
Common medlar	Seedling (<5)	4	1,5	6	3	4,5	23	0	0
	5-10	4	1,5	6	10	15,0	67	1	1
	10-20	4	1,5	6	20	30,0	130	4	8
	20+	4	1,5	6	10	15,0	67	0	0
Total								5	9
Loquat	Seedling (<5)	4	2	6	3	6,0	29	0	0
	5-10	4	2	6	10	20,0	88	0	0
	10-20	4	2	6	20	40,0	172	1	2

Type of tree	Age group	Price of tree, GEL	Price of yield, GEL	Number of years to be compensated	Productivity	Compensation for one year yield including harvesting costs (GEL)	Total compensation for grown-up perennial crop (GEL)	Number of HHs	Number of trees
1	2	3	4	5	6	7	8	9	10
	20+	4	2	6	10	20,0	88	0	0
Total								1	2
Dog-rose	Seedling (<5)	5	2	5	3	6,0	26	0	0
	5-10	5	2	5	5	10,0	40	0	0
	10-20	5	2	5	7	14,0	54	0	0
	20+	5	2	5	5	10,0	40	0	0
Total								0	0
Rose	Seedling (<5)						3	0	0
	5-10						10	1	3
	10-20						15	0	0
	20+						7	0	0
	Total							1	3
Total								256	3914

2.2.4 Impact on buildings and structures

2.2.4.1 Type of affected buildings

Project impacts 35 buildings owned by private users. Out of 35 buildings 6 is a residential house and 26 represent auxiliary buildings, also 5 buildings used for commercial purposes. Project also impacts 2 state owned buildings. The table below describes the buildings under project impact. The buildings are subject to demolition.

Figure 5: Project Impacted Buildings

#	Plot #	Description	sqm
1	194	Two story Residential Building	311,62
2	196	Two story Residential Building	148,94
3	356	Two story Residential Building	399,07
4	416	Two story Residential Building	304,54
5	420	Two story Residential Building	264,07
6	421	Two story Residential Building	197
7	423	Garage	18,4
8	430	Garage	19,2
9	190	One story auxiliary building	4,26
10	196	One story auxiliary building	37,57
11	238	One story auxiliary building	18,9

12	243	One story auxiliary building	60,5
13	246	One story auxiliary building	22,39
14	251	One story auxiliary building	19,43
15	310	One story auxiliary building	24,32
16	335	One story auxiliary building	53,24
17	356	One story auxiliary building	169,24
18	360	One story auxiliary building	221,3
19	360	One story auxiliary building	39,31
20	361	One story auxiliary building	191,55
21	397	One story auxiliary building	19,61
22	444	One story auxiliary building	6,79
23	458	One story auxiliary building	2,58
24	478	One story auxiliary building	15,93
25	548	One story auxiliary building	12,31
26	280	Store	60,1
27	231	Two story auxiliary building	54,52
28	231	Two story auxiliary building	51,47
29	416	Cattle shed	79,58
30	420	Cattle shed	139,03
31	421	Cattle shed	81,53
32	161	Eatery	99,8
33	189	Mill	4,1
34	288	Mill	5,04
35	355	Mill	5,83
36	431	Bus stop (state)	23
37	432	Public toilet (state)	3,88
38	157	Kiosk	2,1
39	162	Kiosk	1,9

2.3 Relocation Needs and Strategy

In case the residential house of the household is to be demolished, these households will be relocated to somewhere else. Remained construction materials after demolition is considered to be a property of the household and they are only required to take these materials after demolition. Relocated households will receive compensation with full amount of replacement value, which is significantly higher than market price of the house in this area. The household wishes to receive compensation in cash to select a new house on the market. Compensation amount was calculated without including depreciation costs. Relocated families have a chance to purchase better houses than they had before. Besides, they are eligible to receive assistance to pay transportation costs and minimal livelihood costs for transitional period of 3 months. Rehabilitation amount equals minimal livelihood amount for 3 months for 5-member family plus transportation costs in the amount of GEL 200 (GEL 200 to rent a car + 321.6 minimal income X 3 months = 1164.8 GEL per household).

2.4 Impact on business and employment

Construction of the road affects the commercial activities. In total 5 buildings used for commercial purposes falls under the project impact. Some APs engaged in commercial activities could not provide official documents of the income, thus the compensation for the business will be paid according to the principles defined in LAR framework.

2.4.1 Impact on employment and leaseholders of agricultural land

Construction of the road will not make impact on leaseholders of agricultural land.

2.4.2 Impact on common property resources

Construction of the road affects the fences located on the state land, the compensation for the fences will be provided to local authority/community.

2.5 Severely Affected and Vulnerable Households

In total 394 AHs are affected. Severely affected households are those who will permanently lose more than 10% of their agricultural land. Thus, 187 Ahs are considered to be severely affected and are subject to additional assistances.

Economically disadvantaged and women headed households are considered as vulnerable households. Households with members with disabilities, people in pension age or the family who has no other members who could be considered as breadwinners will receive the allowance. The vulnerable household requires special assistance for resettlement.

During census and DMS 8 woman headed (without breadwinners) and 46 vulnerable AHs have been identified along this section. See for details - (Figure 6).

Figure 6: Affected vulnerable HHs

Category of vulnerability	Number of HHs
Affected economically vulnerable HHs	46
Female headed AHs with low income and dependents	8
Total	54

2.6 Gender and Resettlement Impacts

The direct project impact extends to 1515 persons (294 AHs) comprising 51% male and 49% female: 767 males and 748 females. During monitoring and evaluation of the RAP implementation special attention will be given to the impact of resettlement on women and other vulnerable groups. The project envisages positive decisions in terms of gender issues, construction contracts will include provisions to encourage employment of women during implementation. List and resumes of those women who are willing to be employed will be given to a contractor of construction works. Additionally, women headed households have been considered as vulnerable and special assistance are provided in the RAP entitlements in amount equivalent to 3 months of minimum subsistence income. Women will be encouraged to establish non-governmental or other non-official organizations which will be responsible for monitoring of gender-sensitive issues related to project. Executive agency will be required to ensure participation of women in the composition of complaint and grievance redress commission.

3. Socio - economic information

3.1 Introduction

A census of 100% of the AHs was conducted to enumerate the APs. Socio-economic survey was conducted in September-October of 2016. The survey included households living within the project territory which is 100% of entire number of households under the direct impact of project (through permanent or partial loss of land) and are registered. The objective of the socio-economic survey was to gather general information on socio-economic condition of the affected people. Information of the affected population as per census and socio-economic survey is presented hereunder.

3.2 Affected population

Demography

According to DMS, the project will be affecting households comprising of persons (through physically displacement and/or permanent or partial loss of land). Census of the affected households' shows that out of total APs 51% are male and 49% are female. Information providing detailed demographics of the affected households is presented below in the figure 7.

Figure 7: Demographics of the APs

Age group	Male		Female		Total	
	N	%	N	%	N	%
Children (Below 6 Years)	45	6.0%	52	6.8%	97	6.4%
Children (6–18 Years)	114	15.2%	117	15.3%	231	15.2%
Adult (19–64 Years male and 19 – 59 years for female)	483	64.6%	482	62.8%	965	63.7%
Pension age (65 Years and Over males and 60 years and over - female)	106	14.2%	116	15.1%	222	14.7%
Total	748	100.0%	767	100.0%	1515	100.0%

100% of APs represent ethnic Georgians.

Level of education of APs

According to information of project territory, the majority of population has primary and secondary level education. % of population has technical-vocational education and % have university degree (Figure 8.).

Figure 8: Level of education of APs

	Category	Male		Female		Total	
		N	%	N	%	N	%
1	0-6 year-old child without education	20	2.7%	13	1.7%	33	2.2%
2	Preschool	42	5.6%	55	7.2%	97	6.4%
3	Primary	75	10.0%	80	10.4%	155	10.2%
4	Secondary	463	61.9%	417	54.4%	880	58.1%
5	Professional – vocational education	37	4.9%	54	7.0%	91	6.0%
6	University	111	14.8%	147	19.2%	258	17.0%
7	Information not available	0	0.0%	1	0.1%	1	0.1%
	Total	748	100.0%	767	100.0%	1515	100.0%

Agriculture and land resources

Annual income of AHs

Main sources of income for AHs include agriculture, salary and pension. According to the survey, 41% of AHs depend on only one source of income while 59% of them depend on two sources. The figure 9 shows that subsistence income of the family increases together with the growth of sources of income.

Figure 9: Average annual income of HH according to sources of income

Number of sources of income	Quantity	%	Average income of HH (GEL)
One source	120	41	406
Two sources	171	59	966
Total	291	100	735

Average income of HH with one source is somewhat lower compared to those HHs who have several sources of income (see figure 10). The table 3.10. shows distribution of AHs receiving income from one source. In case of having once source, average annual income is from – to GEL per each HH. Agricultural income, pensions and subsidies comprise the smallest part of incomes.

Figure 10: Average annual income according to sources

Source of income	N	Average monthly income from source (GEL)
Salary from public sector	99	524.81
Salary from private sector	55	615.84
Income from agriculture	87	580.69
Pension	192	307.42
Social allowance	35	243.11
Assistance from relatives	3	216.67
Private business	19	412.26
Temporary jobs	6	250.00
HHs and income, total	291	735

Structure of expenses

Entire average annual expenses of each HH is GEL from which main expenses are spent on non-food. Expenses on food products equal. Structure of expenses is given in Figure 11.

Figure 11: Average annual expenses

	Structure of use	Average annual expenses (GEL)	% of total expenses
1	Food	316	51
2	Non-food	302	49
	On average	618	100

Level of loan distribution

More than half of inquired respondents do not have a loan (63%), though, it is worth mentioning that 36% of inquired individuals have a loan from financial institution or private entity. Households have loans from bank (171),

91 households borrowed money from private entity and 69 families from micro-finance organization. 9 HHs did not wish to answer this question. It is also worth mentioning that families have loans from different sources at the same time. The description is given in Figure 12.

Figure 12: Debts

	Debt	Quantity	%
1	Yes	105	36
2	Bank	171	58
3	Private entity	91	31
4	Micro-finance organization	69	24
5	No	180	63
	Total	294	100

Water supply and sanitary conditions

Sources of drinking water

Main source of drinking water is centralized source. Households (81%) are connected to centralized water supply system (Figure 13).

Figure 13: Sources of drinking water

Sources of water supply	Quantity	%
Tap water in the yard	53	18%
Tap water inside house	239	81%
Spring	6	2%
Own well	1	0%
Shared well	2	1%

Sanitary infrastructure

86% of inquired HHs have toilet at the house which is not connected to centralized sewage system while 12% of HHs have flash toilets connected to centralized sewage system (Figure 14).

Figure 14: Types of toilet

	Toilet	N of HHs	%
1	Flash toilet	34	12
2	Toilet	259	86
	Total	293	100

Accessibility to energy and civil infrastructure

The majority of inquired HHs (100%) use electricity for cooking. Despite this, firewood is still important source of fuel which is used by 96% of HHs. Information is given in Figure 15.

Figure 15: Types of fuel used for cooking

	Type of fuel	N of HHs	%
1	Firewood	281	96
2	Gas	4	1
3	Liquid gas	224	76
4	Electricity	294	100
	Total	294	100

The table given below presents distance to different public service providers. Local roads, kindergarten and school are available in the distance of about 2,5 kilometres, other services are located in 10-12 km. (Figure 16).

Figure 16: Distance to different public services

	Public services	N	Average distance (km)
1	Local polyclinics	287	2,4
2	Local hospitals	287	10,8
3	District or city hospital	287	11,3
4	Kindergarten	286	2,4
5	School	284	2,8
6	Higher education institution	20	18,5
7	Local road	285	0,4

4. Legal and Political Framework

4.1 General overview

The legal and policy framework of the Project is based on Georgian legislation related to Land Acquisition, World Bank (OP4.12) and safety policy of Asian Development Bank, 2009. Based on the harmonization of applicable laws and IFI requirements, project related LAR principles have been developed and approved.

4.2 Legal framework

4.2.1 Georgian laws and requirements on Land Acquisition and Resettlement

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 related to road construction works:

- (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, May 8, 2007
- (iv) The Law of Georgia on Notary Actions, December 4, 2009;
- (v) The Law of Georgia on State Property (21st July, 2010)
- (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; July 11, 2007
- (viii) The Law of Georgia on Public Register (No820 –II; 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

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 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-mentioned laws and norms allow use of the following mechanisms of legal use of ownership right:

In case of necessity, obtaining a right of servitude before commencement of construction works without expropriation of land plot by means of providing the owner with proper compensation (based on agreement with the owner or the court decision).

In compliance with Georgian law on procedure of “Expropriation of Property for Necessary Public Needs”, it is possible to deprive the ownership right on land or/and other immovable property due to necessary public needs by means of expropriation. This is a one-time right and is allowed only in case of providing proper compensation and solely in accordance with the court’s decision. First of all, efforts should be made in terms of acquisition of private lands by means of holding negotiations with affected households. When all attempts and negotiations to reach an agreement between the parties were to fail land acquisition will be pursued through expropriation according to mechanisms and procedures defined by the law.

Under the existing Georgian Law, an expropriation order is issued by the Minister of Economics and Sustainable Development and by the decision of court. The order issued by the Minister of Economics and Sustainable

Development of Georgia determines inevitability of expropriation for necessary public needs and the subject who will be assigned with the right of expropriation.

Decisions on expropriation are made only by the court. The court decision determines state agency or local self-government body or/an public or private legal entity, which is entitled with the right of expropriation. The court decision should also consist of detailed description of property to be expropriated and the respective instruction on the necessity of providing the owner with proper compensation.

After the respective order of the Minister of Economics and Sustainable Development is issued, all owners whose property is subject to expropriation are informed by entity interested in gaining the expropriation right. The decision is published in central and the respective local press. Information should include brief description of the project and its implementation borders, territory and property to be expropriated.

