



**TEİAŞ**

TURKISH ELECTRICITY TRANSMISSION COMPANY

# **RENEWABLE ENERGY INTEGRATION PROJECT – ADDITIONAL FINANCE–**

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## Land Acquisition Policy Framework

**FINAL**

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## **ABBREVIATIONS**

1. LAP Land Acquisition Plan
2. LAPF Land Acquisition Policy Framework
3. WB World Bank
4. PAP Project Affected People
5. ALAP Abbreviated Land Acquisition Plan
6. GRM Grievance Redress Mechanism
7. TEİAŞ Turkish Electricity Transmission Corporation
8. USD United States Dollar

## DEFINITIONS

**Compensation** refers to payments made by those causing specified and agreed loss to those who suffer the impairment of access to land, waters and other critical natural resources and livelihoods, or damage to, or destruction of, community members' individual or collective assets of any kind, whether accidental or planned.

**Expropriation** refers to a dispossession or a limitation of ownership rights on property with compensation pursuant to market value of the property.

**Economic Displacement** refers to loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, etc.) resulting from the construction or operation of a Project or its associated facilities.

**Informal User** refers to people who have no recognizable legal right or claim to the land they are occupying for residential, business and/or other purposes. They are not eligible for land compensation but qualify for compensation for loss of structures and improvements, loss of crops and transitional livelihood support.

**Involuntary resettlement** includes all cases with social and economic impact in which, because of the Project implementation, land or assets are taken in a legal process without owners consent or power of choice, resulting in relocation or loss of shelter, loss of assets or access to assets, or loss of income sources or means of livelihood.

**Livelihood restoration** includes all efforts to be undertaken to assist Project Affected Persons (PAPs) impacted by physical or economical displacement to improve their livelihoods and standards of living, or at least to restore to level before displacement or to level prior to the beginning of project implementation, whichever is higher. Assistance in livelihood restoration will continue in a transition period, based on a reasonable estimate of the time likely needed.

**Mitigation measure** refers to the measures to be taken in order to minimize the negative effects of impacts on livelihoods of the affected people.

**Land** includes anything growing on or permanently affixed to land, such as buildings and crops.

**LAP (Land Acquisition Plan)** specifies the procedures that will be followed and the actions that will be taken to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by a Project. The document, in line with the national legal framework, is consistent with the principles and objectives of OP 4.12 and with the LAPF.

**LAPF (Land Acquisition Policy Framework)** defines the land acquisition principles, organizational arrangements, and design criteria to be applied to sub-projects (schemes) to be prepared during Project implementation. Sub-project Land Acquisition Plans (LAPs) consistent with the Land Acquisition Policy Framework (LAPF) subsequently are submitted to the Bank for approval after specific planning information becomes available.

**Project** refers to Turkey Renewable Energy Integration Project, including all its sub-projects (schemes), components and phases.

**Project-Affected Person (PAP)** refers to any person who, as a result of the implementation of a project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, etc.), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.

**Physical Displacement** refers to the loss of shelter and assets resulting from the expropriation of land associated with the Project that requires PAPs to move from home, workplace or business premises to another location.

**Replacement Cost** is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, structures and assets are valued at their replacement cost. For losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, customers, and suppliers; or to fishing, etc.), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities. For agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes. For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes

**Resettlement** relates to all cases of land acquisition and compensation for loss of assets, whether it involves actual relocation, loss of land, shelter, assets, economic displacement or other means of livelihood and includes all the measures taken to mitigate any and all adverse impacts of the Project on PAPs' property and/or livelihood, including compensation, relocation (where relevant), and rehabilitation. Resettlement impacts include the loss of crops and incomes, in addition to physical relocation.

**Stakeholder** refers to individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a Project.

**Vulnerable groups** refer to those groups that are below the poverty line, the landless, the elderly, women and children, and those who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others or who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

## 1. Project Description

The purpose of energy transmission facilities is to transmit the electricity generated at generation facilities in an economical and uninterrupted manner. This purpose is achieved by upgrading the capacity of existing facilities and constructing new facilities.

In order to upgrade electricity systems, improve their performance, expand the transmission capacities between the generation and consumption areas in the interconnected system and ensure safety and reliability of the power system, Turkish Electricity Transmission Corporation (TEİAŞ) has largely completed investments involving Substations, Energy Transmission Lines, Underground Cables, Submarine Cables materials and equipment, and investment activities continue for the remaining parts (in order to plan, design, install, operate and maintain the country's interconnected system as part of its main functions)

The components of Renewable Energy Integration Project – Additional Finance (REIP AF) are expected to partly alleviate the key issues which obstruct the faster development of wind energy potential in Turkey. The sub projects proposed for REIP AF are as follows:

**Component A: Development of transmission infrastructure to facilitate faster development of Wind Power Plants (20.4 million USD):** This component involves the development of a 380 kV Substation in Çitlikköy to collect and transfer energy from the wind power plants in South Marmara Region. The energy coming from these power plants will be transferred to the consumers in Bursa, Istanbul and Kocaeli.

**Component B: Submarine power cables to better interconnect the wind energy locations with other parts of Turkey (252.1 million USD):**

*i. Lapseki 3-Sütlüce 3 380 kV Submarine Power Cable (91.2 million USD):* Like the third double circuit submarine cable route with a length of 4.75 km along the Çanakkale Strait, this cable will also connect the Anatolia and Thrace parts of Turkey. Together with the first and second submarine cables installed under APL-6 and REIP projects, the total submarine cable capacity along the Çanakkale Strait will be further expanded as wind energy is connected to the substations in South Marmara and West Anatolian provinces. As a result of this subcomponent, the 380 kV transmission network extending to Istanbul along the Bosphorus and Çanakkale Straits will form a safe and strong circuit around Marmara Sea.

1. Lapseki-3 - Sütlüce-3 Submarine Cable 380 kV, 2x1600 mm<sup>2</sup> Cable, (4.75 km) (WB financed)
2. Associated Facility (AF): Lapseki 3 and Sütlüce 3 interface points

*ii. İzmit 380 kV Submarine Power Cable and its Connection Structures (160.9 million USD):* South Marmara and West Anatolia have a high wind energy potential. Some new wind power plants are also expected to be commissioned soon in Çanakkale and Balıkesir (approximately 1,600 MW in total) and in Izmir and Manisa (approximately 1,250 MW in total). The İzmit 380 kV submarine power cable and its connection structures will connect new wind energy facilities to Kocaeli and Istanbul. This sub-project will consist of the following sections:

1. Hersek - Dilovası Submarine Cable (fiber optical), 380 kV, 2x1600 mm<sup>2</sup> Cable, 4.75 km
2. Deri OIZ GIS – Tepeören Underground Cable, 380 kV, 2000 mm<sup>2</sup> Cable, 11.3 km
3. Gebze GIS – Kroman Çelik GIS Underground Cable, 380 kV, 2000 mm<sup>2</sup> Cable, 12 km

4. Kroman Çelik GIS - Deri OIZ GIS Cable (fiber optical), 380 kV, 2000 mm<sup>2</sup> Cable, 11 km
5. Gebze GIS - Dilovası Cable (fiber optical), 380 kV, 2000 mm<sup>2</sup> Cable, 9.65 km
6. Diliskelesi GIS - Dilovası Cable (fiber optical), 380 kV, 2000 mm<sup>2</sup> Cable, 4.5 km
7. İzmit Gulf Crossing Interface Point - Hersek Cable (fiber optical), 380 kV, 2x2000 mm<sup>2</sup> Cable, 2.4 km

**Component-c: Strengthening of transmission network to accommodate the growing electricity supply and demand in Turkey (38.2 million USD):** This component will finance the investments needed to expand the transmission network to accommodate the rapidly growing demand and supply in Marmara Region. This component consists of two 380 kV gas insulated substations (GIS), namely Deri OSB GIS (23.1 million USD, 380/154 kV, 2\*250 MVA) and Gebze GIS (15.1 million USD, 380/33 kV, 2\*125 MVA).

## 2. Objective of Land Acquisition Policy Framework

The purpose of energy transmission facilities is to transmit the electricity generated at generation facilities in an economical and uninterrupted manner. This purpose is achieved by upgrading the capacity of existing facilities and constructing new facilities.