4.2.2 Involuntary resettlement policy of WB and ADB

Three important elements of WB and ADB Involuntary Resettlement policy are: (i) provision of compensation for loss of assets, source of income and income relocation, (ii) assistance for physical relocation, including provision of adequate housing with proper infrastructure and services; (iii) assistance for rehabilitation to preserve the livelihoods and standards of living of displaced persons to pre-project levels. For any ADB's or WB's 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) Involuntary resettlement is to be avoided or at least minimized.
- (ii) Compensation/Rehabilitation provisions shall ensure the maintenance of the APs' pre-project standards of living.
- (iii) APs should be fully informed and consulted on compensation options.
- (iv) APs' socio-cultural institutions should be supported/used as much as possible.
- (v) Compensation will be carried out with equal consideration of women and men.
- (vi) Lack of legal title should not be a bar to compensation and/or rehabilitation.
- (vii) Particular attention should be paid to households headed by women and other vulnerable groups, such as Indigenous Peoples, and appropriate assistance should be provided to help them improve their status.
- (viii) Resettlement Action Plan should be conceived and executed as a part of the project, and the full costs of compensation should be included in project costs and benefits.
- (ix) Compensation and resettlement subsidies shall be fully provided prior to clearance of right of way/ ground levelling and demolition.

4.2.3 Comparison of WB policy with Georgian laws and norms

Overall, the legislation of Georgia adequately reflects the major provisions of the WB OP 4.12 and ADB Resettlement Policy, 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 WB/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, WB/ADB policy complements the Georgian legislation/regulation with additional requirements related to (i) the ongoing 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. Special rehabilitation allowances include 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 Resettlement Action Plans (RAP) based on extensive public consultations. The differences between Georgia law/regulation and WB/ADB policy are outlined in Figure 17.

Figure 17: Comparison of Georgian Laws on LAR and WB Resettlement Policy

Georgian laws and regulation	WB OP 4.12
Land compensation only for titled landowners. In practice non-legalizable land users also receive compensation as soon as the respective documents are issued on them.	Non-titled landowners (squatters) 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 at replacement value caused by a project.
Crop losses compensation provided only to landowners Registered in Public registry.	Crop losses compensation provided to landowners and sharecrop/lease tenants whether registered or not
Project executor administrative body is the only authority before the trial which reviews disputes and complaints regarding quantification and assessment of compensation for the affected assets. Revision is carried out in compliance with formal procedure (rule) envisaged in general Administrative Code of Georgia. There is no mechanism for non-formal solution of disputes with public participation on local level.	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.
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.
No provision for income/livelihood rehabilitation, allowances for severely affected or vulnerable APs, or resettlement expenses.	IFI 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 IFI's policy which is a continuous process at conception, preparation, implementation and finally at post implementation period.

To reconcile the gaps between Georgia laws/regulations and WB Policy, Roads Department adopted the Resettlement Policy Framework (RPF) 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, and/or will be severely affected.

4.2.4 Resettlement Policy and Principles Adopted for the Project

Resettlement policy for the project was developed in the following way: (a) consideration of all APs despite land ownership status or asset registration, (b) compensation of lost assets and (c) restoration or improvement of all category livelihoods for APs. As a result of project activities, all affected households/persons will be provided with in cash compensation for entire value of replacement for land or other asset which will be issued in accordance with market price of the asset. Additional measures will be made in order to minimize the damage in the process of construction. Thus, affected HHs subject to physical relocation will receive proper compensation, assistance in relocation and help in accordance with guidelines and policy which is also a part of Resettlement Policy Framework considering Georgian legislation and WB OP 4.12.

4.2.5 Land Acquisition Process

In accordance with the existing law on Land Acquisition in Georgia, full and exact registration of privately owned land plot is a necessary provision for project executive organizations to purchase the necessary land. For the purpose of highway construction, Roads Department of the Ministry of Regional Development and Infrastructure will purchase privately owned land through negotiations with APs (including persons not having rightful ownership) based on non-formal consultations. Adequate and fair price of land and/or other assets will be offered during negotiations. Roads Department of the Ministry of Regional Development and Infrastructure will ensure open discussions of risks in the negotiation process with APs and will do its best to succeed in the negotiations. Only in case the negotiations fail, the existing law on property expropriation (Eminent Domain Rule) will be used for land expropriation.

Annex of the given document includes land acquisition plan, compensation assessment and entitlement inventory of persons under individual relocation impact. Acquisition and Compensation Scheme is detailed program of plan implementation in accordance with Land Acquisition and Resettlement Frame Document of WB OP 4.12 in terms of involuntary resettlement policy.

According to Acquisition and Compensation Scheme, Resettlement Agency of Roads Department which is assisted by LAR team will hold negotiations on the district level with each AP on the compensation rates. In case of successful negotiations land acquisition agreements will be signed with legalized landowners and entitlement agreement on property and income compensation/rehabilitation will be signed with illegal owners within relocation impact. Any complaint of individuals under relocation impact will be addressed by the set grievance redress mechanism.

If the negotiations fail despite involvement of grievance redress mechanism, in order to initiate expropriation process Roads Department of the Ministry of Regional Development and Infrastructure of Georgia will apply to district court.

Roads Department of the Ministry of Regional Development and Infrastructure of Georgia will provide interested "legalizable" owners (owners who do not have the property registered by have legal ground necessary for registration) with new maps and cadastral drawings necessary for registration of property right on land and related immovable assets. The process will be followed by approval of documents entitling owners in respective with these maps by the district government. After that, owner's right will be finally registered in district registration office of NAPR before the provision of compensation. Detailed procedures of legalization of legalizable owners are given in the annex,

4.3 Compensation Eligibility and Entitlements

4.3.1 Eligibility

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) Leaseholders and shareholders of harvest despite their registration;
- (iii) Owners of buildings, crops, plants, or other objects attached to the land; and
- (iv) APs losing business, income, and salaries.

Eligibility issue on land compensation under the project is defined in the following way:

- All APs will be fully compensated
- Owners who have property right on land registered will be provided with full compensation for lost land, assets and income
- Owners who do not have their right on land registered but have legal grounds for land legalization (Legalizable owners) will follow all legal procedures for legalization, their right of ownership will be registered in Public Registry and after that, they will be provided with full compensation for lost land, assets and income
- In case of squatters who do not have any legal grounds for legalizing land, will not receive property right on land and land compensation amount won't be paid to them. Despite this, squatters are entitled to receive compensation for lost assets, trees and harvest
- Compensation eligibility will be limited by a cut-off date to be set for the Project on the day of the beginning of the AP Census and DMS. 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

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:

- In cash compensation at full replacement cost will be provided for agricultural land. In case of losing 10% and more productive land, APs (owners, leaseholders and shareholders of harvest) will receive additional assistance for severe impact which equals 2-year harvest from affected land or 3 times of monthly minimum subsistence for 5-member family in cases when compensating in the amount of income is irrelevant. Legalizable owners will register their right on the property and only after that they will be provided with compensation as owners with full registration. In case the non-legalizable land users lose the only land plot used by them which presents main part of their income, they will be provided with one-time monetary assistance for relocation which is subsistence minimum for five-member family calculated for one year ($12 \times 321.6 = 3859.2$ GEL). If the rest of the land plot becomes unusable due to absence of access road or impossibility of using it for agricultural or other purposes, acquisition of this land should take place if the owner wishes so.

- Legal (registered) settlers of non-agricultural land will be compensated in cash at full replacement cost in accordance with ongoing market price free of transaction taxes and depreciation costs. Legalizable settlers will be legalized, registered in NAPR and compensated as titled APs. Non-titled land owners with non-legalizable land will be compensated with one-time self-relocation allowances in cash equal to 1 year of minimum salary in case the land that they lose is the only land plot used and provides main source of income for AH.
- Houses, buildings, and auxiliary structures (fences, toilets, etc.): 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. Construction materials remaining after the demolition of the structures will be deemed as ownership of the AH.
- Annual crops: for land plots on which individuals have been permanently cultivating annual crops within the recent year will be compensated without any conditions, whether the crops are already seeded or not or whether the owner will manage to take harvest. Monetary compensation will be paid in the amount of 1-year harvest with the market price. Harvest compensation will be given to land owners and leaseholders based on their specific contributory agreements.
- Trees: Cash compensation at replacement value based on type, age and productivity of trees.
- Businesses: in case of permanent loss of business, in cash compensation in the amount of 1-year net income based on tax declaration or in case of absence of such document, in the amount of minimal salary; in case of temporary loss of business: in cash compensation in the amount of net income for business months up to 1-year period. Income will be calculated based on tax declaration or if there is no such document, official subsistence minimum.
- Loss of wages/employment: if employees lose their wages due to the project interventions, they will be compensated in the form of assistance equivalent to 3 months of minimum salary.
- Relocation/Shifting Allowance: APs forced to relocate (change of residential or business location) will receive a relocation subsidy sufficient to cover transport costs and living expenses for 3 months.
- Vulnerable people Livelihood: socially Vulnerable AH (below poverty line, women headed without breadwinner or with members with disabilities or pensioners) will receive an allowance equivalent to 3 months of minimum salary and will be prioritized for employment in scopes of the project.
- Rehabilitation assistance for severely affected families. Households who will permanently lose more than 10% of their agricultural land or more than 10% of their income, will receive assistance as severely affected families. In case of losing agricultural land, severely affected land owners and/or users will receive additional in cash assistance which is equivalent to value of 2-year lost harvest of annual crops or if this value is lower than amount of 3-month subsistence minimum, than they will receive subsistence allowance for 3 months. In case of losing non-agricultural source of income, severely affected HHs will receive rehabilitation amount which is equivalent to 3 months of subsistence minimum. Subsistence minimum will be calculated for 5-member family and as of December, 2016 it equals 321.6 GEL.
- Utility infrastructure and facilities in shared use will be fully rehabilitated under the Project in order to avoid delays in functioning in the process of construction.
- Temporary impact in the process of construction. Right of temporary use of land parcels necessary for construction works shall be gained as a result of negotiations held by constructor company with land owners (e.g. on the ground of voluntary purchase or rent). Maximal term for temporary use of land is set for 2 years. Compensation amount shall not be less than the market price of 4-year harvest of annual crops on the land in temporary use. In addition, specific requirement requires the land to be returned to the owner in its prior condition (cleaned and re-cultivated).

4.2.6 Compensation Entitlement Matrix

Tasks under the Project will be implemented according to a compensation eligibility and entitlements framework in line with both Georgia laws and regulation, and WB OP 4.12. A summary entitlements matrix is included in **Figure 18**

Figure 18: Compensation entitlement matrix

Type of loss	Application	Affected HHs and persons	Compensation entitlements
Land			
Permanent loss of agricultural land	Project Affected Households losing agricultural land despite how severe the impact is	Owner with full registration	In cash compensation at full amount of replacement cost or land replacement with maximally similar land plot with the same value at the convenient location for AP. The option selected for the Program is cash compensation. If residual plots becomes unusable the project will acquire it in full if so the AP desires.
		Legalizable Owner	These AP will be legalized and provided with cash compensation at full replacement cost, in the same way as registered owners.
		Leaseholder / renter	Rental allowances in cash for 3 months
Restrictions on ownership of agricultural land, servitude	Project affected households	Owner with full registration or Legalizable Owner	Land owner will be compensated for delaying agricultural activities and wasting land, as well as for crops, plants and/or immovable property on the land loaded with servitude (with restriction of right to use) in the construction and exploitation period.
Buildings and structures			
Residential and non-residential structures/assets		All AHs despite their legal property/registration status (including Legalizable owners and squatters)	All impacts will be considered as full impacts disregarding the actual impact percentage. Impacts will be compensated in cash at full replacement costs free of depreciation and transaction costs.
Loss Of Community Infrastructure/Common Property Resources			
Loss of community infrastructure resources	Community/Public Assets	Community /Government	Reconstruction of the lost infrastructure in consultation with community and restoration of their functions
Loss of Income and Livelihood			
Crops, annual crops	Impact on planted crops or loss of income to be received from harvesting crops planned to be seeded **	All AHs regardless of legal status (including legalizable and Informal Settlers)	Crop compensation in cash at gross market value of actual or expected harvest. Compensation for this item will be provided by default both if the crops was harvested or not at time of impact
Trees	Affected trees	All AHs regardless of legal status (including legalizable	Cash compensation at replacement value on the basis of type, age and productive value of the trees.

		and Informal Settlers)	
Allowances			
Severe Impacts	>10% income loss	All severely affected HHS losing more than 10% of land (including land settlers)	Agricultural income: 2-year yield from affected land. Other income: additional compensation for 3 months of minimum subsistence income i.e. 319 GEL per month X 3 months = 957 GEL per HH
Relocation /Shifting	Transport /transition costs	All AHs to be relocated	Provision of a monthly allowance covering transport expenses and livelihood expenses for a 3 months transitional period which equals 200 GEL for hiring transportation + minimum subsistence per month 319 GEL X 3 months = 1157 GEL per HH
Vulnerable People Allowances		Economically disadvantaged AHs, headed by Women, disabled or elderly	Allowance equivalent to 3 months of minimum subsistence income and employment priority in project-related jobs (minimum subsistence - 319 GEL per month X 3 months = 957 GEL per HH)
Temporary loss			
Temporary impact during construction or maintenance works		All AHs	Proper compensation will be defined and provided based on the given RAP in the construction process. Civil works Contractor will lease land required temporarily during construction on voluntary basis (e.g., willing leaser-willing lessee basis). Landowner will have right to refuse the offer. The maximum period for temporary use is defined as 2 years. Compensation rates should not be lower than gross value of 4 year's harvest of crops on the affected lands. It is also required that lands (or other assets) be fully cleared and restored to pre-project conditions for following use.
Unforeseen resettlement impacts, if any		All impacts which include temporary or permanent resettlement not envisaged in Roads Department and RAP documents and are related to the activity of Contractor	Roads Department of Georgia and contractor will address and mitigate/compensate unforeseen resettlement impact during project. Implementation under the provisions of RPF.

* Minimum subsistence income was calculated based on a 5-member family and the monthly-updated benchmarks indicated by the National Statistics Office of Georgia at the end of the impacts survey as of start date of census of individuals within the affected area.

** Income which was supposed to be received from affected land consistently used for harvesting crops within the past few years. If the land was permanently used for harvesting crops but when the inventory of loss was carried out last year nothing was seeded on the plot (because of resting the land, sickness of farmer or other good

reasons) it will still be considered as the land prepared for seeding and the respective compensation will be provided.

4.2.7 Allowances for severely affected and vulnerable HHs

Socially vulnerable AH are entitled to an allowance equivalent to 3 months of minimum subsistence income and employment priority in project-related jobs. AHs are considered as socially vulnerable in case they are officially registered in database of Social Service Agency as families below poverty line or if they are women-headed. AHs consisting of disabled or pensioner members are considered as socially vulnerable if these persons are left without breadwinner and families have low rating scores in the database of Social Service Agency which officially confirms what the family is poor.

The above AHs will receive an allowance of 319 GEL x 3 months – 957 GEL in sum. In the absence of an official minimum salary, these figures are taken from the National Statistics Office of Georgia data on minimum subsistence income for a family of 5 persons as of October of 2016.

Severely affected HHs will receive rehabilitation in cash compensation in the amount of 2-year lost yield or minimum subsistence for 3 months in the cases when evaluation according to the loss of yield is irrelevant (in case of losing non-agricultural income or when 2 times value of lost annual agricultural income is less than 3-month minimum subsistence).

Evaluation principles of acquired land and assets/property were developed in compliance with WB OP 4.12 Policy on involuntary resettlement. 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 (iv) other applicable payments. For the purpose of defining fair value of compensation for property assigned to the project in order to identify replaceable value of acquired property, examples demonstrating the similar practice have been used in accordance with WB OP 4.12.

Unit rate is calculated by taking the current market rate into account so that the calculated price should be appropriate for the replacement value of land, lost property, etc. Experienced and registered independent local audit company was hired to valuation. Objective of the valuator was to prepare each type of evaluation of land and assets according to location. Valuation was done in parallel regime with Census and DMS. Experts of valuator company conducted extensive fieldworks in order to physically inspect each category of loss. In the evaluation process, team of experts took materials on previously conducted evaluations or deals into consideration whenever it was available and they also used periodically published materials on market research. Unit rates were calculated based on this methodology. Unitary rates used in this report are based on evaluation of audit company by means of standard method for calculating assets.

4.3 Valuation and compensation rates

4.3.1 Principles and methodology

The sales comparison method was used to fix the monetary value of the affected land plots. This method implies comparing the object to be assessed to other objects with the market value known (i.e. the land plot in question was sold or bought).

The land plots to be evaluated are located on the territory of Khulo district and include the following cities and villages: city of Khulo, villages: Shantadzeebi, Diakonidzeebi, Paksadzeebi, Dioknisi, Djvariketi, Tabakhmela, Shuasopeli and others.

Besides, values of the land plots to be evaluated differ in the city of Khulo and villages due to demand on them.

In addition, the land plots to be evaluated are also different with their locations, shapes, parameters, soil structure, designation and other data. This is why, in the course of evaluation, the land plots were classified into various groups which unite land plots with similar parameters (respectively, their market prices are similar) and the respective group of plots were evaluated.

Following groups of land were identified from the city of Khulo to Beshumi diverticle:

Type I – non-agricultural land plots located in city of Khulo;

Type II – agricultural land plots located in city of Khulo used for residential means;

Type III – agricultural land plots located in city of Khulo and used for harvesting crops;

Type IV – non-agricultural land plots located from city of Khulo to Beshumi diverticle (villages and area between settlements);

Type V – agricultural land plots located from city of Khulo to Beshumi diverticle and are used for residential means;

Type VI – agricultural land plots located from city of Khulo to Beshumi diverticle (villages and area between settlements) and are used for harvesting crops;

Type VII – agricultural land plots located from city of Khulo to Beshumi diverticle and do not belong to IV, V, VI types.

Type VIII – Agricultural and non-agricultural land plots located near to resort Goderzi.

In order to evaluate the land plots, the relevant market segment and values under the agreements and contracts concluded for similar real estate on the territories of the above-said villages and their adjacent villages must be considered.

Aiming at fixing the market values in the course of evaluation, we obtained the data about similar properties based on the present market offers and data of the agreements provided by the National Agency of the Public Registry (NAPR) (the sources of information are referred to in the table below) given in Figure 19 and 20.

Figure 19 - Similar land plots belonging to Type V from the city of Khulo to intersection of resort Beshumi

Area	Designation	Address, location	Deal / offer unit price, GEL	Source of Information
201.00 sq.m. land plot	Agricultural	Khulo district, village Danispirauli	1.0 sq.m.– 14.93 GEL	LEPL NAPR 04/11/2015 წ. Cadastral code: 23.01.34.114
6000.00 sq.m. land plot	Agricultural	Khulo district, village Danispirauli	1.0 sq.m. – 11.08 GEL	LEPL NAPR 05/05/2016 წ. Cadastral code: 23.01.32.038
1000.00 sq.m. land plot	Agricultural	Khulo municipality, village Ganakhleba	1.0 sq.m. – 6.65 GEL	LEPL NAPR 19/09/2013 წ. Cadastral code: 23.06.38.253

1233.00 sq.m. land plot	Agricultural	Khulo, Goderdzi pass	1.0 sq.m. – 7.18 GEL	LEPL NAPR 07/04/2014 წ. Cadastral code: 23.01.34.095
952.00 sq.m. land plot	Agricultural	Khulo municipality, village Ganakhleba	1.0 sq.m. – 14.39 GEL	LEPL NAPR 24/04/2015 წ. Cadastral code: 23.06.39.267

Figure 20. Corrections to the affected land plots to be evaluated (GEL, unit: 1.00 sq.m.)

N	Comparison element	Analogue N1	Analogue N2	Analogue N3	Analogue N4	Analogue N5
	Area sq.m.	201	6000	1000	1233	952
	Cost of 1 sq.m GEL	14.93	11.08	6.65	7.18	14.39
1	Transferring ownership rights	Full	Full	Full	Full	Full
	<i>Correction</i>	0%	0%	0%	0%	0%
	Corrected price	14.93	11.08	6.65	7.18	14.39
2	Conditions of Financing	Typical	Typical	Typical	Typical	Typical
	<i>Correction</i>	0%	0%	0%	0%	0%
	Corrected price	14.93	11.08	6.65	7.18	14.39
3	Conditions of selling	Historical fact	Historical fact	Historical fact	Historical fact	Historical fact
	<i>Correction</i>	0%	0%	0%	0%	0%
	Corrected price	14.93	11.08	6.65	7.18	14.39
4	Expenses after purchasing	No	No	No	No	No
	<i>Correction</i>	0%	0%	0%	0%	0%
	Corrected price	14.93	11.08	6.65	7.18	14.39
5	Market conditions (timing)	04/11/2015	05/05/2016	19/09/2013	07/04/2014	24/04/2015
	<i>Correction</i>	-5%	0%	-5%	-5%	-5%
	Corrected price	14.18	11.08	6.32	6.82	13.67
6	Location					
6.1.	Location	Worse	Worse	Worse	Worse	Worse
	<i>Correction</i>	10%	10%	10%	10%	10%
	Corrected price	15.60	12.19	6.95	7.50	15.04
6.2.	Access road	Worse	Worse	Worse	Worse	Worse
	<i>Correction</i>	5%	5%	5%	5%	5%
	Corrected price	16.38	12.80	7.30	7.88	15.79
7	Physical characteristics					
7.1.	Area of plot	Same	Same	Same	Same	Same
	<i>Correction</i>	0%	0%	0%	0%	0%
	Corrected price	16.38	12.80	7.30	7.88	15.79
7.2.	Communications	Same	Same	Same	Same	Same
	<i>Correction</i>	0%	0%	0%	0%	0%
	Corrected price	16.38	12.80	7.30	7.88	15.79
7.3.	Restrictions (Servitude, etc.)	None	None	None	None	None

	<i>Correction</i>	0%	0%	0%	0%	0%
	Corrected price	16.38	12.80	7.30	7.88	15.79
8	Economic characteristics	Same	Same	Same	Same	Same
	<i>Correction</i>	0%	0%	0%	0%	0%
	Corrected price	16.38	12.80	7.30	7.88	15.79
9	Usage	Same	Same	Same	Same	Same
		0%	0%	0%	0%	0%
		16.38	12.80	7.30	7.88	15.79
10	Other immovable parameters	None	None	None	None	None
	<i>Correction</i>	0%	0%	0%	0%	0%
	Corrected price	16.38	12.80	7.30	7.88	15.79

Fixing the land compensation value

After considering the analogues and studying the data and corrected prices, the value of the unit land was fixed by calculating the mean weighted value. When agreeing the results of the corrected prices, the analogues being most comparative to the objects to be evaluated and with least corrections were given the highest specific weight.

The market value of the unit land to be evaluated (by using the weighted value) was calculated by us with the following formula:

$$Vwa = \sum_{i=1}^n \left\{ \frac{\sum_{i=1}^n Pi * (Ri / \sum R)}{\sum R} \right\}$$

Vwa - is the mean weighted value;

Pi - is the corrected price of each analogue;

∑ R - is the sum of the rated weights of the corrected prices of the analogues of comparison;

Ri - is the rated weight of the corrected price of each object of comparison.

Consequently, the calculation of the market value of the object to be evaluated by using the mean weighted value is given in figures below

Figure 21 Estimation of Type V land value in villages

Description	Pi	Ri	Vi
Price of the corrected analogue No. 1	16.38	0.5	1.64
Price of the corrected analogue No. 2	12.80	1	2.56
Price of the corrected analogue No. 3	7.30	1.5	2.19
Price of the corrected analogue No. 4	7.88	1.5	2.36
Price of the corrected analogue No. 5	15.79	0.5	1.58
∑ R		5.0	
Vwa			10.33
Corrected market value of 1 sq.m. land to be evaluated, GEL (rounded)			10.30

Thus, the price of 1 sq.m. of land was estimated as follows:

10.30 (ten and 30) GEL

Note: price of land plots was estimated based on the analysis of current demand-supply on the market and influential factors (purpose, use, distance from recreational and relaxation areas, distance from highway, from settlements, communications, etc.). For this purpose, we have studied data on real estate market of Georgia which is based on the existing offers on the market and information on deals provided by NAPR. Basic price was estimated for type V (residential, located from city of Khulo to Beshumi diverticle) agricultural plot of land. Correlation between estimated price and price of the rest of the plots has been identified according to the above-said data.

Figure 22: Estimation of compensation rates for land plots according to types and purpose

Type	Designation	Basic value of 1sq.m. land, GEL	Correction coefficient	Compensation value of 1 sq.m. land plot, GEL
I	Non-agricultural land plots located in city of Khulo	10.30	1.4	14.40
II	Agricultural land plots located in city of Khulo used for residential means;		1.2	12.40
III	Agricultural land plots located in city of Khulo and used for harvesting crops;		0.8	8.25
IV	Non-agricultural land plots located from city of Khulo to Beshumi diverticle (villages and area between settlements)		1.2	12.40
V	Agricultural land plots located from city of Khulo to Beshumi diverticle and are used for residential means;		1.0	10.30
VI	Agricultural land plots located from city of Khulo to Beshumi diverticle (villages and area between settlements) and are used for harvesting crops;		0.65	6.70
VII	Agricultural land plots located from city of Khulo to Beshumi diverticle and do not belong to IV, V, VI types.		0.2	2.0

Note:

1. The Table shows the land plots only with the designation and use affected by the Project.
2. The Table gives the calculation of the compensation values of all land plots by using the correction coefficients multiplied by the basic compensation value of 1 sq.m. of land.
3. The correction coefficients are fixed based on the study of the market data and consider the present demand and supply and designation, use, distance from the sea, transport infrastructure and communications, etc.
4. All gained results are rounded.

Buildings/houses have been valued at replacement cost based on the type of buildings, value of materials, preparatory works on land, salaries of workers, transportation and other construction-related expenses. No deductions will be made for amortization, remained materials and transactions. In cases when damage to the buildings is less than 15% and their function could be restored, compensation will be provided in the amount of money necessary for repairing the damaged buildings.

Annual yield of annual crops will be evaluated at full market value (in the amount of income) on owner's plot of land (without transportation) in case of providing compensation for 1 year yield. If affected individuals are to receive compensation for more than 1 year, yield after first year will be compensated in the amount of net profit.

Trees will be evaluated by means of different methodologies in case of timber and fertile trees. Timber trees will be evaluated according to age category, investments spent on growing off the tree, value and volume of timber material. Fruit trees will be evaluated according to fertility. Fertile trees will be compensated in the amount of lost income in future for years that are necessary for growing the seedling to the current. Non-fertile trees will be compensated in the amount of investment that was spent on growing the felled tree.

Unit compensation rate was discussed and agreed by the presented Audit Company with Roads Department. Detailed methodology for estimating compensation rates is given in the annex.

5. Institutional Organization

5.1 Introduction

Ministry of Regional Development and Infrastructure is the Executive Agency from GoG while Roads Department of the same Ministry is project Implementing Agency (IA). World Bank provides financing for preparation of engineering project, implementation of construction works and supervision of the construction. Roads Department of the Ministry of Regional Development and Infrastructure is responsible for management of road construction and at the same time, for land acquisition and resettlement related to the land necessary for the Project.

Roads Department of the Ministry of Regional Development and Infrastructure is assisted by various other governmental bodies and private agencies in the process of project development, construction and management. NAPR of the Ministry of Justice is responsible for recognition of property rights of rightful owners and registration of land owners. Rayon office of NAPR is responsible for assigning the acquired land from land owners to the property of Roads Department. District and village local government participates in legalization of Legalizable land plots and further acquisition of land and resettlement process of APs. In accordance with the applicable law, Ministry of Environment Protection and Natural Resources is responsible for environmental issues.

RAP includes the road section in the territory of Khulo district of Adjara Autonomous Republic. Representative of the mentioned district, councils, NAPR rayon offices and Property Recognition Commission were involved in RAP development process. Councils and representatives of affected villages actively participated in the preparation of plan.

5.2 Agencies taking part in land ownership registration

According to Georgian law on "Recognition of Property Right on land plots owned (used) by physical and legal entities", chapter 4, article 1, the respective local self-government representative body is responsible for recognition of property rights on illegally settled lands. This body implements its authority by means of the Commission. The Commission carries out its function in accordance with formal administration procedure and regulations envisaged in chapter VIII of General Administration Code of Georgia. In compliance with article 4¹ of the same law, LEPL NAPR acting under the authority of Ministry of Justice of Georgia is responsible for recognition of property right on the land having in rightful ownership (use). This agency implements its authority in compliance with the regulation set by the law. As soon as the Commission makes decision on recognition of property right on the land plots and provides the respective cadastral drawings, NAPR registers the property right on the land plot in question.