The selected project locations / routes of energy transmission facilities avoid settlement areas and residential districts to the extent possible. TEİAŞ makes special effort to avoid transmission lines passing over houses and other structures, and where this is not possible, expropriation is kept at the minimum level to the extent technical requirements allow, with particular focus on the protection of the environment, forests, historical protection sites, etc. in line with national policies and good practices.

The principles concerning land acquisition aim at mitigating the impacts expected on the land and livelihoods as a result of the land acquisition.

The procedures set out in this framework document have been designed consistently with the Turkish laws and regulations as well as the World Bank's OP 4.12 on Involuntary Resettlement. It is expected that under REIP AF, a limited area will be expropriated which will lead to economic resettlement. Physical displacement is expected to be minimal in the Additional Finance project. The objective of this Land Acquisition Policy Framework is to detail out the practices, processes and activities to assure compliance with the World Bank's policies and procedures to be affected from REIP AF. This Framework document initially provides information on the specific plans to be prepared for those sub-projects that are already known and will cover any potential sub-projects that maybe included during project implementation.

This framework document also provides an overview of the applicable legislation in addition to defining the project affected people, entitlements and compensation provisions, and steps to ensure compliance with OP 4.12.

Land acquisition efforts will follow the locations of investment list proposed for this project. TEİAŞ has achieved progress in the ongoing REIP which is funded from a World Bank loan and is about the attain the Project development Goal of '*assisting Turkey in meeting its increased power demand by strengthening the transmission system and facilitating large-scale renewable energy generation*'. Under the parent project REIP, 24 sub-projects are financed, which include underground cables, submarine cables and substations. 10 sub-projects required involuntary land acquisition however in 7 of the 24 sub-projects,

Abbreviated Land Acquisition Plans (ALAPs) have been prepared as per Bank's safeguards policies as involuntary land take from private land owners has resulted. The remaining 3 sub-projects were utilizing public land that did not have any formal or informal land user issues, as confirmed by TEİAŞ and the World Bank, therefore no ALAP was prepared. There are no significant social safeguards issues, or any new grievances received in the current project. This LAPF is a revised version of the existing Land Acquisition Policy Framework prepared for the main project of REIP in March 2014.

This Land Acquisition Policy Framework covers the (i) and (ii) of Component B following:

- 1) Substation and submarine lines,
- 2) Interface fields for land connection points of submarine cables under Component B.

TEİAŞ has identified 4 sub-projects under the REIP AF which will require involuntary land take from private users. The total impacted parcels are estimated to be less than 50 with a break down as following:

- i. Lapseki 3 interface point (AF): 10 parcels, 23 land owners
- ii. Sütlüce 3 interface point: (AF): estimated to be 5 parcels, but this may change as land expropriation plans have not been finalized yet
- iii. İzmit Gulf crossing, southern interface point (AF): 4 parcels, total affected land owner 1; and another 11 parcels for an access road to the interface point
- iv. Çiftlikköy Substation: 13 parcels, 1 land owner and 12 users (some of which could be informal) occupying on Treasury state land.

For sub-projects where land acquisition has not started yet, a Land Acquisition plan (LAP) will be prepared to cover all sub-projects (Sütlüce 3, and any other associated facilities that the Bank necessitates inclusion). For sub-projects (Lapseki 3, Çiftlikköy Substation and İzmit Gulf Crossing southern interface point) where land acquisition has already been started or completed before the Bank financing (past land acquisition), in order to fulfil compliance with World Bank's OP 4.12, an ex-post social audit will be undertaken by TEİAŞ and will be annexed to the single Land Acquisition Plan.

The ex-post social audit included in the Land Acquisition Plan (or ALAP, depending on the magnitude of impacts) will also state how TEİAŞ will undertake corrective measures to fill gaps, if any, in order to comply with the World Bank's safeguards policies. The final versions of all land acquisition related plans/reports, which are approved by the World Bank, will be posted on the website of TEİAŞ for public information, with a copy to be sent to related village headman's office for public disclosure, so that the related stakeholders can be informed about the framework document and plans in a timely manner. TEİAŞ and the World Bank will conduct consultations and controls during site visits to verify that land acquisition is performed in line with these principles.

All expropriations to be carried out under the abovementioned investments will follow the framework document.

### **3. Potential Project Impacts and Affected People**

Project affected people will be the owners of immovable properties to be directly affected from the energy transmission line facilities, substation sites and interface connection points of submarine cables, as well as the tenants or users who will be affected. Project sites have been selected in a way such that

land use and impacts on the persons will be minimized. These people reside in the region where 1 substation will be installed (Çiftlikköy) and submarine cables will be connected (Lapseki, Sütlüce and Hersek). In Lapseki Sutluce 3, Izmit Gulf Crossing and Ciftlikkoy the project affected people are determined and for other sub-projects they will be determined after the expropriation plans are prepared. In compliance with the Stakeholder Engagement Framework prepared for REIP AF as part of ESMF, an assessment will be conducted for the project affected people and stakeholders under the LAP in order to identify potential loss of income and any other assets that may be affected. In addition, if additional land acquisition will become necessary to ensure project integrity and sound operation of the facility, a Land Acquisition Plan will also be prepared and implemented, in accordance with the Land Acquisition Policy Framework.

Impacts of the proposed substation and transmission lines are not expected to be significant. During site selection, decisions are taken to secure shortest and most economical transmission route for the energy transmission facilities while avoiding any potential negative effect on the communities and investments of other public agencies and organizations in the same region. The lands corresponding to the substation and tower pylons acquired through permanent land acquisition (expropriation) while the areas below ETLs are acquired through easement rights and hence, the use of lands below the ETLs will not be restricted. The parcels below the ETLs usually are primarily used for agriculture and husbandry purposes.

In addition, most of the lands in the region may have too many shareholders and heirs who may not be living on or in the vicinity of the affected lands. If the land-owners do not live in the region, efforts will be made to contact them through 1) local inquiries with village headman and residents and 2) searching at the land registry offices and law enforcement offices as well as their citizen ID numbers and addresses. If the relevant citizens cannot be contacted still, a newspaper announcement will be published pursuant to Article 10 of Expropriation Law No. 2942. For land where reconciliation negotiations fail or whose owners' addresses cannot be identified, and land with disputed title status; a lawsuit is filed with the relevant court of first instance for valuation and registration, pursuant to Article 10 of the Expropriation Law. In case the lawsuit for valuation and registration cannot be concluded within 4 months, the legal interest rate is applied to the determined compensation amount as of this deadline. The expropriation compensation set by the court in the course of the lawsuit is deposited into a bank account to be paid to the owner of the expropriated property. The expropriation compensation for immovable properties with disputed or litigated title status is deposited into a deposit account with 3-month maturity terms, and paid to the right holder after the owner is finally determined.

Physical relocation of households is not expected, however relocation and unavoidable impacts on structures and a greenhouse in Ciftlikkoy are expected. The expropriation process to be carried out by TEIAS is expected to lead to displacement or resettlement, to a limited extent Expropriation will take place on substation sites, tower pylons and possibly access roads to substations. The land between towers will not be expropriated. Rather, long term easement agreements are executed with owners to provide underground easements, which permit existing agricultural activities to be carried out without interruption. Landowners can continue cultivating the land, but are restricted from any action damaging electricity poles, constructing structures under the transmission lines, and planting trees above a certain height (varies with technical specification of transmission line) under the transmission lines. In addition, land-

owners will be paid sufficient compensation so that they can buy another equivalent land. If a farmer whose land is expropriated wants to continue with agricultural activities, s/he is informed about alternative lands that s/he may buy with compensation during the negotiations.

In compliance with the local legislation and the World Bank's Resettlement Policy (OP 4.12), TEİAŞ sets the expropriation value payable to property owners such that the owner can buy an equivalent land at the same place. The valuation of property to be expropriated is determined by taking into consideration the criteria set out in Article 11 of the Expropriation Law.

Expropriation compensations are set by taking into account all factors affecting the property's value, pursuant to the criteria set out in Article 11 of the Expropriation Law. TEİAŞ's Valuation Commission must take into account the following valuation criteria, which are mentioned in Article 11 of the Expropriation Law, when appraising the value of the property or resource to be expropriated;

- a. Type and nature,
- b. Surface area,
- c. All features and elements that may affect its value, and the value of each element separately,
- d. Tax declaration, if applicable,
- e. Previous values of property determined by official bodies on the date of expropriation,
- f. For land, the net income that could be derived from the immovable property or resource (without undertaking any changes, using the immovable property or resource under the same conditions as of the expropriation date),
- g. For house plots, the amount for which similar house plots have been sold without any special purpose, prior to the date of expropriation,
- h. For structures, official unit prices and construction cost calculations,
- i. Any other objective criteria that could affect the value of the property or resource.