5.2.1 Village and community government

Village and/or community government is an executive body of local self-government led by village representative. The village representative has a preliminary role in land legalization and registration process. S/he inspects ownership on affected land plots, checks specifications of land plots and cadastral maps and the respective materials prepared for legalization. Gamgebeli (head of local government) plays an important role in recognition of property rights of non-rightful owners (persons, who owned the land plots prior to enforcement of land privatization law in Georgia and without a permission issued by the government in advance). Local government is authorized to confirm the fact of non-rightful ownership, parameters of land plots and nature of use which is later

presented to Property Right Recognition Commission for issuing the respective certificate which is necessary stage for non-rightful owner for registering the property in Public Registry. Neighbours of Legalizable candidates also take part in legalization process. The village representative will be involved in RAP updating and implementation process.

5.2.2 Sakrebulo (council)

Sakrebulo (council) is representative body of local self-government on municipality / village level. Village/municipality level Sakrebulo currently has smaller function in the legalization process of Legalizable land plots. However, Sakrebulo assists municipality in sanctioning process of non-legalizable owners of PRRC.

5.2.3 Property Right Recognition Commission

In accordance with Georgian law on recognition of property rights of physical and legal entities on owned (used) land plots adopted in 2007, GoG formed Property Right Recognition Commission on the district level which is responsible for recognition of property rights of non-rightful owners (plots of land occupied without permission) for registration. PRRC confirms and inspects received statements on recognition of property rights for their registration in NAPR. PRRC inspects statements submitted only by those APs who are not registered by have residential or agricultural plot of land near the house ("Non-rightful land owners" according to definitions of Georgian regulations).

5.2.4 National Agency of Public Registry and Rayon Registration Offices

The National Agency of Public Registry (NAPR) plays an important role both, in developing and realizing the resettlement action plan. At the current stage of RAP, when the land owners/users are identified and their property rights are specified, the documents proving the property are to be obtained. Some of these documents (books of homesteads and the like) were kept with the archives in the past. At present, the regional archives are at the disposal of the territorial registration offices of the National Agency of Public Registry. The materials preserved with the archives of the territorial registration offices are an important source for the owners who have to legalize their rights to property, but have no full supporting documentation at hand, to obtain the documents proving their land property rights. The role of the National Agency of Public Registry in realizing the resettlement action plan is even more important, as under the Law of Georgia - "On Public Registry", the National Agency of Public Registry is the registering body discharging the public and legal authorization set forth by the law, which registers the property right of the lands. NAPR rayon registration office closely cooperates with RAP development-implementation teams. This kind of cooperation in the first instance implies preparation of archived documents available at rayon registration office of the Agency.

5.3 Land acquisition and resettlement agencies

5.3.1 Roads Department of the Ministry of Regional Development and Infrastructure

Roads Department of the Ministry of Regional Development and Infrastructure has overall responsibility on organization of projecting, land acquisition and resettlement, construction issues, construction monitoring and project supervision processes. It also includes land acquisition financing and implementation, implementation of resettlement tasks and coordination of other agencies and organizations participating in the process. Roads Department of the Ministry of Regional Development and Infrastructure will carry out its functions with the assistance of its subordinate - Resettlement Agency which is a sub-division of Resettlement and Environment Protection Department formed in 2013. Currently, there are 7 specialists in this team and in addition, a consultant hired for assisting in WB projects. Despite this, further organizational strengthening of Resettlement Agency is necessary which implies employment of local resettlement consultant for each project who will assist the team in RAP implementation.

Resettlement Agency is led by the head of the agency. The agency is comprised of the staff with relevant experience and skills in RAP issues. Resettlement Agency is responsible for carrying out all technical works and tasks necessary for preparing RAP as well as for ensuring coordination between sub-divisions of Roads Department of the Ministry of Regional Development and Infrastructure and on central and local governmental level.

Specific tasks of Resettlement Agency will be include: 1) completion of land acquisition and RAP in accordance with LARF and RFP and submission of the plan to donor organizations for approval, 2) control over completion of RAPs respective to construction contracts and implementation of RAPs after the project sponsor donor approves it; 3) formation of LAR teams on the district level; 4) ensuring proper internal monitoring and 5) hiring external monitoring agency in accordance with IFI recommendations.

In addition, Resettlement Agency ensures submission of all necessary documents for timely acquisition of land and allocating resettlement funds in order to ensure timely provision of compensation for AHs. will maintain the coordination on all activities related with land acquisition and resettlement.

5.3.2 Eurasian Transport Corridor Investment Centre

Eurasian Transport Corridor Investment Centre – is an independent agency specifically created for the purpose of financial management of the projects funded by AGB and WB which are implemented by Roads Department of the Ministry of Regional Development and Infrastructure. ETCIC will receive finances allocated for project implementation directly from the Ministry of finance and transfers them to AHs on the request of Roads Department of the Ministry of Regional Development and Infrastructure. ETCIC is responsible for reviewing documents that certify compensation and allowance amounts, inspection of these documents and transfer of money to bank accounts of AHs given in the registry of Compensation and Rehabilitation Assistance. The latter one is approved and elaborated by Resettlement Agency for each affected person individually.

5.3.3 Municipality LAR Team

District LAR team is a non-formal group formed with participation of local governing bodies of district and affected villages which provides technical assistance to Roads Department in the process of preparation and implementation of RAP. Assistance implies identification of land and property owners and users within affected area, identification of borders of land plots, obtaining supporting information on property ownership as well as relations with owners, non-formal settlement of arguable issues and registration of Legalizable land plots and property without delays. District LAR team is organized on two levels: managing core team on district level (district LAR team) and working groups for each village (LAR working group). Managing core team comprises of head of municipal government and head of Sakrebulo, head of rayon office of NAPR, head of district office of SSA, representatives of affected villages and representative of Roads Department Resettlement Agency. In accordance with the request of district LAR team, LAR working groups are formed for each village. LAR working groups are comprised of village representative, competent technical personnel delegated by him/her (at least 1 person) and representatives of Roads Department Resettlement Agency. LAR working group assists a consultant hired by Roads Department in identifying APs, borders of the land plots, other technical details and communication with residents. By his/her signature, village representative confirms that a list of owners of users of affected land plots is correct as well as confirms the fact that measurement works and asset valuation were conducted on each affected plot by consultants of Roads Department and that owners attended this process. Technical personnel allocated by NAPR rayon office and SSA cooperates with LAR working teams and assists in obtaining archive documents, identifying social status of APs and property registration process. Resettlement Agency of Roads Department of the Ministry of Regional Development and Infrastructure, based on the recommendation of Land Acquisition and Resettlement Plan, initiates negotiation process with land owners regarding acquisition of land and other affected assets and compensating the loss this way. In case of reaching an agreement, AP will confirm the fact of reaching agreement by signing a purchase agreement which will be registered in Public Registry. In the process of negotiation and property registration, resettlement agency of Roads Department of the Ministry of Regional Development and Infrastructure is assisted by members (village representative, NAPR staff) of LAR team (district and working teams). The Purchase Agreement will be a basis for provision of compensation. If AP and LAR team fail to reach an agreement, LAR team will notify Roads Departments which will make a decision on the commencement of expropriation procedure. At the same time, LAR team will remind AP about availability of grievance mechanism (see Chapter 6) which can be used to solve the issue in question before the case is submitted to the court.

5.3.4 Local government

Local administration, especially on the district level, has an authority to use, value, inspect and purchase land. In order to assist LAR consultants in preparation of RAP, Roads Department of the Ministry of Regional Development and Infrastructure will form non-formal district LAR teams (see section 4.3.3.) which will be comprised of officials appointed by district administration (Sakrebulo, Gamgebeli) and representatives of local governments of each affected village/community (representatives of affected villages/communities or Sakrebulo members). Non-formal district LAR teams are created in Khulo district which closely cooperate with consultants and Roads Department of the Ministry of Regional Development and Infrastructure.

5.4 Other organizations and agencies

5.4.1 Civil Works Contractor

Civil works contractor will be appointed by Roads Department of the Ministry of Regional Development and Infrastructure for carrying out the construction works. The contractor will also be responsible for mitigation of impact caused by the construction works. Based on land acquisition, resettlement action plan and technical projections, the plot of land defined and purchased as part of RoW, will be marked properly in order to distinguish it from other, non-acquired plots.

5.4.2 Consultants and auditor

Project consultant is responsible for development and implementation of RAP, while construction supervisor consultant is responsible for supervision of construction works:

- (i) Project consultant: project consultant has a specialist in international social development and resettlement issues and a specialist working on local resettlement/social issues who are responsible for completion of RAP on each stage of the construction. Project consultant hired DMS and independent audit agency for assistance in land acquisition, resettlement issues and preparation of documents including Census of population, socio-economic survey, inventory of loss and valuation of replacement values of land and assets. Preparation of RAP will be based on the obtained results on the basis of detailed technical projection according to final route of the road.
- (ii) Social Security Consultant: will be supervising implementation of RAP and prepare feasibility report before the commencement of construction works.
- (iii) Local Resettlement Consultant (LRC): will assist a team of resettlement agency of Roads Department of the Ministry of Regional Development and Infrastructure in the process of RAP implementation and control all resettlement-related issues which can emerge in the construction process.
- (iv) Supervising consultant who will supervise impact of unforeseen or temporary resettlement emerged in the process of construction works.

5.4.3 Court of Georgia

Settlement of disputes raised in terms of RAP implementation by the court of Georgia should be the last option. In case Roads Department of the Ministry of Regional Development and Infrastructure and APs fail to reach an agreement in terms of acquisition of private property, in accordance with applicable laws, Roads Department of the Ministry of Regional Development and Infrastructure will submit a request on property expropriation with an order of expropriation. After implementing expropriation eligibility and the respective procedures, Roads Department of the Ministry of Regional Development and Infrastructure will receive purposeful assets. As soon as they are approved and the required procedures are completed, Roads Department of the Ministry of Regional Development and Infrastructure becomes eligible to become an owner of the property after the court assigns the respective right.

In addition, if disputes and complaints related to RAP cannot be solved on different levels as indicated in the agreed grievance redress mechanism, APs have a right to apply to court as the last option. The decision made by court will be final and mandatory.

5.4.4 Ministry of Finance

The finances for the implementation of the RAPs will be provided by MoF to Roads Department of the Ministry of Regional Development and Infrastructure upon the presentation of official consent. RAP budget will be transferred to accounts of Eurasian Transport Corridor Investment Centre (or its fiscal agent) which is responsible for financial management of the project.

5.4.5 Ministry of Justice

Ministry of Justice is responsible for solving legal issues related to land ownership. NAPR of Ministry of Justice will ensure the registration of property rights of Roads Department of the Ministry of Regional Development and Infrastructure on the basis of the respective purchase agreement and registration of servitude on the basis of servitude agreement.

5.4.6 Donor organization - World Bank

Besides regular monitoring of Program implementation, WB will review RAP and provide clearance to contract awards and initiation of civil works within the scopes of the project.

6. Consultations and Participation

6.1 Introduction

Consultation and participation is the process by means of which all stakeholders make impact and control initiatives related to development projects and decisions and resources that make influence on their livelihood conditions. This is a reciprocal process during which implementing agencies, policymakers, beneficiaries and APs discuss and share their opinions about the project. Consultation and participation is main principle of planning working plan and the construction. OP 4.12 policy of WB considers public consultation and participation as priority in terms of strengthening the role of society and better understanding of public opinions which is a precondition of socially and ecologically acceptable project. Georgian legislation also puts strong emphasis on consultations and timely notification in order to ensure involvement of APs in the decision-making process.

Objective of consultations is to ensure that all APs and other stakeholders are informed, explained and consulted and have a chance to actively engage in rehabilitation of road project and development of social and resettlement plan. In addition, goal of consultations is: mitigation of society's internal objection to expected changes; supporting mitigation and minimization of expected negative impacts and maximal increase of project-related benefits for population. In order to reach these goals, in the process of preparing land acquisition and resettlement action plan, series of consultations and meetings with APs and communities were carried out to ensure their participation in the process and consideration of their opinions, views, needs and desires in the planning of project components. Process of consultations during main projections started by means of public consultation meetings and individual contacts within the scopes of the surveys conducted regarding land acquisition and resettlement issues. Detailed information about consulting meetings is given in Annex 2.

6.2 Consultation and methodology

The route of the project road underwent several adjustments 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

Georgian 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.

Consultation with the APs in the project affected areas were conducted during the preparation of the final RAP in 2011 and 2016. The methodology included discussions and consultations with APs, their community, and local government officials.

Specifically, for this RAP the APs were consulted through individual contact during the census survey under the feasibility study for identification of APs. At the preparation of RAP in detail design stage, all likely AP persons were consulted through community level meetings and through individual contact at the time of census, socioeconomic survey and detail measurement survey.

Various methods used for stakeholder's consultation and participation with concerned stakeholders are described in Figure 23.

Figure 23: Summary on consulted parties and consultation methods

Stakeholders	Purpose	Method
Potential APs and their community	<ul style="list-style-type: none"> To inform the APs, get their views on likely impacts, eligibility and entitlements, as well as procedures for compensation, relocation and rehabilitation. 	<ul style="list-style-type: none"> Meetings with all AH during the implementation of the socio-economic survey. Focus group discussions and meetings with village residents
Roads Department	<ul style="list-style-type: none"> To collect government's policy, guidelines priorities on the project, and to seek advice for work. 	<ul style="list-style-type: none"> Frequent individual meetings with the officials of Roads Department
NAPR	<ul style="list-style-type: none"> To collect the cadastral map and to know the details of the affected parcels and people 	<ul style="list-style-type: none"> Consultations and discussion with officials
Local Government at Rayon Level (District Municipality), Rtsmunebuli	<ul style="list-style-type: none"> To seek their cooperation for carrying out the impact assessment survey and to sort out the problem related to missing plots (Legalizable Owners) 	<ul style="list-style-type: none"> Individual meetings with the officials of respective rayons and discussions with them
Property Recognition Commission in the Rayon Level and Sakrebulo	<ul style="list-style-type: none"> To seek their cooperation for carrying out the impact assessment survey and to sort out the problem related to missing plots (Legalizable Owners) 	<ul style="list-style-type: none"> Meetings and training

6.4 Consultation meetings in the process of preparing RAP

Consulting process ended in the process of preparing RAP: public discussions were held in all municipalities affected by the project and APs were provided with information leaflets. Minutes of these meetings are included in RAP (Annex 4).