The Valuation Commission shall determine the value of an immovable property in a justified report, providing the answers for each of these elements separately, while the value of the immovable property is determined also taking into account the declarations of related persons, in accordance with the standards adopted by the Capital Market Board.

Turkish expropriation legislation does not require the payment of compensation to tenants, sharecroppers and informal users of properties who have made no improvements (building and/or tree planting). However, payment can be made to those persons who can prove ownership through official documents or by way of court.

Replacement cost will also be taken into account in the calculations pursuant to the World Bank's OP 4.12. If the crops and trees on the property haven't been taken into account during the land valuation, their costs will be paid during the construction as compensation for losses and damages.

Apart from land acquisition / expropriation, livestock rangelands and pastures shared with other villagers and fruit trees on access roads may be damaged during construction stage due to the transportation of large amounts of materials through large trucks. In such cases, the damage will be immediately reported to TEİAŞ and compensated by the related contractor and, hence the area will be restored.

During the process of expropriation, the expropriation staff of TEİAŞ regional office meets with land-owners to agree on the compensation fee and explain the expropriation process. During these meetings, the expropriation staff of TEİAŞ regional office will inform land-owners about the legislation and process, receive their views and will collect information to derive the socioeconomic inputs needed for LAP (such socioeconomic information depends on the size of impacts. For lands to be used for substations, the APL 6 and REİP projects will form a model for agreement, involving simpler impacts with electricity transmission lines. All consultation activities will follow the Stakeholder Engagement Plan prepared for the project.

If the remaining part of partly expropriated land is not sufficiently productive for cultivation, the whole land may have to be expropriated. If there are individuals who are deemed to potentially have grievances after expropriation, such individuals may be provided with recommendations and alternatives during meetings to prevent any worsening in their living standards as a result of the project.

The Entitlement Matrix in Section 6 provides a list of potential impacts for people who may be affected under the project.

### **Project Affected People**

As mentioned above and shown in the annexed Matrix, the people who may be affected from the project are listed below:

- Legal owners of expropriated lands
- Tenants and other users on expropriated lands
- Persons from whom easement rights will be obtained for the aerial energy transmission lines
- People using the land to be acquired as pasture
- Informal users using state Treasury land, forest land or pasture land

The affected people will be determined from the land registry and cadastre records after the expropriation decision is taken. Before expropriation is performed, they will be contacted public call for negotiation and/or court subpoena.

Vulnerable people in this project were anticipated to be elderly, disabled, single headed household, women headed households, low income groups found among the affected people under the project area. However, no vulnerable people have been defined during studies.

### **Cut-off Date**

Under the current WB policy, people who settle in the project area after a designated cut-off date are ineligible for any compensation or assistance. The cut-off date should be established through “an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx”. The rationale behind this exclusion from entitlements is to discourage “encroachers” and rent seeking behaviour and, as such, has practical merit.

Generally, in the Turkish expropriation practice, the cut-off date corresponds to the date at which the PAP and asset inventory is completed.

TEIAS uses the date of asset inventory. If there are any additional requests or questions, grievance mechanism will allow PAPs to come forward with cut-off date related issues.

## **4. Turkish Legal Framework on Land Acquisition**

### **Laws and Procedures on Land Acquisition**

In the scope of Turkish legal framework, land acquisition/expropriation is based on the Expropriation Law No: 2942 (amended by Law No: 4650 in 2001). In addition, Article 46 of the Turkish Constitution explains that state and legal public entities, in cases of public benefit, are entitled to entirely or partially expropriate immovable properties in private possession, on condition that the real value of those immovable properties are paid in advance and in cash; and to establish easement rights on these immovable properties in compliance with the procedures and principles set by expropriation law. In other words; Turkish Constitution implies that any immovable property cannot be confiscated unless its expropriation compensation is paid to the owner/s in advance and in cash.

One or more of the following legislation will be used by TEİAŞ for expropriation purposes:

1. Electricity Market Law No. 6446
2. Civil Code no. 4721
3. Decree-Law No. 233 on State Owned Enterprises,
4. Articles of Association of TEİAŞ published on 29 June 2001
5. Land development and Planning Law, Cadastre Law, Forestry Law, Pastures Law, Organized Industrial Zones Law, etc.
6. Environment Law, Agricultural Reform Law and other applicable legislation

In cases where the owners of immovable properties are identified, the first choice practice is to purchase the land through negotiation. For those owners with whom agreement cannot be reached by negotiation or for owners with unidentified addresses, absentee owners, or for immovable properties over which there are ownership disputes; a lawsuit is filed with the relevant court of first instance for valuation and registration, pursuant to Article 10 of the Expropriation Law, and the expropriation compensation set by the court in the course of the lawsuit is deposited into a bank account to be paid to the owner of the expropriated property. The expropriation compensation for immovable properties with unidentified

owner is deposited into a time account with 3-month maturity terms, so that the owners or right-holders to be determined in the future do not suffer any loss of right.

Our legislation does not require the payment of compensation to tenants and other illegal users of properties. However, persons who have spent money and constructed/erected buildings or other structures on the lands of other persons are compensated at replacement cost for trees and material costs for buildings.

The right of the property owner affected from the expropriation process to file a complaint is reserved in the national legislation both administratively and judicially. Accordingly, the affected property owner is entitled to request that the project location be changed administratively and to object to the compensation amount offered to him. If the affected property owner cannot have his grievances redressed, both in terms of the relocation of project site and the amount of compensation from TEİAŞ, he reserves the right to file lawsuits at administrative and judicial courts.

Affected people are compensated for the losses and damages caused on the route and during access to the route. The compensations paid cover the restoration of the property as well.

The implementation steps of expropriation process are explained below.

Start of expropriation:

The expropriation procedures are started through decision of public good taken after the decision taken by TEİAŞ Board of Directors within the framework of technical documents is approved by Ministry of Energy and Natural Resources.

#### **Valuation:**

The Valuation Commission of three people appointed by TEİAŞ appraises the value of the property to be expropriated based on information and documents received from experts, relevant organizations, Ministry of Industry and Trade and local real estate agents pursuant to Article 8 of Expropriation Law.

The Valuation Commission sets the estimated ceiling value of immovable properties in the expropriation area. Valuation Commission must take into account the following valuation criteria, which are mentioned in Article 11 of the Expropriation Law, when appraising the value of the property or resource to be expropriated:

- a. Type and nature,
- b. Surface area,
- c. All features and elements that may affect its value, and the value of each element separately,
- d. Tax declaration, if applicable,
- e. Previous values of property determined by official bodies on the date of expropriation,
- f. For land, the net income that could be derived from the immovable property or resource (without undertaking any changes, using the immovable property or resource in the same conditions as of the expropriation date),

- g. For house plots, the amount for which similar house plots have been sold without any special purpose, prior to the date of expropriation,
- h. For structures, official unit prices and construction cost calculations,
- i. Any other objective criteria that could affect the value of the property or resource.

Announcement:

TEİAŞ notifies the owners of the immovable property to be expropriated through an official registered letter indicating its desire to purchase the subject land through negotiation, and paying the price of the land or easement right for such land in cash. For immovable properties over which there is ownership dispute, and unidentified owners, relevant court publicizes the summary of expropriation documents in a local and national newspaper at least once.

Purchase through Agreement /Payment/Registration

Negotiation commission set up by our Corporation with minimum three members (Article 8 of Expropriation Law) holds negotiations with the owners who respond to the announcement and agree to participate in the agreement and prepares minutes on the result of negotiation. Registration procedures are carried out at the land registry office with the owners with whom agreement is reached as a result of negotiations, and then expropriation fee is paid (Article 8 of Expropriation Law).

Negotiation commission is internally established by the agency responsible for land acquisition to negotiate with property owners. Each negotiation commission is comprised of at least three persons. Prior to negotiation stage, the aforesaid agency sends an official invitation letter to property owner without informing about the estimated value for the asset that had been previously estimated by the valuation commission. Then, negotiation session starts on determined date.

If an agreement on expropriation value is reached, payment of expropriation compensation procedures is completed within 45 days. Land acquisition is done by consent. The property owner does not hold a right of objection after this negotiated settlement process.

Non-agreement:

If an agreement is not reached during negotiations, the agency/sponsor responsible for land acquisition applies to the Civil Court of First Instance with needed documents. The court assigns a day for a trial within 30 days following this application and calls the parties (agency and property owner) for conciliation on a value on the trial day. If the parties cannot reach an agreement upon a value at this first hearing, the judge assigns a date for land survey by a commission, which consists of independent experts, within 10 days, and a new trial date within 30 days. The evaluation process of the immovable property is undertaken by this independent expert commission with the participation of all parties and the village headman. Following the field visit regarding land survey, the expert commission submits its report to the court within 15 days. The report explicitly states the determined value for the property. Then, the court sends this report to both parties. If the parties cannot reach an agreement on this value at the trial again, the judge can assign a new expert commission to finalize the same procedure within 15 days and determines the

expropriation value at the next trial day. The Court takes the final decision about the compensation of immovable property in question and the compensation fee is paid to the bank account opened in the name of the land-owner. A copy of the payment receipt is submitted to the court. The registration decision issued is final.

It should be noted that the costs of the court process are borne by the responsible agency according to the Expropriation Law .

When the court takes its final decision about the compensation payable for the immovable properties, the property owner can still apply to the court of appeal to object to the compensation amount but not for the cancellation of the expropriation. Finally, registration and payment of expropriation compensation are completed within 15 days through Court judgment.

In addition, if a land is partially expropriated and in case of the remaining part is not usable, this part shall also be expropriated upon the request of the owner within 30 days following receiving expropriation decision (Article 12 of Expropriation Law).

During the implementation of this process, TEİAŞ undertakes that;

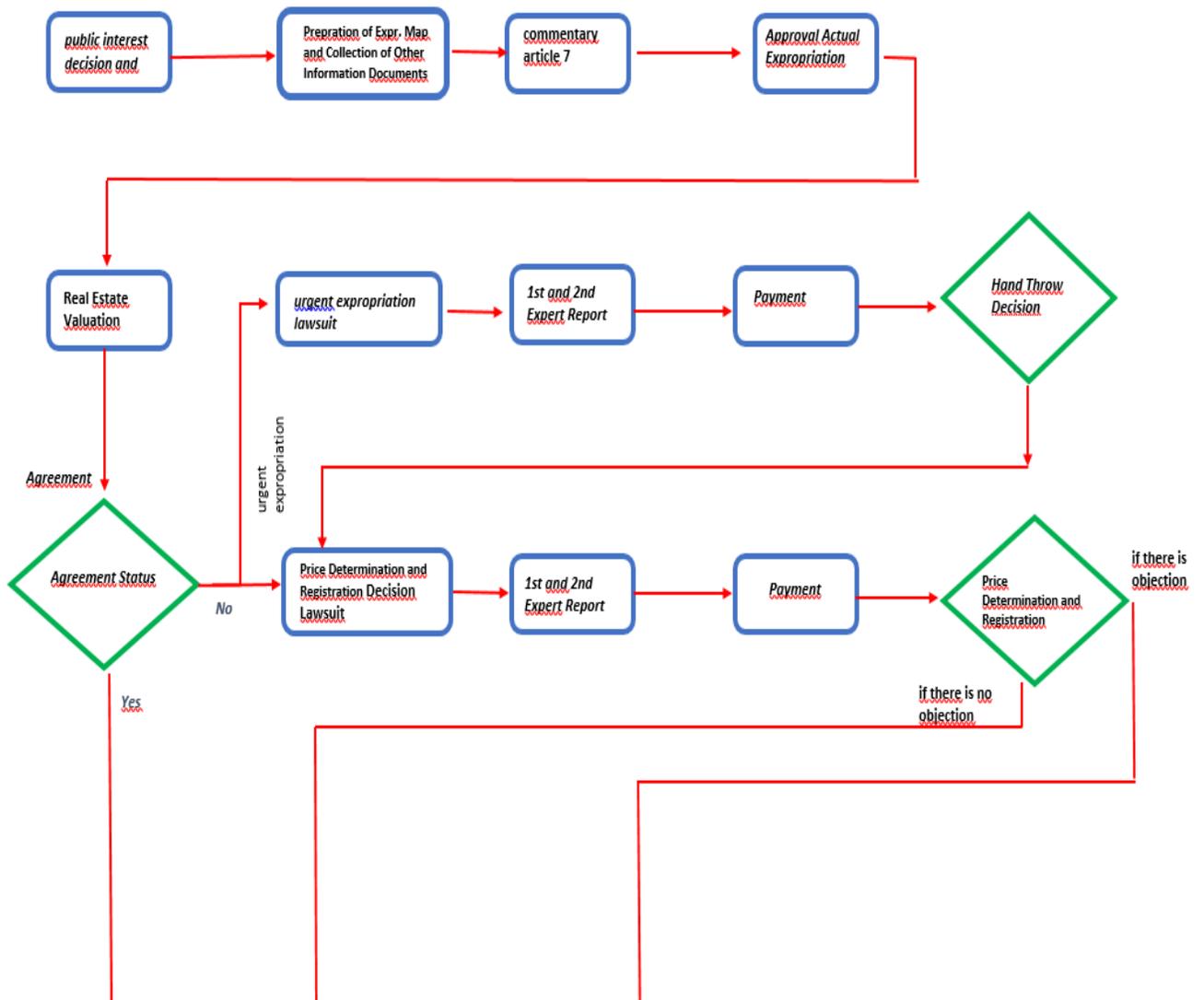
- these procedures are compliant with TEİAŞ regulations;
- the property and inheritance rights of individuals are safeguarded and respected;
- the process is run transparently and publicly;
- expropriation fee is determined fairly, and paid cash and in advance;
- The land is visited once the compensation fee is paid and the expropriation procedures are completed pursuant to the Turkish national legislation.
- The individuals who are not satisfied with the expropriation fee may apply to the court to file objections about the amount of compensation fee;
- All procedures are officially documented during this process.