6.7 Disclosure

Electronic version of the Final draft RAP will be placed on the ministry web-site and the summary of RAP (leaflet) will be translated into local language (Georgian) and will be disclosed to APs at local level.

7. Grievance Redress Mechanism

7.1 Objectives

A grievance redress mechanism will be established to allow an AP to complain about any decision of activities regarding temporary or permanent loss of their land, assets or sources of income and their compensation.

Grievance resolution is a two-stage process

I Stage – informal (oral) review of the AP's complaint (with or without written or oral). At this stage the AP's complaint shall be reviewed in an informal (oral) way and the Committee members of both levels (the composition of the committee is specified in this Section) shall make and sign the minutes on the matter. If at Stage 1 the AP's complaint is not resolved the AP should be informed about grievance resolution procedures of Stage II. An AP has the right to use the procedures of Stage II without applying to Stage I procedures.

II Stage – review of AP's complaint. For Stage II of grievance resolution process the Roads Department shall establish a Grievance Redress Committee (GRC) for the whole period of the project implementation. GRC shall review the written complaints of APs, which were not satisfied at Stage I. At stage II the AP's complaint shall be resolved and GRC shall make a decision in compliance with the Administrative Code of Georgia. The present RAP specifies the procedures of establishing GRC and its composition. The Resettlement and Environment Protection Division of the Roads Department is responsible for establishing GRC.

Grievance redress procedures of Stage I are an informal tool of dispute resolution allowing the APs and the project implementation team to resolve the disagreement without any formal procedures, procrastination and impediments. The international experience of resettlement shows that such informal grievance redress mechanism helps to solve most of the complaints without formal procedures (i.e. without using the procedures specified in the Administrative Code or litigation). This mechanism enables unimpeded implementation of the Project and timely satisfaction of complaints. At the same time, if the AP is not satisfied, the grievance redress mechanism should assist him/her in lodging an official complaint in accordance with the procedures of Stage II (the plaintiff should be informed of his/her rights and obligations, rules and procedures of making a complaint, format of complaint, terms of complaint submission, etc.)

The grievance redress mechanism shall deal with the issues of land and other assets acquisition (e.g. amount of compensation, suitability of residual land plots, loss of access roads, etc) as well as the losses and damages caused by the construction works, e.g. temporary or permanent occupation of land by the contractor. Therefore, the grievance redress mechanism shall be in place by the time the Roads Department starts negotiations with the APs and shall function until the completion of the construction.

At the RAP preparation stage during the consultations meetings and negotiations the APs shall be fully informed of the grievance redress mechanism, its functions, procedures, contact persons and rules of making complaints through oral information and booklets. Care will always be taken to prevent grievances rather than going through Stage II. The achievement of this goal can be ensured through careful planning and preparation of RAP, active participation of APs, effective consultations, proper communication and coordination among local communities, Roads Department and local authorities.

7.2 Formation of Grievance Redress Commission

A Grievance Redress Committee (GRC) is an informal grievance redress mechanism at Stage I. This informal body will be established at community level in each Gamgeoba (village/community authority). The GRC shall include representatives of Rayon LAR Teams and local communities. The Roads Department representative in the Rayon LAR Team shall coordinate the GRC formation. H/she will then be responsible for the coordination of GRC activities and organizing meetings. In addition, GRC shall comprise village Rtsmunebuli or his/her representative,

representatives of APs, women APs (if any), and appropriate local NGOs to allow voices of the affected communities to be heard and ensure a participatory decision-making process. If the complainants are not satisfied with the GRC decisions, they can always use the procedures of Stage 2 of grievance resolution process.

GRCs will be established at the community level at Gamgeoba with provision of 6 members of following composition:

(i)	RMT representative of Roads Department	:	Convener
(ii)	Representative of rayon LAR team	:	Member secretary
(iii)	Gamgebeli – concerned Gamgeoba (village)	:	Member
(iv)	Representative of AP	:	Member
(v)	Female representative of AP	:	Member
(vi)	Representative of local NGO	:	Member
(vii)	LAR specialist of supervision consultants	:	Member

For Stage 2 of grievance resolution process a commission comprising at least 3 members shall be established by order of the Roads Department. The Order shall also state that if necessary representative of local authorities, NGOs, auditors, APs and any other persons or entities can be included in the commission as its members.

7.3 Grievance Resolution Process

Stage 1 – The member secretary of GRCs and Rayon level LAR Team will be regularly available and accessible for APs to address concerns and grievances. The APs shall be informed of the details of contact persons to whom complaints were submitted. The contractor Rtsmunebuli and Sakrebulo shall be warned that all complaints they may receive from APs shall be immediately submitted to the contact persons of GRC (coordinator and secretary), which will then organize a meeting and informally review the complaint with the aggrieved AP. If the AP is not satisfied, the GRC shall assist him/her in lodging an official complaint to the relevant body (i.e. Roads Department). The complaints and grievances from the APs will be addressed through the process described below in figure 24.

Figure 24: Grievance Resolution Process

Steps	Action level	Process
Step 1	Negotiations with APs	The complaint is informally reviewed by the GRC, which takes all necessary measures to resolve the dispute amicably.
Step 2	GRC Resolution	If the grievance is not solved during the negotiations, the GRC will assist the aggrieved APs to formally lodge the grievances to the GRC. The aggrieved APs shall submit their complaints to the GRC within 1 week after completion of the negotiations at the village level. The aggrieved AP shall produce documents supporting his/her claim. 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 Convenor and the aggrieved APs. On the date of hearing, the aggrieved AP will appear before the GRC at the Gamgeoba office for consideration of grievance. The member secretary will note down the statements of the complainant and document all details of the claim. The decisions from majority of the members will be considered final from the GRC at Stage 1 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

Steps	Action level	Process
		be communicated to the complainant AP.
Step 3	Decision from the commission of Roads Department of the Ministry of Regional Development and Infrastructure	If any aggrieved AP is unsatisfied with the GRC decision, the next option will be to lodge grievances to the Roads Department of the Ministry of Regional Development and Infrastructure at the national level. The Roads Department of the Ministry of Regional Development and Infrastructure shall review the complaint in compliance with the procedures specified in the Administrative Code of Georgia. GRC should assist the plaintiff in lodging an official complaint (the plaintiff should be informed of his/her rights and obligations, rules and procedures of making a complaint, format of complaint, terms of complaint submission, etc.). The plaintiff shall be informed of the decision.
Step 4	Court decision	If the Roads Department of the Ministry of Regional Development and Infrastructure decision fails to satisfy the aggrieved APs, they can pursue further action by submitting their case to the appropriate court of law (Rayon Court). The aggrieved AP can take a legal action not only about the amount of compensation but also any other issues, e.g. occupation of their land by the contractor without their consent, damage or loss of their property, restrictions on the use of land/assets, etc.

7.4 GRC records and documentation

Resettlement unit of Roads Department of the Ministry of Regional Development and Infrastructure will keep record of complaints received for its use as well as for review by the WB during regular supervisions.

8. Costs and financing

8.1 General overview

The land acquisition and resettlement cost estimate under RAP 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 (approximately 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 overrun in cost, Roads Department of the Ministry of Regional Development and Infrastructure will provide additional funds as needed in a timely fashion. Roads Department of the Ministry of Regional Development and Infrastructure 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 RAP are as follows:

- (i) Compensation for agricultural, pasture, and commercial land at replacement value
- (ii) Easement payments for imposed limitation on land use (prohibition of planting trees or construction of buildings within the ROW)
- (iii) Compensation for structures and buildings at their replacement cost

- (iv) Compensation for crops and trees
- (v) Assistance for severely affected AH
- (vi) Assistance for vulnerable groups for their livelihood restoration
- (vii) Cost for implementation of RAP.

8.2 Detailed budget

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 cost. Compensation will be provided at least at the rates detailed in this RAP although some modification in excess will be possible during the discussions preceding the signing of the contract.

8.2.1 Compensation for land

Compensation of agricultural land has been derived based on the feedback from the affected people and from the independent evaluator. The land subject to compensation was divided into 8 categories as agricultural and non-agricultural (commercial or residential). Figure 25 reflects the costs for various categories of land loss.

Figure 25. Cost for permanent acquisition of land

Land categories	Area	Cost of 1 sq.m.	Compensation
Compensable land	Sq.m.	GEL	GEL
Type I – non-agricultural land plots located in city of Khulo;	75	14.40	1080
Type II – agricultural land plots located in city of Khulo used for residential means;	4418	12.40	54783,2
Type III – agricultural land plots located in city of Khulo and used for harvesting crops;	0	8.25	0
Type IV – non-agricultural land plots located from city of Khulo to Beshumi diverticle (villages and area between settlements);	2384	12.40	29561,6
Type V – agricultural land plots located from city of Khulo to Beshumi diverticle and are used for residential means;	66311	10.30	683003,3
Type VI – agricultural land plots located from city of Khulo to Beshumi diverticle (villages and area between settlements) and are used for harvesting crops;	122746	6.70	822398,2
Type VII – agricultural land plots located from city of Khulo to Beshumi diverticle and do not belong to IV, V, VI types.	13942	2.0	27884
Type VIII – agricultural land and non-agricultural land plots located near resort Goderzi	9085	15,5	140363,25

Total	218961		1759073,55
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Total value of the land plots is equivalent to **1759073,55 GEL**.

8.2.2 Compensation for buildings and structures

Compensation of structures and buildings is based on the current market price of materials, transportation and construction works needed for construction of similar structure-buildings. Condition of basement, bearing structures, roof, materials, decoration, sanitation, water and power supply, external lighting systems are considered. Value of buildings is described in the table below.

Figure 26: Compensations for Buildings

Plot #	Description	Compensation
194	Two story Residential Building	88935
196	Two story Residential Building	22495
356	Two story Residential Building	128700
416	Two story Residential Building	86580
420	Two story Residential Building	83265
421	Two story Residential Building	85500
423	Garage	5310
430	Garage	5145
190	One story auxiliary building	8490
196	One story auxiliary building	12415
238	One story auxiliary building	7840
243	One story auxiliary building	6705
246	One story auxiliary building	4810
251	One story auxiliary building	4045
310	One story auxiliary building	5410
335	One story auxiliary building	14535
356	One story auxiliary building	35430
360	One story auxiliary building	92870
360	One story auxiliary building	14130
361	One story auxiliary building	94000
397	One story auxiliary building	7960
444	One story auxiliary building	3640
458	One story auxiliary building	1880
478	One story auxiliary building	6880
548	One story auxiliary building	5245
280	Store	27015
231	Two story auxiliary building	33325
231	Two story auxiliary building	33900
416	Cattle shed	26155
420	Cattle shed	26030
421	Cattle shed	26025
161	Eatery	23750
189	Mill	2360
288	Mill	6475
355	Mill	5280
157	Kiosk	200

162	Kiosk	200
	Total	1042930

8.2.3 Compensation of loss of source of income (loss of business and job)

LAR process affects the business activities. The compensation for business activities are described in the subchapter 8.2.6 Business Compensation.

8. 2.4 Compensation for crops

Crop compensation will be paid to all APs in cash at full market rate. The major crop found in the project road is potato, tomato, beans and maize. Details on crop compensation are described in Table 27.

Figure 27: cost of affected crops

Crop	Quantity of land plots according to crops	Area (sq.m.)	Compensation for harvest on 1 sq.m. GEL / sq.m.	Total compensation
Potato	27	21853	1,56	34090,68
Cabbage	1	32	0,66	21,12
Beans	11	1953	0,4	781,2
Strawberry	2	136	0,52	70,72
Tomato	13	4638	1,6	7420,8
Maize	11	1953	0,4	781,2
Other vegetable	7	705	0,5	352,5
Pepper	1	40	0,06	2,4
				43520,62

The total number and area of land plots used for crop cultivation is less than a sum of numbers and areas used for separate types of crops, as on many land plots several crops are cultivated.

8.2.5 Compensation for trees

Non-productive young fruit trees will be compensated at the price of seedling. Partially productive trees will be compensated at aggregated cost of seedling price and fruit income calculated based on productivity of partially productive tree and compensation years needed to grow up the same age tree from the seedling of age starting productivity. Calculations for costs of trees are given in the table below.