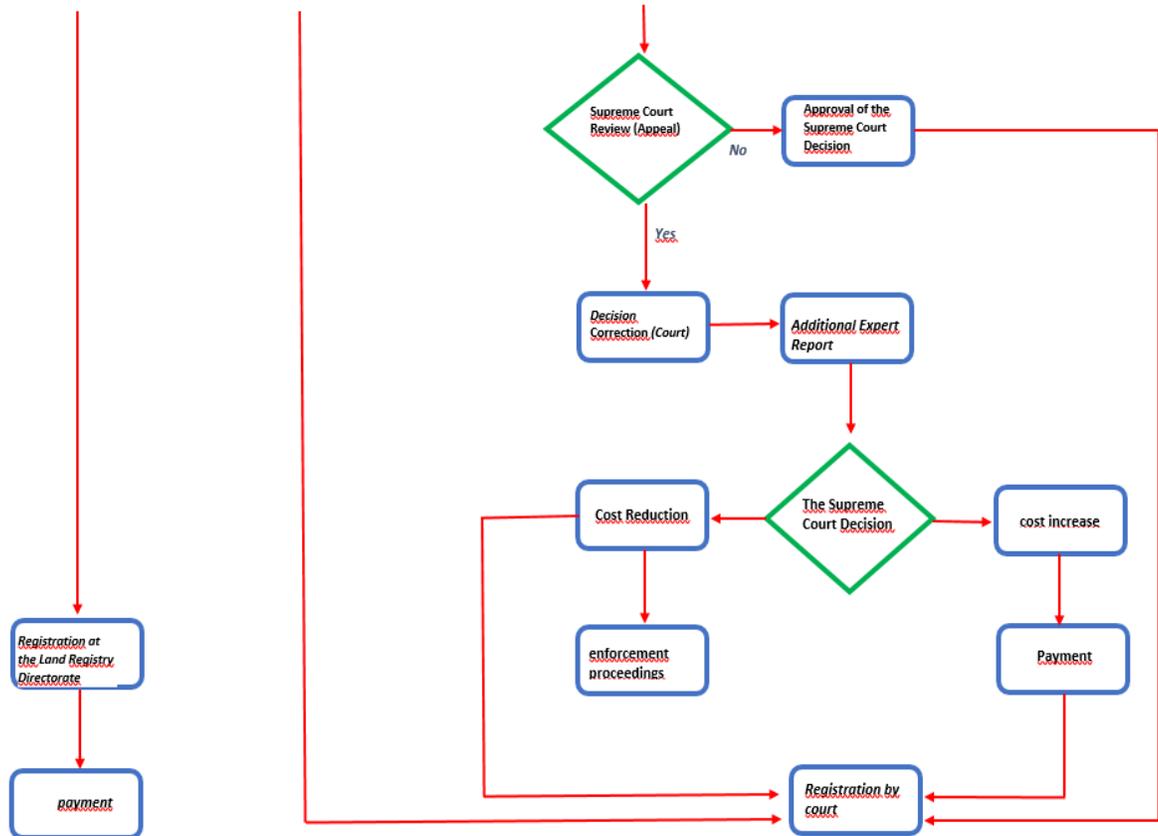
### **Urgent Expropriation**

Article 27 of the Expropriation Law authorizes the organization responsible for expropriation to confiscate the properties required by the project earlier than the time needed in normal expropriation procedure. This process does not prevent challenges of the property owners against the determined valuation. The amount determined in accordance with Article 27 is an advance amount and is not the final amount. The rights are property owner are reserved. The valuation process is completed by the valuation experts appointed by the court within one week.

Mainly, for the expropriation of needed immovable properties Article 27 of the Law prescribes that in cases of the necessity for national defense as for the implementation of the Law on Obligations for Natural Defense (No: 3634) or in cases of the urgency of land expropriation decided by the Cabinet or in cases of emergency, which are stipulated in special laws, any immovable asset can be confiscated by the organization responsible for expropriation. In this case, the sequence of operations (excluding evaluation of immovable properties) is completed later. Through the court (upon request of the responsible organization), the values of the immovable assets are evaluated by an expert commission according to the provisions of Article 10 and 15 of the Law within seven days.

Table 1 – Expropriation Process of TEIAS





## 5. World Bank’s Involuntary Resettlement Policy OP 4.12

### Objectives and Required Measures of OP 4.12

The World Bank OP 4.12 on Involuntary Resettlement includes safeguards to address and mitigate risks resulting from involuntary resettlement under development projects, and covers any involuntary land taking.<sup>1</sup>

The overall objectives of the Bank's policy on involuntary resettlement are the following:

- (a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- (b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should

<sup>1</sup>For implementation policy and guidance please refer to the full text at <http://go.worldbank.org/ZDIJXP7TQ0>

be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

- (c) Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

In order to address the impacts of this policy within the framework of involuntary resettlement, the policy requires TEİAŞ, the implementing agency, to prepare a resettlement plan or resettlement policy framework covering the following:

(a) The resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are:

- (i) informed about their options and rights pertaining to resettlement;
- (ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and
- (iii) provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.

(b) If the impacts include physical relocation, the resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are;

- (i) provided assistance (such as moving allowances) during relocation; and
- (ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site.

OP 4.12 requires that no land shall be acquired before compensation is paid completely to the affected people.

Furthermore, OP 4.12 requires the creation and implementation of a resettlement plan for the Project, which involves involuntary resettlement and hosting. In this context, OP 4.12 requires that affected people are informed and consulted about their options and rights during the preparation of systematic resettlement plan.

“Replacement cost” is the method of valuing assets endorsed by OP 4.12: “For agricultural land, it is the pre-project market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.”

OP 4.12 also recognizes that some types of loss, such as access to public services, customers and suppliers, grazing or forest areas, cannot easily be compensated for in monetary terms and, therefore, requires the Project to attempt to make or establish access to equivalent and acceptable resources and earning opportunities.

While OP 4.12 covers all affected people, it calls on the Project to pay particular attention to the needs of the vulnerable people. The policy specifically states that the Lack of title deed does not preclude payment of compensation to indigenous people, ethnic minorities, rural people with usufruct and customary rights over the lands and resources to be acquired for the project, and other groups who are negatively affected from the project. OP 4.12 also provides that the land Acquisition Plan must include land acquisition with culturally acceptable alternative livelihood strategies to protect the livelihoods of vulnerable people including indigenous people, landless or semi-landless people female-headed households as they may not be protected through national land acquisition compensation legislation even if they are displaced.

## Gap Analysis

National legislation and processes regarding land acquisition have a long history in Turkey. They have been updated in the years of implementation to improve the process to solve the problems encountered and to incorporate some requirements from international best practice. However, there are still some gaps between Turkish legislation and World Bank OP 4.12. the most noteworthy gaps can be summarized as follows:

- Public information meeting, consultation and involvement
- Compensation / assistance to tenants, sharecroppers and illegal users of properties,
- Compensation payment to pasture users
- Resettlement value / cost evaluation for immovable properties to be expropriated
- Preparation of land acquisition plans and scope of land acquisition
- Monitoring
- Grievance Redress Mechanism

### Public Information, Consultation and Involvement

There are inadequate provisions regarding public information, consultation and participation in the Turkish expropriation legislation. The expropriation agency is by law obliged to inform PAPs of the expropriation decision. Consultations for negotiations and valuation of assets is also carried out by the expropriation agency. In case of urgent expropriation, this gap gets even wider due to the lack of any public information activity. As part of normal expropriation procedures, an invitation letter is sent to property owners to inform right holders and invite them to the negotiations, and property owners have to respond back to the agency within 15 days. Thus, the property owners are informed about the expropriation.

In general, even if the legislation does not require it, local expropriation team of TEİAŞ participates in the public consultation meetings held pursuant to the environment legislation. The expropriation team provides information on the expropriation procedures to be carried out.

#### Compensation / assistance for non-owner PAPs

There is no legal provision requiring payment of compensation to on-owner tenants, sharecroppers and other users of the property.

In case of agricultural lands to be expropriated, used by tenants, if land must be taken before crops are harvested, compensation will be paid for the crops. Sharecroppers and other users of the property are also paid for the losses and damages, if their contract so stipulates. The availability of agricultural lands for rent in the vicinity of the land to be expropriated will be searched. Relevant information is provided in the ALAP and particular attention is paid to avoid any damage on the livelihoods of tenants.

#### Pasture Land Users

The Project Affected people benefiting from the use of public goods (e.g. people feeding their livestock at public rangelands or collecting / harvesting medical aromatic herbs in forest areas) are not subject to direct expropriation compensation.

The fee for using public pastures is paid to the government as 20-year grass fee and in line with the provisions of the legislation (Ministry of Food, Agriculture and Livestock). The availability of sufficient pastures in the vicinity is explored. If there is no available pasture in the vicinity, the affected people are informed about the alternative pasture areas or facilities so that their livelihood is not affected. Relevant information is presented in the ALAP.

#### Valuation of immovable properties to be expropriated

According to Turkish legislation, valuation is performed by experts using the income method and/or similar method and certain steps are followed for the valuation process. The valuation process for lands is run by the valuation commission by taking into consideration the alternation system, regional advantages and some specific factors concerning the land to be expropriated. The legal fees payable for the purchase and sale transaction will be paid by the agency.

Sufficient amount of compensation is paid to the land-owners so that they can purchase another equivalent land. For this reason, the land-owner (as the affected persons) will not face any grievance. TEİAŞ will provide the affected people with compensation sufficient to cover the cost of buying a new land of equivalent value with the expropriated land.

#### Preparation and Scope of Land Acquisition Plans

Even though the World Bank's OP 4.12 refers to Resettlement Plan, an Land Acquisition Plan will be prepared as TEİAŞ's expropriation practices do not involve resettlement.

## Monitoring

There is no specific practice for monitoring and evaluation of land acquisition through expropriation. However, within the framework of Turkish law, TEİAŞ will follow up whether land acquisition is completed or not. The information gathered through such follow-up activity will be reported to the World Bank biannually.

## 6. Implementation Procedures for Land Acquisition

The land acquisition process for Project investments begins when the decision taken by TEİAŞ Board of Directors is approved by Minister of Energy and Natural Resources. Expropriation is financed from the operating budget for the related activity year and the appraised amounts are paid to the related persons in line with the agreement reached or court judgment issued.

### Entitlement Matrix

Project Components	Element	Project Impacts	Category of Project Affected People	Entitlement	Additional Provisions
Land Substations and Underwater Cables Connection Points	Substation Site / Connection Point Site	Land Acquisition (whole)	Owner	Sufficient compensation at replacement cost to cover acquisition of an equivalent land; compensation for crops not harvested yet	Must make sure that land is available in the vicinity with similar nature and size; land valuation commission conducts valuation according to income method and set the compensation fee
		Land Acquisition (partial)	Owner	Sufficient compensation at replacement cost to cover acquisition of an equivalent land; compensation for crops not harvested yet	Pursuant to the law, if the remaining part of the land is not sufficient for use, expropriation of the whole land
		Land Acquisition	Tenant/User (including informal users of land)	Compensation for crops not harvested yet	Must make sure that land is available for rent in the vicinity with similar nature and size; (the rental fee paid by the tenant to the land owner will be taken back by the tenant within the

					framework of individual contract law)
		Loss of pasture	User	The losses and damages will be assessed by TEIAS expropriation team, if livelihood impacts significant TEIAS will make an assessment of additional compensation	Must make sure that sufficient alternative pasture is available in the vicinity
		Non-residential structures (barns, irrigation systems, fences, etc.)	Property owners and property users (including informal users)	Cash compensation to cover equivalent market cost of the materials to build a replacement structure with an area and quality similar including the necessary additional costs to build those structures in accordance with legislation and moving allowances	Salvaged materials after demolition of the building are deemed to be owned by PAP
		Trees	Property owners and property users (including informal users)	Cash compensation for lost annual/perennial crops or plants (based on the market value of the crops and trees after valuation by a specialized commission)	Remains to be left to PAPs.

Transmission lines	Tower expropriation area	Land Acquisition (partial)	Owner	Sufficient compensation at replacement cost to cover acquisition of an equivalent land; compensation for crops not harvested yet; compensation off damage caused on crops and trees (contractor)	Restoration of land to pre-construction status
	Aerial transmission line	Long term easement	Owner	Loss of value to be determined by the valuation commission, and compensation of losses and damages	Restoration of land to pre-construction status
Vulnerable people			Elderly, disabled, women headed households, low income groups among the affected people	If PAPs are severely affected, meaning the affected holdings are their major source of income, assistance will be provided to help restore their livelihoods. Mitigation measures will be taken which may include: TEİAŞ will inform the PAP about the possibility to rent or buy lands.	If there is no alternative land and livelihood improvement is required, TEİAŞ will direct to provincial directorate of labor, family and social services in order to assess need for social assistance.

These categories and actions, including estimated costs will be used for preparing ALAP for each sub-project requiring land acquisition and easement right.

**Process for Preparation and Approval of ALAP**

Under the “Renewable Energy Integration Project – Additional Finance”, being financed by the World Bank, TEİAŞ will be responsible for preparing the Land Acquisition Plans (LAP). In the parent project, because the affected people were less than 100 and magnitude of land acquisition was limited, Abbreviated Land Acquisition Plans were prepared. In the REIP AF, for sub-projects that are determined include 2 submarine cable projects and 3 substations. 2 submarine cables (interface points of Lapseki 3 and Sutluce 3, and Hersek interface of Izmit Gul crossing submarine projects) and 1 substation in Ciftlikkoy-will require involuntary land acquisition. Gebze and Deri OIZ substation projects are located in forest land and designated organized industrial zone, respectively, and do not have any private user issues. Land acquisition impacts of the proposed list of investments (substations in Yalova-Ciftlikkoy and submarine

transmission lines in Izmit and Canakkale (Lapseki-Sutluce)) are not expected to be significant but economic resettlement as asset loss and physical relocation of structures and assets will take place. Less than 50 parcels used by approximately less than 100 PAP in total are expected to be impacted and small sizes of land will be expropriated for the substations. For transmission line, long term easements will not limit use of land as agricultural activities under the transmission lines are allowed except constructing buildings. Physical relocation of households is not expected but impacts on structures will take place. Alternative lands for purchase exist in the surrounding areas, if farmers whose lands are expropriated want to continue farming. There are no impacts expected on lands for grazing in these areas. The subprojects defined during preparation will focus on the Marmara region of Turkey which is the wealthiest part of the country abundant of fertile agricultural lands and heavily industrialized areas.

For those sub-projects which footprints and feasibilities were known before Bank's appraisal a single Land Acquisition and Resettlement Action Plan (LARAP) was agreed and prepared by TEİAŞ to include all land-induced impacts which have taken place through past or recent expropriation by TEİAŞ. TEİAŞ has prepared and submitted a single ALAP throughout the loan implementation process. ALAP will be prepared by taking into consideration the number of parcels affected, whether they are subject to ownership or easement right contracts, estimated value of lands and other factors that may affect lands, in line with the objectives of OP 4.12. Land take shall occur only after the compensation has been paid and expropriation procedures are completed. The final version of ALAP will be published at the local TEİAŞ office in charge of the expropriation or on its website. By Bank's appraisal, since expropriation plans were not ready for the Sutluce interface side of the Lapseki-Sutluce 3 submarine cable subproject, TEİAŞ will submit, disclose and consult a separate ALAP, which is approved by the Bank before any land acquisition takes place for the subproject.

In case there will be new subprojects to be financed under the Project, this LARPF will be guiding for new land acquisition for new subprojects, if need be. In that case, in line with the WB OP 4.12 policy, TEİAŞ will prepare relevant ALAP for subprojects which will require involuntary land acquisition from private users.

TEİAŞ has the responsibility to ensure that the project implementation plan and LAP are fully consistent and that the activities specified in the LAP are sufficiently monitored and reported. As part of LAP implementation, TEİAŞ will report expropriation implementation results to the World Bank biannually. Reporting must involve the number of parcels affected, whether they are subject to ownership or easement right contracts, estimated value of lands and other factors that may affect lands. The scope of information will depend on the size off impacts. At the end of project or as part of the project completion report, TEİAŞ will provide a closing report on this matter.

The World Bank will review and approve the ALAPs to make sure that the expropriation procedures carried out by TEİAŞ are compliant with OP 4.12. The approved ALAPs will be published by TEİAŞ. If deemed necessary, the World Bank may contact the project related or project affected people to approve their validity and verify the consistency of process /outputs with OP 4.12. The World Bank will regularly monitor ALAP implementation for alignment with OP 4.12 and will be in touch with TEİAŞ.

The final version of ALAP will be posted at local units, on the website of TEİAŞ and the website of World Bank.

TEİAŞ has prepared a single ALAP for lands to be expropriated, according to the table below, and will also provide information on the lands already expropriated, through the social audit report/form:

NO	Sub-project	Project Characteristics	Whether expropriation is needed or not	LAP	Public Consultation Meetings
1	<b>Lapseki-3 - Sütluçe-3 Submarine Cable (Fiber Optical)</b>	380 kV, 2x1600 mm <sup>2</sup> Cable, (4.75 km)	The lands to be used for Interface centers will need to be expropriated.	ALAP	Public disclosure and brochures were shared with public.  A physical meeting will be held in Sutluçe during implementation before expropriation works start.
2	<b>Izmit Gulf Crossing and connection structures</b>				Public Consultation meeting will take place after draft ESIA approval
	- Hersek - Dilovası Submarine Cable (Fiber Optical)	380 kV, 2x1600 mm <sup>2</sup> Cable (4.2 km)	Public roads to be followed	-	
	- Deri OSB - Tepeören Cable (Fiber Optical)	380 kV, 2000 mm <sup>2</sup> Cable (11.3 km)	Public roads to be followed		
	- Gebze GIS – Kroman Çelik GIS Cable (Fiber Optical)	380 kV, 2000 mm <sup>2</sup> Cable (12.25 km)	Public roads to be followed		