Figure 28: Compensation for fruit trees

Type of tree	Age group	Price of tree, GEL	Price of yield, GEL	Number of years to be compensated	Productivity in for one year	yield including	compensation for grown-up perennial	Number of trees	Compensation
1	2	3	4	5	6	7	8	9	10
Cherry (sweet cherry)	Seedling (<5)	5	2	5	3	6,0	35	105	3675
	5-10	5	2	5	10	20,0	75	163	12225
	10-20	5	2	5	16	32,0	117	119	13923
	20+	5	2	5	10	20,0	75	14	1050
Total								401	30873
Peach	Seedling (<5)	6	1,5	5	4	6,0	27	2	54
	5-10	6	1,5	5	15	22,5	85	2	170
	10-20	6	1,5	5	40	60,0	216	0	0
	20+	6	1,5	5	25	37,5	137	0	0
Total								4	224
Apricot (Wild Apricot)	Seedling (<5)	4	1,5	5	3	4,5	27	0	0
	5-10	4	1,5	5	15	22,5	83	0	0
	10-20	4	1,5	5	40	60,0	214	0	0
	20+	4	1,5	5	25	37,5	135	0	0
Total								0	0
Walnut	Seedling (<5)	10	5	5	4	20,0	80	210	16800
	5-10	10	5	10	15	75,0	535	181	96835
	10-20	10	5	10	25	125,0	1235	359	443365
	20+	10	5	10	30	150,0	1510	566	854660
Total								1316	1411660
Quince	Seedling (<5)	4	1,5	5	3	4,5	20	3	60
	5-10	4	1,5	5	15	22,5	83	30	2490
	10-20	4	1,5	5	30	45,0	162	12	1944
	20+	4	1,5	5	20	30,0	109	0	0
Total								45	4494
Pear	Seedling (<5)	4	1,2	5	7	8,4	33	73	2409
	5-10	4	1,2	7	20	24,0	122	95	11590
	10-20	4	1,2	7	70	84,0	416	128	53248

Type of tree	Age group	Price of tree, GEL	Price of yield, GEL	Number of years to be compensated	Productivity	Yield in for one year including	compensation for grown-up perennial	Number of trees	Compensation
1	2	3	4	5	6	7	8	9	10
	20+	4	1,2	7	45	54,0	269	70	18830
Total								366	86077
Plum	Seedling (<5)	4	0,8	5	8	6,4	26	45	1170
	5-10	4	0,8	5	15	12,0	46	117	5382
	10-20	4	0,8	5	30	24,0	88	143	12584
	20+	4	0,8	5	20	16,0	60	1	60
Total								306	19196
Mulberry	Seedling (<5)	5	1,5	5	4	6,0	26	4	104
	5-10	5	1,5	5	10	15,0	58	1	58
	10-20	5	1,5	5	16	24,0	89	9	801
	20+	5	1,5	5	10	15,0	58	1	58
Total								15	1021
Hazelnut	Seedling (<5)	2	4	5	2	8,0	30	106	3180
	5-10	2	4	5	5	20,0	75	60	4500
	10-20	2	4	5	6	24,0	90	52	4680
	20+	2	4	5	4	16,0	55	0	0
Total								218	12360
Cherry plum	Seedling (<5)	3	0,8	5	7	5,6	23	46	1058
	5-10	3	0,8	5	15	12,0	45	206	9270
	10-20	3	0,8	5	50	40,0	143	359	51337
	20+	3	0,8	5	25	20,0	73	14	1022
Total								625	62687
Apple	Seedling (<5)	4	1	5	5	5,0	22	38	836
	5-10	4	1	6	25	25,0	109	63	6867
	10-20	4	1	6	70	70,0	298	274	81652
	20+	4	1	6	40	40,0	172	19	3268
Total								394	92623
Grapes / vine	Seedling (<5)	2	1,5	4	5	7,5	23	14	322
	5-10	2	1,5	4	7	10,5	31	46	1426
	10-20	2	1,5	4	9	13,5	40	88	3520
	20+	2	1,5	4	5	7,5	23	7	161
Total								155	5429
Cornel	Seedling (<5)	3	2	5	2	4,0	17	0	0

Type of tree	Age group	Price of tree, GEL	Price of yield, GEL	Number of years to be compensated	Productivity in one year	Yield including	compensation for grown-up perennial	Number of trees	Compensation
1	2	3	4	5	6	7	8	9	10
	5-10	3	2	5	3	6,0	24	0	0
	10-20	3	2	5	4	8,0	31	0	0
	20+	3	2	5	3	6,0	24	0	0
Total								0	0
Persimmon / Japanese apple	Seedling (<5)	2	1	5	5	5,0	20	4	80
	5-10	2	1	6	10	10,0	44	2	88
	10-20	2	1	6	30	30,0	128	2	256
	20+	2	1	6	20	20,0	86	0	0
Total								8	424
Fig	Seedling (<5)	3	1,5	5	5	7,5	29	0	0
	5-10	3	1,5	6	10	15,0	66	1	66
	10-20	3	1,5	6	30	45,0	192	4	768
	20+	3	1,5	6	20	30,0	129	0	0
Total								5	834
Kiwifruit	Seedling (<5)	3	1,5	4	5	7,5	24	2	48
	5-10	3	1,5	4	10	15,0	45	0	0
	10-20	3	1,5	4	30	45,0	129	0	0
	20+	3	1,5	4	20	30,0	87	0	0
sul								2	48
Pomegranata	Seedling (<5)	4	2	5	5	10,0	39	0	0
	5-10	4	2	6	10	20,0	88	0	0
	10-20	4	2	6	30	60,0	256	0	0
	20+	4	2	6	20	40,0	172	0	0
Total								0	0
Tangerine	Seedling (<5)	3	1,25	5	10	12,5	47	0	0
	5-10	3	1,25	5	30	37,5	134	0	0
	10-20	3	1,25	5	80	100,0	353	0	0
	20+	3	1,25	5	50	62,5	222	0	0
Total								0	0
Orange	Seedling (<5)	4	1,5	5	10	15,0	57	0	0
	5-10	4	1,5	5	30	45,0	167	0	0
	10-20	4	1,5	5	80	120,0	424	0	0
	20+	4	1,5	5	50	75,0	267	0	0

Type of tree	Age group	Price of tree, GEL	Price of yield, GEL	Number of years to be compensated	Productivity in one year	Yield including compensation for grown-up perennial	Number of trees	Compensation	
1	2	3	4	5	6	7	8	9	10
Total								0	0
Lemon	Seedling (<5)	4	1,3	5	5	6,5	27	0	0
	5-10	4	1,3	5	15	19,5	72	0	0
	10-20	4	1,3	5	35	45,5	163	0	0
	20+	4	1,3	5	20	26,0	95	0	0
Total								0	0
Chestnut	Seedling (<5)	7	1	5	30	30,0	112	1	112
	5-10	7	1	10	50	50,0	357	12	4284
	10-20	7	1	10	120	120,0	1057	19	20083
	20+	7	1	10	120	120,0	847	3	2541
Total								35	27020
Berries	Seedling (<5)	2	2,5	5	2	5,0	20	0	0
	5-10	2	2,5	5	3	7,5	28	0	0
	10-20	2	2,5	5	4	10,0	37	1	37
	20+	2	2,5	5	3	7,5	28	0	0
Total								1	37
Laurel	Seedling (<5)	1	4	5	1	4,0	15	0	0
	5-10	1	4	5	2	8,0	29	0	0
	10-20	1	4	5	2	8,0	29	0	0
	20+	1	4	5	1	4,0	15	0	0
Total								0	0
Cherry laurel	Seedling (<5)	2	0,25	8	2	0,5	5	0	0
	5-10	2	0,25	8	4	1,0	8	1	8
	10-20	2	0,25	8	10	2,5	16	0	0
	20+	2	0,25	8	7	1,75	12	1	12
Total								2	20
Barberry	Seedling (<5)	5	2,5	5	3	7,50	31	2	62
	5-10	5	2,5	5	5	12,50	49	0	0
	10-20	5	2,5	5	7	17,50	66	0	0
	20+	5	2,5	5	5	12,50	49	0	0
Total								2	62
Common medlar	Seedling (<5)	4	1,5	6	3	4,5	23	0	0
	5-10	4	1,5	6	10	15,0	67	1	67

Type of tree	Age group	Price of tree, GEL	Price of yield, GEL	Number of years to be compensated	Productivity	Yield in one year including	compensation for grown-up perennial	Number of trees	Compensation
1	2	3	4	5	6	7	8	9	10
	10-20	4	1,5	6	20	30,0	130	8	1040
	20+	4	1,5	6	10	15,0	67	0	0
Total								9	1107
Loquat	Seedling (<5)	4	2	6	3	6,0	29	0	0
	5-10	4	2	6	10	20,0	88	0	0
	10-20	4	2	6	20	40,0	172	2	344
	20+	4	2	6	10	20,0	88	0	0
Total								2	344
Dog-rose	Seedling (<5)	5	2	5	3	6,0	26	0	0
	5-10	5	2	5	5	10,0	40	0	0
	10-20	5	2	5	7	14,0	54	0	0
	20+	5	2	5	5	10,0	40	0	0
Total								0	0
	Seedling (<3)						3	0	0
	5-10						10	3	30
	10-20						15	0	0
	20+						7	0	0
Total								3	30
Total								3914	1756570

Entire amount of compensation for trees equals GEL 1756570.

8.2.6 Business Compensation

Construction of the road affects the commercial activities. In total 5 buildings used for commercial purposes falls under the project impact. Some APs engaged in commercial activities could not provide official documents of the income, thus the compensation for the business will be paid according to the principles defined in LAR framework. The framework envisages compensation of 1 year net income in case of providing declaration or 1 year of minimum subsistence. The table below describes the compensations for businesses.

Figure 29: Compensation for Business

Plot	Description	Compensation
------	-------------	--------------

189	Mill	3859,2
190	Gas station	3859,2
280	Store	3636,58
196	Store	3859,2
161	Eatery	3859,2

8.2.7 Allowances

There are three type of allowances being provided to the AHs. These are: (i) Severe Impact Allowance, and (ii) Allowance for vulnerable and (iii) Relocation Allowance. The costs for relocation of movable business facilities have been incorporated in the compensation cost for structures. Following are the description of each category of unit rates proposed for various allowances.

- (i) The allowance for vulnerable AP is three months of minimum subsistence income at the unit rate of 321.6 per month per AH i.e. 964.8 GEL for the AH. Total allowances for vulnerable AHs are equal to **52099.2** GEL.
- (ii) AH is considered to be severely affected if it loses than 10% of their productive agricultural land. Total compensation in case of severe impact is **237750** GEL.
- (iii) AHs relocated from their residential house are eligible for provision of allowance covering transport expenses and livelihood expenses for the transitional period for 3 months equal to 3 months of minimum subsistence income. 200 GEL as vehicle hire charge + 321.6 GEL as minimum subsistence income x 3 months = 1164.8 GEL per AH.

Details on estimation of different allowances are given in **Table 30**.

Figure 30: Cost for allowances

No.	Item	Unit	Unit rate (GEL)	Quantity	Price (GEL)
1	Severely Affected Ahs	Coefficient	Compensation equivalent to harvest or 964.8 GEL	187	237750
2	Vulnerable Households	Coefficient	964.8	54	52099,2
3	Relocated AH	Coefficient	1164.8 GEL for each AH	6	6988,8
Total					296838

8.3 RAP management cost

The Construction Supervision Consultant will conduct external monitoring. However, RU, Roads Department will need to employ one independent monitoring agency for external monitoring of RAP implementation for a period of 2 months (unless construction supervision consultant is not hired during implementation of RAP). Miscellaneous expenses have been kept as a provision to cover the administrative cost as may be incurred during implementation of the RAP. Details of the RAP implementation management cost is given in Table 31.

Figure 31: Capacity Building and Management Cost

No.	Item	Unit	Quantity	Unit rate, GEL	Total cost, GEL
1	Cost for EMA (Social Safeguards Consultant)	Months	24	4000	96,000
2	Miscellaneous Administrative Cost	Months	24	1000	24,000
Total					120,000

8.4 LAR cost and flow of funds

The total LAR cost calculated for the implementation of this RAP constitutes GEL **57503708,1 (USD 21781707,6)**. The summary LAR cost estimate is given in Figure 32. All LAR related funds will be spent in one full year before the start of civil works construction. If the implementation of this RAP covers two fiscals, the allocation of funds will be sought accordingly.

Figure 32: Summary Estimate of LAR Costs

No.	Unit	Cost in GEL	Cost in USD
A	Compensation		
1	Compensation for Permanently Acquired Land	1759073,55	
2	Compensation for Structures/Buildings	1042930	
3	Compensation of Affected Businesses	19073,38	
4	Compensation of job losses	0	
5	Compensation of crop	43520,62	
6	Compensation for productive and semi-productive Fruit Trees	1756570	
7	Compensation for fences	162369,8	
	Subtotal A	4783537,35	
B	Allowances		
8	Severely Affected AHs	237750,48	
9	Vulnerable Households	52099,2	
10	Relocated AH	6988,8	
	Subtotal B	296838,48	
C	Support Cost for RAP Implementation		
11	Cost for EMA (Social Safeguards Consultant)	96000	
12	Miscellaneous Administrative Cost	24000	
13	Land Parcel Registration	27234	
	Subtotal C	147234	
	Total R&R cost (A+B+C)	5227609,83	
	D. 10% Contingency	52276098,3	
	Grand total	57503708,1	21781707,6

1 USD = 2,64 GEL (29 December, 2016)

9.5 Justification of Cost Estimates and Updating LAR Budget

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 salary rates have been considered.

A detail measurement survey was conducted to assess the affected buildings and structures and subsequently a detailed market survey for valuation of construction costs for each type of affected structure.

As for compensation to crops, the actual market price has been considered for valuation of crops.

The prices are, therefore, replacement value at current market cost and ensure full replacement cost to the affected land, building/structures, crops and trees.

9.6 Source of financing

All funds for compensation and allowances envisaged in RAP.

9. Monitoring and Reporting

9.1 INTRODUCTION

The main objective of implementation of RAP 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 RAP, 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 RAP 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.

9.2 Monitoring and Evaluation indicators

Compliance of the RAP 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.

9.3 Level of Monitoring

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. Local Resettlement Consultant will assist RD Resettlement Unit during the RAP implementation and will be responsible for internal monitoring.

9.4 Internal monitoring

Internal monitoring will be carried out routinely by RU during implementation of the RAP. The key person in this process will be the Local Resettlement Consultant. The results will be communicated to the LARC and WB 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 and Working Group and reported to LARC to assess the progress and results of RAP implementation, and to adjust the work program, if necessary. The monthly reports will be quarterly consolidated in the standard supervision reports to the WB.

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.

9.5 External monitoring

According to the tasks, external monitoring will be carried out by an Social Safeguards Consultant hired by RDMRDI. The tasks assigned to the SSC will be the external monitoring of RAP implementation and the preparation at its end of a compliance report which will be the basis for WB to provide “No Objection” to the start of civil works.

9.5.1 EMA tasks

For each subproject involving land acquisition/resettlement, the SSC will closely monitor the implementation of the RAP and engage in the following tasks: (i) review of RAP 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 RAP; (iii) review all compensation tallies; (iv) verify whether the compensation is provided thoroughly to all APs and in the amounts defined in the RAP 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 RAP the SSC 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 RAP;
- (ii) Verification that all APs have been compensated in the amounts stipulated in the RAP
- (iii) Assessment of the accuracy of survey and asset valuation
- (iv) Assessment of the effectiveness and thoroughness of the Legalization process
- (v) Review of complaint and grievance cases and of their solution
- (vi) Assessment of the rehabilitation program for severely affected and vulnerable APs
- (vii) Assessment of the satisfaction of the APs
- (viii) Lesson learned to be applied to the next projects, and;
- (ix) General assessment of RAP implementation and recommendations to WB regarding the provision of “No Objection” Letter to start the civil works

The SSC will carry out its activities in close communication with the PIU 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 RAPs and will last until RAP implementation is concluded.