	- Kroman Çelik GIS – Deri OSB GIS Cable (Fiber Optical)	380 kV, 2000 mm <sup>2</sup> Cable (11 km)	Public roads to be followed		
	- Gebze GIS - Dilovası Cable (fiber optical)	380 kV, 2000 mm <sup>2</sup> Cable (9.65 km)	Public roads to be followed		
	- Diliskelesi GIS - Dilovası Cable (fiber optical)	380 kV, 2000 mm <sup>2</sup> Cable (4.5 km)	Public roads to be followed		
	- İzmit Gulf Crossing İnterface Point - Hersek Cable (fiber optical)	380kV, 2x2000 mm <sup>2</sup> Cable (2.4 km)	The lands to be used for Hersek Interface Center will need to be expropriated.	ALAP	
3	<b>Deri OSB GIS</b>	380/154 kV, 2x250 MVA + 420 kV, 160- 250 MVAr Adjustable Reactor + 380/33 kV, 2x125 MVA + 154/33 kV, 1st and 2nd Transformer Feeder	Allocated within OIZ site.		Public disclosure and brochures were shared with public.
4	<b>Çiftlikköy GIS</b>	380/154 kV, 2x250 MVA + 420 kV, 160- 250 MVAr Adjustable Reactor + 154/33 kV, 50 MVA + 2nd Transformer Feeder	The land to be used for substation will need to be expropriated.	Ex-post Social Audit included in ALAP	Meeting held on 26.04.2019 and comments and views have been received.
5	<b>Gebze GIS</b>	380/33 kV, 2x125 MVA + 3rd Transformer Feeder + 420 kV, 160-250 MVAr Adjustable Reactor	Forest land; no user		Public disclosure and brochures were shared with public.  Physical meeting not necessary as TEIAS regional expropriation

				officer regularly visit sites and have informal meetings with communities
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### Implementation Process Concerning the Assessment of Past Land Acquisitions

Land acquisition could have occurred through expropriation under the project before World Bank finance. In this case, an ex-post social audit must be conducted to ensure alignment with OP 4.12 and cover the gaps identified in meeting the OP 4.12 requirements. Ex-post social audit will ensure that all Project affected people receive compensation at full replacement cost, that the Project affected people are informed about their rights under LAMP, that they know about and have access to the grievance redress mechanism available to them for their potential claims and that the vulnerable or severely affected people do not become worse off. The Ex-post social audit will be able to identify these people through collecting socio-economic information in order to understand the severity of the losses. Vulnerable people in this project is defined such as elderly, disabled, single headed household, women headed households, low income groups found among the affected people under the project area.

In order to apply this framework retroactively and assess that all individual compensation payments were made at replacement cost or under other specified standards, the following procedure will be applied:

An *ex-post social review report* will be prepared and shared with the WB for no-objection. A sample social audit report is provided in Annex-2.

- Project description and key components;
- A census of project affected people listed in a Land Acquisition table with, parcel number, % of that parcel affected or acquired under the sub-project, land type (dry land, fig tree etc), any assets on land, compensation unit price and compensation amount etc. The land acquisition table (in excel format) will be an annex to the social audit report.
- Impact categories according to Entitlement Matrix
- Socio-economic information should be provided on the project affected people regarding whether there are any adverse impacts on their livelihoods resulted from the related project
- Information at the household level that would enable to identify any specific individuals who fall into vulnerability categories as defined above (number of household members, age, gender, etc.).

(It was explained during the meeting that there are actions to be taken by the Substations Installation Department during the construction stage.)

- In cases where the TEIAS had conducted any consultations during both the ESIA studies and pursuant to the expropriation legislation, description (i.e. dates, content, level of participation, concerns raised etc.) of consultations with PAPs, mukhtars and other stakeholders if any).
- Grievance Redress Mechanism, Management of Grievances, and if there were any grievances recorded

In case of any non-compliance/discrepancies to be found within the ex-post social audit, then mitigation measures will be taken and this will be part of an action plan/addendum attached to the Environmental and Social Impact Assessment or ESMP of the sub-project.

### **Financing of Land Acquisition**

The land acquisition process for project investments begins once the decision taken by TEİAŞ Board of Directors is approved by Minister of Energy and Natural Resources. Its finance sourced from the operating budget of activity year and payments are made to relevant parties at the appraised values, in line with the agreements reached or court judgments issued. However, all actions subject to land acquisition must be completed before construction work begins and compensations must be paid in compliance with the World Bank's OP 4.12.

In addition since compensation of informal users are not stipulated under the national law, in cases where informal users are encountered TEIAS will provide additional budget to compensate the informal users. So far, for resettlement impacts in Ciftlikkoy on informal users, TEIAS has allocated 116.720 Turkish Liras to compensate their structure losses.

### **Staffing for Implementation and Monitoring of LARPF and ALAPs**

8. TEIAS' Environment and Expropriation Department in HQ, Ankara, is in charge of preparing, implementing and the monitoring of the environmental and social documents required under the Bank's safeguards policies. There is one head of unit and a technical chief expert on expropriation in the department. TEIAS' regional directorates (2<sup>nd</sup> and 4<sup>th</sup> regional directorates involved in the REIP AF project) also have environmental engineers and expropriation staff that take role in the supervision and monitoring, as well as contributing to site-specific documents. Expropriation staff in the regional directorates are in direct contact with citizens and landowners, hence conducting the negotiations for land acquisition and dealing with requests and concerns of the project affected people. The implementation and monitoring of ALAPs will be led by the Environment and Expropriation Department in Headquarters together with the support of the regional staff. Grievance Redress Mechanism

The project affected people communicate their complaints to both TEİAŞ officials verbally and under the applicable legislation (Expropriation Law No. 2942, Law No. 3071 on the Use of the Right to Petition, Law No. 4982 on Access to Information). Accordingly, the affected people or stakeholders can report their complaints and objections to any official of TEİAŞ through e-mail/phone or through national complaint

reporting mechanisms like Presidency Communication Center (CİMER). The ALAP must specify the local and central TEİAŞ units through which complaints may be reported during the project. Sample complaint recording and closing forms are provided in the annex of this LAPF. All complaints reported in relation to the Project and responses given to them shall be documented.

Project GRM aims to convey the concerns and grievances of PAPs to relevant authorities in order to address them in a timely manner. Addressing grievances in a timely manner prevents misunderstandings and material and moral losses. The GRM will serve throughout the project.

The name surname of the complainant, type of grievance, location, contact information (such as telephone number, address and email) will be recorded by TEİAŞ and the resolved as soon as possible. The GRM will function as shown in the table and grievances will be recorded through the annexed documents.

TEİAŞ has already established a GRM under the parent project which will also be utilized for the additional financing sub projects. A three stage mechanism that allows for grievances to be collected and addressed is available at local level, HQ level and finally through the legal system. Should there be any grievances irrelevant to the project, the complainants will be directed to the relevant authorities. The grievance mechanism will also allow anonymous submission.

In the parent project, grievances and demands were received via phone, email or in a letter format. TEİAŞ has complaint boxes on site which are also used. The parent project received 3 grievances from communities regarding expropriation and requesting alternative subproject plots. All of those grievances were resolved through continuous consultations by TEİAŞ' regional personnel.

Level	Authority	Way of application	Actions	Timeline
1.	Regional TEİAŞ Office ( Expropriation Department 0 224 243 13 30	In person – phone – in writing	The question or complaint is evaluated. Necessary response is given. If necessary, guidance is provided on the legal remedy to pursue.	1 week
2.	Central TEİAŞ Office Expropriation Department, Aisegul Arslan: 0 530 524 32 37	Phone – letter – e-mail	The question or complaint is evaluated. Necessary response is given. If necessary, guidance is provided on the legal remedy to pursue.	2 weeks
3.	The relevant Civil Court of First Instance (address)	In writing	Within the framework of legislation	Within the framework of legislation

2.

## 9. Consultation and Participation

The most important step involved in the World Bank's process concerning land acquisition and compensation is public information.

In general, even if the legislation does not require it, local expropriation team of TEİAŞ organizes public consultation meetings held pursuant to the national environment legislation and as per World Bank OP 4.12. The expropriation team provides information on the expropriation procedures to be carried out. TEİAŞ will introduce the Land Acquisition Policy Framework to the public during these meetings. Participation in these meetings and questions raised will be documented pursuant to the environmental legislation.

During the process of expropriation, the expropriation staff of TEİAŞ regional office already meets with land-owners to agree on the compensation fee and explain the expropriation process. During these meetings, the expropriation staff of TEİAŞ regional office will inform land-owners and other stakeholders about the legislation and process, receive their views and will collect information to derive the socioeconomic inputs needed for ALAP.

In cases where public consultation meetings are not needed pursuant to the environmental legislation, as per WB OP 4.12 requirements TEİAŞ will inform the public about the legislation and process, and answer the questions raised on the subjects of consultation, during the land survey studies, when collecting the information needed for ALAP.

The final version of ALAP will be posted at local units, on the website of TEİAŞ and the website of World Bank.