9.5.2 Post-implementation evaluation

The supervision consultants’ resettlement specialists will carry out a post-implementation evaluation of the RAP about a year after completion of its implementation. The compelling reason for this study is to find out if the objectives of the RAP have been attained or not. The benchmark data of socioeconomic survey of severely affected APs conducted during the preparation of the RAP 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 RAP have not been attained. For this task the Supervision consultants will:

- (i) Review the survey indicators as needed
- (ii) 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 SSC 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 SSC will also compare the situation of the APs with non-affected neighbours similar in terms of livelihood level to the APs. Focus group discussions and other 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 SSC for the Project.

- (iii) Assess again satisfaction on the valuation of assets and entitlements, timing of payments, fund availability and disbursements. In the same post-RAP survey, the SSC shall ascertain the satisfaction of APs on the valuation of assets, as well as, the scope and timing of assistance provided under the RAP.
- (iv) 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 RAP planning and implementation. Should the outcome of the study show that the RAP objectives have not been attained, the SSC will recommend appropriate supplemental assistance for the APs.
- (v) Preparation of the valuation report. Prior to submission of the post-RAP report, the SSC 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.

9.5.3 Monitoring indicators for task 2

Task 2 will be based among others on the monitoring indicators listed in table in Figure 33.

Figure 33: Monitoring Indicators

Monitoring indicator	Basis for indicator
Basic Information on AP Households	<ul style="list-style-type: none"> • Location • Composition and structure: ages, educational and skill levels • Gender of household head • Ethnic group • Access to health, education, utilities, and other social services • Housing type • Land and other resource ownership and utilization patterns • Occupations and employment patterns • Income sources and levels • Agricultural production data (for rural households) • Participation in neighbourhood or community groups • Access to cultural sites and events • Value of all asset forming entitlements and resettlement entitlements
Monitoring of benefit	<ul style="list-style-type: none"> • What changes have occurred in terms of patterns of occupation, production, and resource use compared to the pre-project situation? • What changes have occurred in income and expenditure patterns compared to the pre-project situation? • What have been the changes in cost of living compared to the pre-project situation? • Have APs' incomes kept pace with these changes? • What changes have taken place in key social and cultural parameters relating to living standards?
Restoration of living standards	<ul style="list-style-type: none"> • Were house compensations made free of depreciation, fees or transfer costs to the APs? • Have perceptions of community been changed? • Have the AP achieved replacement of key social and cultural elements?

Monitoring indicator	Basis for indicator
Restoration of livelihood	<ul style="list-style-type: none"> • Were compensation payments free of deduction for depreciation, fees or transfer costs to the AP? • Were compensation payments sufficient to replace lost assets? • Was sufficient replacement land available of suitable standard? • Did transfer and relocation payments cover these costs? • Did income substitution allow for re-establishment of enterprises and production? • Have affected enterprises received sufficient assistance to re-establish themselves? • Do jobs provided restore pre-project income levels and living standards?
Level of AP satisfaction	<ul style="list-style-type: none"> • How much does the AP know about resettlement, procedures and entitlements? • Do they know if these have been met? • How do the AP assess the extent to which their own living standards and livelihoods have been restored? • How much does the AP know about grievance and conflict resolution procedures? • How did resettlement implementers deal with unforeseen problems?
Effectiveness of resettlement planning	<ul style="list-style-type: none"> • Were the AP and their assets correctly enumerated? • Were land speculators assisted? • Was the time frame and budget sufficient to meet objectives? • Were entitlements too appropriate (wide or narrow)? • Were vulnerable groups identified and assisted?
Other impacts	<ul style="list-style-type: none"> • Were there unintended environmental impacts? • Were there unintended impacts on employment or incomes? • What was the number of received complaints? • What was the number of settled complaints?

Annex 1 Information Booklet

Land Acquisition and Resettlement Plan
for rehabilitation-reconstruction works on the
Khulo – Zarzma section of secondary road Batumi (Angisa) – Akhaltsikhe road

**(Lot 1 – Khulo – Goderdzi Pass)
Information Booklet 2016**



Goal of this information booklet is to provide information on rehabilitation-reconstruction project of Khulo-Zarzma road section of Batumi (Angisa) – Akhaltsikhe secondary road prepared by Roads Department of Georgia in 2013 and currently being updated, as well as to provide information about project impact, including land owners/users, census. This document cannot be comprehensive, though, it will provide the reader with sufficient information about the project and the process of planning impact evaluation on affected population and elimination/mitigation measures. In addition, landholders and users will be informed about land acquisition and resettlement policy.

Introduction

Secondary Batumi-Akhaltsikhe road crosses territories of Adjara Autonomous Republic and Samtskhe-Javakheti region. Road section km 80 – km 110 is in poor condition and needs rehabilitation together with reconstruction of some parts. Implementation of these works will improve capacity of project road and will ensure better connection of Batumi and Akhaltsikhe with Beshumi, which makes a ski resort which is under construction near this village more attractive and comfortable for tourists. At the same time, better road will assist improvement of social and economic condition of Upper Adjara and Samtskhe-Javakheti residents.

Development of the transport sector plays one of the most important roles in sustainable economic advancement of Georgia and overcoming poverty. Worsening of the condition of transport infrastructure increases production costs for business, prevents attraction of foreign investments, prevents the growth of transit transportation and leaves significant groups of population beyond main economic activities. Georgia has convenient geographic location on the crossroad of East-West (between Black and Caspian Seas) and North-South (between Russia and Turkey) transit corridors. Trade with neighbour countries is crucial for the country's economy for which organized and improved roads are one of the most important factors.

The project will be implemented in accordance with Social and Environmental Policy of World Bank and Georgian legislation. The project is funded by **Kuwait Development Fund**. Roads Department of Georgia assigned **“Aligator” LTD** to prepare a resettlement action plan as well as fieldwork, measurement and evaluation works. **Roads Department of Georgia** will also be responsible for land acquisition. This information leaflet is one of the means for the population appeared within project area (buffer) to get familiar with land acquisition mitigation measures and damage compensation policy and procedures.

Project description

Total length of Khulo-Goderdzi pass rehabilitation-reconstruction road section is 29,732 km and will pass through borough Khulo, villages – Dekanashvilebi, Okruashvilebi, Diakonidzeebi, Iakobidzeebi, Didadjara, Dioknisi, Tabakhmela, Bodzauri, Shuasopeli, Danisparauli and resort Beshumi.



Project affected area will include private land parcels and state land in private use. In total, 560 land parcels with total area of 1,675,435 sq.m. are affected out of which 232,928 is under permanent impact. Number of Affected Households is 510. From them, 51 households (290 land parcels) are severely affected as they lose more than 10% of arable land. In accordance with the statement on safety measures made by Asian Development Bank in 2009, the project was enlisted in Category A and needs preparation of full-scale resettlement plan.

Resettlement Policy and Principles

Resettlement policy for the project was developed in the following way: (a) consideration of all APs despite land ownership status or asset registration, (b) compensation of lost assets and (c) restoration or improvement of all category livelihoods for APs. As a result of project activities, all affected households/persons will be provided with in cash compensation for entire value of replacement for land or other asset which will be issued in accordance with market price of the asset. Additional measures will be made in order to minimize the damage in the process of construction. Thus, affected HHs subject to physical relocation will receive proper compensation, assistance in relocation and help in accordance with guidelines and policy which is also a part of Resettlement Policy Framework considering Georgian legislation and WB OP 4.12.

Three important elements of WB and ADB Involuntary Resettlement policy are: (i) provision of compensation for loss of assets, source of income and income relocation, (ii) assistance for physical relocation, including provision of adequate housing with proper infrastructure and services; (iii) assistance for rehabilitation to preserve the livelihoods and standards of living of displaced persons to pre-project levels. For any ADB's or WB's 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) Involuntary resettlement is to be avoided or at least minimized.
- (ii) Compensation/Rehabilitation provisions shall ensure the maintenance of the APs' pre-project standards of living.
- (iii) APs should be fully informed and consulted on compensation options.
- (iv) APs' socio-cultural institutions should be supported/used as much as possible.
- (v) Compensation will be carried out with equal consideration of women and men.
- (vi) Lack of legal title should not be a bar to compensation and/or rehabilitation.
- (vii) Particular attention should be paid to households headed by women and other vulnerable groups, such as Indigenous Peoples, and appropriate assistance should be provided to help them improve their status.
- (viii) Resettlement Action Plan should be conceived and executed as a part of the project, and the full costs of compensation should be included in project costs and benefits.
- (ix) Compensation and resettlement subsidies shall be fully provided prior to clearance of right of way/ ground levelling and demolition.

Eligibility for compensation and property ownership documents

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:

- In cash compensation at full replacement cost will be provided for agricultural land. In case of losing 10% and more productive land, APs (owners, leaseholders and shareholders of harvest) will receive additional assistance for severe impact which equals 2 year harvest from affected land or 3 times of monthly minimum subsistence for 5 member family in cases when compensating in the amount of income is irrelevant. Legalizable owners will register their right on the property and only after that they will be provided with compensation as owners with full registration. In case the non-legalizable land users lose the only land plot used by them which presents main part of their income, they will be provided with one-time monetary assistance for relocation which is subsistence minimum for five-member family calculated for one year (12 X 297 = 3564 GEL). If the rest of the land plot becomes unusable due to absence of access road or impossibility of using it for agricultural or other purposes, acquisition of this land should take place if the owner wishes so.
- Legal (registered) settlers of non-agricultural land will be compensated in cash at full replacement cost in accordance with ongoing market price free of transaction taxes and depreciation costs. Legalizable settlers will be legalized, registered in NAPR and compensated as titled APs. Non-titled land owners with non-legalizable land will be compensated with one-time self-relocation allowances in cash equal to 1 year

of minimum salary in case the land that they lose is the only land plot used and provides main source of income for AH.

- Houses, buildings, and auxiliary structures (fences, toilets, etc.): 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. Construction materials remaining after the demolition of the structures will be deemed as ownership of the AH.
- Annual crops: for land plots on which individuals have been permanently cultivating annual crops within the recent year will be compensated without any conditions, whether the crops are already seeded or not or whether the owner will manage to take harvest. Monetary compensation will be paid in the amount of 1 year harvest with the market price. Harvest compensation will be given to land owners and leaseholders based on their specific contributory agreements.
- Trees: Cash compensation at replacement value based on type, age and productivity of trees.
- Businesses: in case of permanent loss of business, in cash compensation in the amount of 1 year net income based on tax declaration or in case of absence of such document, in the amount of minimal salary; in case of temporary loss of business: in cash compensation in the amount of net income for business months up to 1 year period. Income will be calculated based on tax declaration or if there is no such document, official subsistence minimum.
- Loss of wages/employment: if employee's lose their wages due to the project interventions, they will be compensated in the form of assistance equivalent to 3 months of minimum salary.
- Relocation/Shifting Allowance: APs forced to relocate (change of residential or business location) will receive a relocation subsidy sufficient to cover transport costs and living expenses for 3 months.
- Vulnerable people Livelihood: socially Vulnerable AH (below poverty line, women headed without breadwinner or with members with disabilities or pensioners) will receive an allowance equivalent to 3 months of minimum salary and will be prioritized for employment in scopes of the project.
- Rehabilitation assistance for severely affected families. Households who will permanently lose more than 10% of their agricultural land or more than 10% of their income, will receive assistance as severely affected families. In case of losing agricultural land, severely affected land owners and/or users will receive additional in cash assistance which is equivalent to value of 2-year lost harvest of annual crops or if this value is lower than amount of 3 month subsistence minimum, than they will receive subsistence allowance for 3 months. In case of losing non-agricultural source of income, severely affected HHs will receive rehabilitation amount which is equivalent to 3 months of subsistence minimum. Subsistence minimum will be calculated for 5-member family and as of October, 2016 it equals 319 GEL.
- Utility infrastructure and facilities in shared use will be fully rehabilitated under the Project in order to avoid delays in functioning in the process of construction.
- Temporary impact in the process of construction. Right of temporary use of land parcels necessary for construction works shall be gained as a result of negotiations held by constructor company with land owners (e.g. on the ground of voluntary purchase or rent). Maximal term for temporary use of land is set for 2 years. Compensation amount shall not be less than the market price of 4-year harvest of annual crops on the land in temporary use. In addition, specific requirement requires the land to be returned to the owner in its prior condition (cleaned and re-cultivated).

Type of loss	Application	Affected HHs and persons	Compensation entitlements
Land			

Permanent loss of agricultural land	Project Affected Households losing agricultural land despite how severe the impact is	Owner with full registration	In cash compensation at full amount of replacement cost or land replacement with maximally similar land plot with the same value at the convenient location for AP. The option selected for the Program is cash compensation. If residual plots becomes unusable the project will acquire it in full if so the AP desires.
		Legalizable Owner	These AP will be legalized and provided with cash compensation at full replacement cost, in the same way as registered owners.
		Leaseholder / renter	Rental allowances in cash for 3 months
Restrictions on ownership of agricultural land, servitude	Project affected households	Owner with full registration or Legalizable Owner	Land owner will be compensated for delaying agricultural activities and wasting land, as well as for crops, plants and/or immovable property on the land loaded with servitude (with restriction of right to use) in the construction and exploitation period.
Buildings and structures			
Residential and non-residential structures/assets		All AHs despite their legal property/registration status (including Legalizable owners and squatters)	All impacts will be considered as full impacts disregarding the actual impact percentage. Impacts will be compensated in cash at full replacement costs free of depreciation and transaction costs.
Loss Of Community Infrastructure/Common Property Resources			
Loss of community infrastructure resources	Community/Public Assets	Community/Government	Reconstruction of the lost infrastructure in consultation with community and restoration of their functions
Loss of Income and Livelihood			
Crops, annual crops	Impact on planted crops or loss of income to be received from harvesting crops planned to be seeded **	All AHs regardless of legal status (including legalizable and Informal Settlers)	Crop compensation in cash at gross market value of actual or expected harvest. Compensation for this item will be provided by default both if the crops was harvested or not at time of impact
Trees	Affected trees	All AHs regardless of legal status (including legalizable and Informal Settlers)	Cash compensation at replacement value on the basis of type, age and productive value of the trees.
Allowances			

Severe Impacts	>10% income loss	All severely affected HHs losing more than 10% of land (including land settlers)	Agricultural income: 2-year yield from affected land. Other income: additional compensation for 3 months of minimum subsistence income i.e. 319 GEL per month X 3 months = 957 GEL per HH
Relocation/Shifting	Transport/transition costs	All AHs to be relocated	Provision of a monthly allowance covering transport expenses and livelihood expenses for a 3 months transitional period which equals 200 GEL for hiring transportation + minimum subsistence per month 319 GEL X 3 months = 1157 GEL per HH
Vulnerable People Allowances		Economically disadvantaged AHs, headed by Women, disabled or elderly	Allowance equivalent to 3 months of minimum subsistence income and employment priority in project-related jobs (minimum subsistence - 319 GEL per month X 3 months = 957 GEL per HH)
Temporary loss			
Temporary impact during construction or maintenance works		All AHs	Proper compensation will be defined and provided based on the given RAP in the construction process. Civil works Contractor will lease land required temporarily during construction on voluntary basis (e.g., willing leaser-willing lessee basis). Landowner will have right to refuse the offer. The maximum period for temporary use is defined as 2 years. Compensation rates should not be lower than gross value of 4 year's harvest of crops on the affected lands. It is also required that lands (or other assets) be fully cleared and restored to pre-project conditions for following use.
Unforeseen resettlement impacts, if any		All impacts which include temporary or permanent resettlement not envisaged in Roads Department and RAP documents and are related to the activity of Contractor	Roads Department of Georgia and contractor will address and mitigate/compensate unforeseen resettlement impact during project. Implementation under the provisions of RPF.

Grievance Redress Mechanism

A grievance redress mechanism will be established to allow an AP to complain about any decision of activities regarding temporary or permanent loss of their land, assets or sources of income and their compensation.

Grievance resolution is a two-stage process

I Stage – informal (oral) review of the AP's complaint (with written or oral). At this stage the AP's complaint shall be reviewed in an informal (oral) way and the Committee members of both levels (the composition of the committee is specified in this Section) shall make and sign the minutes on the matter. If at Stage 1 the AP's complaint is not resolved the AP should be informed about grievance resolution procedures of Stage II. An AP has the right to use the procedures of Stage II without applying to Stage I procedures.

II Stage – review of AP's complaint. For Stage II of grievance resolution process the Roads Department shall establish a Grievance Redress Committee (GRC) for the whole period of the project implementation. GRC shall review the written complaints of APs, which were not satisfied at Stage I. At stage II the AP's complaint shall be resolved and GRC shall make a decision in compliance with the Administrative Code of Georgia. The present RAP specifies the procedures of establishing GRC and its composition. The Resettlement and Environment Protection Division of the Roads Department is responsible for establishing GRC.

Grievance redress procedures of Stage I are an informal tool of dispute resolution allowing the APs and the project implementation team to resolve the disagreement without any formal procedures, procrastination and impediments. The international experience of resettlement shows that such informal grievance redress mechanism helps to solve most of the complaints without formal procedures (i.e. without using the procedures specified in the Administrative Code or litigation). This mechanism enables unimpeded implementation of the Project and timely satisfaction of complaints. At the same time, if the AP is not satisfied, the grievance redress mechanism should assist him/her in lodging an official complaint in accordance with the procedures of Stage II (the plaintiff should be informed of his/her rights and obligations, rules and procedures of making a complaint, format of complaint, terms of complaint submission, etc)

The grievance redress mechanism shall deal with the issues of land and other assets acquisition (e.g. amount of compensation, suitability of residual land plots, loss of access roads, etc) as well as the losses and damages caused by the construction works, e.g. temporary or permanent occupation of land by the contractor. Therefore, the grievance redress mechanism shall be in place by the time the Roads Department starts negotiations with the APs and shall function until the completion of the construction.

At the RAP preparation stage during the consultations meetings and negotiations the APs shall be fully informed of the grievance redress mechanism, its functions, procedures, contact persons and rules of making complaints through oral information and booklets. Care will always be taken to prevent grievances rather than going through Stage II. The achievement of this goal can be ensured through careful planning and preparation of RAP, active participation of APs, effective consultations, proper communication and coordination among local communities, Roads Department and local authorities

For further information please contact:

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LTD Alligator

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Updated information related to the project will be available at: www.georoad.ge

Annex 2 Public Consultations

Khulo Municipality, Villages Dekanashvilebi, Dioknisi and Riketi, 16 September, 2016



შეხვედრის ოქმი

რაიონი: ბუჯინი

სოფელი: ბუჯინი

თარიღი: 05.05.2016

	სახელი და გვარი	სოფელი	რაიონი	ბიულეტენის ნომერი	ხელმოწერა
1	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	598-07-25-81	<i>[Handwritten signature]</i>
2	კახიანი ბარბაქაძე ნიკოლოზი	ბუჯინი	ბუჯინი	598-09-22-123	<i>[Handwritten signature]</i>
3	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	595-415-200	<i>[Handwritten signature]</i>
4	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	599-100-834	<i>[Handwritten signature]</i>
5	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	577-20-71-11	<i>[Handwritten signature]</i>
6	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	577-15-01-06	<i>[Handwritten signature]</i>
7	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	598-09-26-78	<i>[Handwritten signature]</i>
8	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	190-912218	<i>[Handwritten signature]</i>
9	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	555-07-19-91	<i>[Handwritten signature]</i>
10	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	591-718-469	<i>[Handwritten signature]</i>
11	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	591-647-107	<i>[Handwritten signature]</i>
12	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	598-09-49-91	<i>[Handwritten signature]</i>
13	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	595-21-55-15	<i>[Handwritten signature]</i>
14	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	522-35-21-18	<i>[Handwritten signature]</i>
15	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	599-29-39-92	<i>[Handwritten signature]</i>
16	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	545-335-176	<i>[Handwritten signature]</i>
17	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	572-220-256	<i>[Handwritten signature]</i>
18	კახიანი ბარბაქაძე დიმიტრი	ბუჯინი	ბუჯინი	591-918-163	<i>[Handwritten signature]</i>
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შეხვედრის ოქმი

რაიონი: სურამი
 სოფელი: სურამი
 თარიღი: 2.05.2016

	სახელი და გვარი	სოფელი	რაიონი	ტელეფონის ნომერი	ხელმოწერა
1	სურამი დონაძე	სურამი	სურამი	598-09-09-43	სურამი
2	სურამი დონაძე	სურამი	სურამი	598-44-71-10	სურამი
3	სურამი დონაძე	სურამი	სურამი	599-31-54-74	სურამი
4	სურამი დონაძე	სურამი	სურამი	598-09-94-09	სურამი
5	სურამი დონაძე	სურამი	სურამი	599-001862	სურამი
6	სურამი დონაძე	სურამი	სურამი	591-71-3975	სურამი
7	სურამი დონაძე	სურამი	სურამი	599091929	სურამი
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9	სურამი დონაძე	სურამი	სურამი	599 00352 38	სურამი
10	სურამი დონაძე	სურამი	სურამი	577 22 62	სურამი
11	სურამი დონაძე	სურამი	სურამი	593-26-60	სურამი
12	სურამი დონაძე	სურამი	სურამი		სურამი
13	სურამი დონაძე	სურამი	სურამი	591638926	სურამი
14	სურამი დონაძე	სურამი	სურამი	577 215 209	სურამი
15	სურამი დონაძე	სურამი	სურამი	595 56 0989	სურამი
16	სურამი დონაძე	სურამი	სურამი	595 56 1240	სურამი
17	სურამი დონაძე	სურამი	სურამი	595 81 56 28	სურამი
18	სურამი დონაძე	სურამი	სურამი	599 97 72 99	სურამი
19	სურამი დონაძე	სურამი	სურამი		სურამი
20	სურამი დონაძე	სურამი	სურამი	599 049 328	სურამი
21	სურამი დონაძე	სურამი	სურამი		სურამი
22	სურამი დონაძე	სურამი	სურამი	588 057 177	სურამი
23	სურამი დონაძე	სურამი	სურამი	599-26-8814	სურამი
24	სურამი დონაძე	სურამი	სურამი	595 91-74-53	სურამი
25	სურამი დონაძე	სურამი	სურამი	598-71-26-110	სურამი

პირა დონაძე დონაძე სურამი 598-09-95-55

შეხვედრის ოქმი

რაიონი: სკვ

სოფელი: სკვ / სკვ

თარიღი: 21.08.2016

	სახელი და გვარი	სოფელი	რაიონი	ტელეფონის ნომერი	ხელმოწერა
1	შინაძე მამუკაძე	სკვ		591 98 11 27	[Handwritten Signature]
2	გაბ. ბუჩქაძე	სკვ		591 44 71 09	[Handwritten Signature]
3	მანუჩი	სკვ		577 90 60 66	[Handwritten Signature]
4	გუგუშვილი	სკვ		599-35-488	[Handwritten Signature]
5	ბერიძე	სკვ		595-915-910	[Handwritten Signature]
6	ბერიძე	სკვ		591-71-82-64	[Handwritten Signature]
7	ბერიძე	სკვ		591-98-12-36	[Handwritten Signature]
8	ბერიძე	სკვ		591-38-76-28	[Handwritten Signature]
9	ბერიძე	სკვ		598-09-07-54	[Handwritten Signature]
10	ბერიძე	სკვ		591-98-11-28	[Handwritten Signature]
11	ბერიძე	სკვ		598-09-32-42	[Handwritten Signature]
12	ბერიძე	სკვ		577 20 46 92	[Handwritten Signature]
13	ბერიძე	სკვ		591-38-11-76	[Handwritten Signature]
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შეხვედრის ოქმი

რაიონი: ბუჯა

სოფელი: კანხელო/ლოჯანუკა

თარიღი: 8.05.2016

	სახელი და გვარი	სოფელი	რაიონი	ტელეფონის ნომერი	ხელმოწერა
1	მ.ს.მ. ჯაფარიძე	ქვემო	ბუჯა	598 09 20 20	მ. ჯაფარიძე
2	მ.ს.მ. შანთაძე	კანხელო	ბუჯა	591-71-24-53	მ. შანთაძე
3	მ.ს.მ. კახიანი	კანხელო	ბუჯა	551-09-21-29	მ. კახიანი
4	მ.ს.მ. შანთაძე	კანხელო	ბუჯა	599-55-11-40	მ. შანთაძე
5	კახიანი	კანხელო	ბუჯა	577-15-09-09	მ. კახიანი
6	მ.ს.მ. კახიანი	კანხელო	ბუჯა	591 02 51 11	მ. კახიანი
7	მ.ს.მ. შანთაძე	კანხელო	ბუჯა	598 09 07 69	მ. შანთაძე
8	მ.ს.მ. კახიანი	კანხელო	ბუჯა	595 02 55 91	მ. კახიანი
9	მ.ს.მ. შანთაძე	კანხელო	ბუჯა	598 09 53 18	მ. შანთაძე
10	მ.ს.მ. შანთაძე	კანხელო	ბუჯა	598 09 95 25	მ. შანთაძე
11	მ.ს.მ. კახიანი	კანხელო	ბუჯა	595 91 29 99	მ. კახიანი
12	მ.ს.მ. კახიანი	კანხელო	ბუჯა	592 09 09 40	მ. კახიანი
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	Question	Answer
1	I have a pool and it appears in affected area, it belongs to 7 families and water is installed through a complicated way. It is 3 meters away from road.	Any facility or building which appears within affected area will be compensated in compliance with agreed principles.
2	There are 6 trees of walnut, if they cut them, will I receive compensation?	If these walnut trees are your property and they will be cut, you will be paid compensation for the lost trees.
3	Shall we do the drawing or who will do it?	The drawing will be made by a representative of Aligator LTD.
4	Is entire land parcel measured or just the affected part?	The land parcel which appears in affected area is measured entirely and part to be acquired will be separated.
5	The road won't pass unless it affects me. The land is registered – if it appears in affected area, I won't have an access road. Is remaining land unused?	If 10% of your land parcel appears in affected area, your case will be considered as severe impact and you will receive additional compensation for it.
6	When will be the recognition commission?	Commission was already there, it exists on district level, you can apply to it and submit a drawing and require for the document that proves entitlement. This document will enable you to register the land in Public Registry.
7	How do I know if my land parcel appears in affected area?	Fieldwork is still in progress and we will certainly visit you too.
8	What is the size of corridor?	Each section has its own corridor, it differs according to location, if the road is already wide, the corridor won't be very widened, if it's narrow, it will need to be widened. It takes approximately 10 meters with sidewalk and cuvette, walls need to be done in landslide areas, it needs 10 meters.
9	I had my drawings done 4 years ago and they are to be registered, what will happen now?	If it's registered and correct, you won't need re-registration, but if the registration is incorrect, you will have to register again.
10	We all registered, we paid 350 GEL before 2012, UNM registered it, this government abolished, what happens now?	Land registration done before 2012 is invalid registration, you will have to register it again.
11	If the half of the building is in affected area, will it be acquired entirely or partially?	Entire building will be acquired.
12	When will they compensations?	After inventory, evaluation process is completed and resettlement action plan is prepared

13	Is social status related to land evaluation?	No, social status is evaluated by means of additional study and is not anyhow related to land or other property
14	Who provides funding for the project?	Kuwait Development Fund.
15	Will separate contracts be signed with individuals or will it be for everyone together?	Contracts and agreements will be individual, but every contract will be prepared in accordance with pre-agreed principles.

Annex 3 Acquisition and Compensation Scheme

No.	Unit	Cost in GEL	Cost in USD
A	Compensation		
1	Compensation for Permanently Acquired Land	1759073,55	
2	Compensation for Structures/Buildings	1042930	
3	Compensation of Affected Businesses	19073,38	
4	Compensation of job losses	0	
5	Compensation of crop	43520,62	
6	Compensation for productive and semi-productive Fruit Trees	1756570	
7	Compensation for fences	162369,8	
	Subtotal A	4783537,35	
B	Allowances		
8	Severely Affected AHs	237750,48	
9	Vulnerable Households	52099,2	
10	Relocated AH	6988,8	
	Subtotal B	296838,48	
C	Support Cost for RAP Implementation		
11	Cost for EMA (Social Safeguards Consultant)	96000	
12	Miscellaneous Administrative Cost	24000	
13	Land Parcel Registration	27234	
	Subtotal C	147234	
	Total R&R cost (A+B+C)	5227609,83	
	D. 10% Contingency	52276098,3	
	Grand total	57503708,1	21781707,6