For this project, the affected people or stakeholders can report their complaints and objections to any official of TEİAŞ through e-mail/phone or through national complaint reporting mechanisms like Presidency Communication Center (CİMER). The ALAP will specify the local and central TEİAŞ units through which complaints may be reported during the project. Sample complaint recording and closing forms are provided in the annex of this LAPP. All complaints reported in relation to the Project and responses given to them shall be documented.

During settlement negotiations on for the subprojects whose expropriation process has begun, information with regard to expropriation process and the concerned people's right of objection has been shared with the people who are affected from the project. Besides, stakeholders meeting was held on 25/10/2019 for the framework documents of TEİAŞ with the participation of General Directorate of Land Registry and Cadastre, and General Directorate of Highways in the presence of our General Directorate.

In the meeting, the framework documents prepared within the scope of the REIP-AF loan package, the environmental and expropriation processes of the planned projects and the contents of the environmental and social documents were presented. The list of participants and photographs are given in Annex 3.

The Department of Environment and Expropriation has made a presentation to meeting participants about WB policies including the framework document prepared in relation with the REIP-AF project as well as TEİAŞ projects. Issues discussed at the meeting were as follows:

- Projects included in the REIP-AF package and the ESMP and ESIA reports to be prepared for these projects,
- A public consultation meeting to be held in Sutluce and Gebze
- The previous submarine flora and fauna surveys carried out for SMC projects,
- National requirements on EIA
- The guarantee to employ any and all safety, environmental and social measures throughout construction and operational phases of projects,
- During construction stage, contractor will be required to prepare 3 monthly-reports and also TEİAŞ regional directorates will be responsible for supervision
- That TEİAŞ's GRM and communication capabilities shall be made available to locals on-site,
- and that the final version of the FD shall be published on TEİAŞ and WB websites.

Also, satellite images of planned projects have been scanned.

Other than that, in the process of informing the public for 380 kV Çiftlikköy S/S, through the mukhtar (headmen's office) the local community applied to the Regional Directorate and Çiftlikköy Governorship on 21/01/2019 with a petition for the substations to be constructed at a different place that is idle. The Governorship conveyed the related petition to TEİAŞ General Directorate on 25/01/2019. In this process, it has been met with the mukhtar and a meeting for informing the public was held about the project with the participation of the public on 08/02/2019. TEİAŞ technical team has assessed the alternative site which was proposed by the local community. However, due to the technical difficulties, the alternative site was not found to be feasible.

With the projects under Renewable Energy Integration Additional Finance (REIP AF), increase in energy capacity for the project regions has been targeted by connecting the accumulated energy from the wind energy plants to the substations as soon as possible. Additional public participation meetings in Sütluce and Gebze for the disclosure of site specific environmental and social documents (ALAP, ESIA and Gebze ESMP) were organized on December 9 and 10, 2019 respectively to inform about aim and scope of the projects, its requirements and construction phase as well as expropriation activities which will be carried out or were carried out. Details are included in the consultations section of the Abbreviated Land Acquisition Plan (ALAP).

## 9. Monitoring and Reporting

The monitoring of land acquisition plan aims at verifying that;

- the actions and commitments specified under ALAP have been implemented in full and in time
- the people eligible for compensation payment have received their compensation with the specified time period.
- The complaints and concerns reported by the Project affected people have been followed up and appropriate mitigating actions have been taken within the required timeframe.

TEİAŞ will be responsible for monitoring. TEİAŞ has the responsibility to ensure that Project implementation plan is fully compliant with ALAP as well as to ensure that the activities envisaged under ALAP are sufficiently monitored and reported. TEİAŞ will report a summary of land acquisition activities to the World Bank quarterly. At the end of the project, TEİAŞ will submit a land acquisition completion report.

### ANNEX 1 – SAMPLE GRIEVANCE FORM

Page 1 must be posted at the project site and at the village headman’s office so that grievances can be received from local people in writing.

In case a grievance is received verbally by phone or during meetings and sponsor visit (at the office or site) the grievance form must be filled out by the related grievance committee.

In case a grievance is received by mail or e-mail, the grievance form may be filled out by the related grievance committee or the copy of mail or e-mail may be attached to the closing form.

The complainant can submit his/her grievances anonymously however if complainant wants to be contacted then s/he should state her/his preference of communication.

<b>GRIEVANCE FORM</b>	
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Name of person receiving grievance:		Date:	
Title:			
<b>INFORMATION ABOUT COMPLAINANT</b>		<b>Ways of Receiving Grievance</b>	

Name - Surname		Phone	<input type="checkbox"/>
Phone number		Information Meetings	<input type="checkbox"/>
Address		Application to Office	<input type="checkbox"/>
Village		Mail/e-mail	<input type="checkbox"/>
Signature (if possible)		Field visit	<input type="checkbox"/>

<p><b>DETAILS OF GRIEVANCE</b></p>

**SAMPLE GRIEVANCE CLOSEOUT FORM**

The close-out form must be filled out by the responsible company.

<b>GRIEVANCE CLOSEOUT FORM</b>
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<b>ASSESSMENT OF THE GRIEVANCE</b>	Damages to households or livelihoods	<input type="checkbox"/>
	Environmental and social	<input type="checkbox"/>
	Expropriation	<input type="checkbox"/>
	Employment	<input type="checkbox"/>
	Other	<input type="checkbox"/>

<b>Compensation Required?:</b> <input type="checkbox"/> <b>YES</b> <input type="checkbox"/> <b>NO</b>
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<b>RESULT</b>

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<b>Closeout</b>
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<i>This part will be filled in and signed by the complainant and the complaint evaluation committee when the compensation or file is closed-out. (Instead of taking the signature of the complainant, bank receipt or other documents can be attached to the form.)</i>
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<b>Responsible Person</b>	<b>Complainant</b>
Name-Surname	Name-Surname
Date and Signature	Date and Signature (If possible. Reason for non-signature must be explained)

## ANNEX 2 – EX-POST SOCIAL REVIEW FORM FOR LAND ACQUISITIONS

1. Information About Project	
Name & Location of Sub-project	
Project Sponsor	
Project Cost	
Installed Generation Capacity	
Key Dates of Implementation	
Project Components & Land Requirements	

2. Entitlement Matrix				
Project Component	Project Impact	Category of Affected Person	Entitlement	Additional Provisions

3. Inventory of Land & Assets Acquired from Private Owners (Completely Volunteer Purchased) (Provided in Excel Sheet)	
3.1. Inventory of Land & Assets Acquired from Private Owners (Expropriation)	
Name of Owners/land user	
Project Component: Area(s) / plots(s) acquired (ha)	
Owner's/user's total land holding (ha); % taken for project	
Land use: pasture, agriculture, residence, etc.	
Inventory of any structures or other fixed or productive assets (wells, fences, trees, field crops, etc) affected	
Indicate if land was rented or informally used by another party	
Indicate if non-owner users had assets, trees, crops, etc affected	
Indicate if land-based activity is significant source of income for owner or land user	
Compensation paid (add transaction fee)	

Dates delivered	
Impact on income of owner	

<b>3.2 Inventory of Public, Community, or State Land Acquired</b>	
Land parcels / plots acquired (ha)	
Land type / land use: Forest, commons for grazing, other	
Ownership: State, community, other. Structures or other fixed assets	
Compensation, land transfer, or other measures to mitigate impacts on land users. Specify measures and dates of delivery	

<b>4. Consultations, Communications &amp; Management of Grievances and Implementation Issues</b>
<p><b><u>General Information About Project and Project Area:</u></b></p> <p><b><u>Consultations, Communications &amp; Management of Grievances:</u></b></p> <p><b><u>Identification of Vulnerable PAPs:</u></b></p>





## TOPLANTI TUTANAĞI

KATILIMCI LİSTESİ				
S.No	Adı Soyadı	Birim/Ünvan	Tlf / e-posta	İmza
1	Gül MISIRLI	Daire Başkanı	2038565	
2	Çoşkun KÖK	TEİAŞ/ Sube Müdürü	2038611	
3	İsmet DİLLER	KGM/ Kamul-Şb. Md.	4498002	
4	Çongül KARATAŞ	TEİAŞ/ Müdür Yrd.	2038301	
5	Mustafa YAVUZ	TKGM/ Teşimaz D. Birim. Şb.	5514395	
6	E. Seril JAMACIOĞLU	KGM/ Çevre Şb. Md. Şube Şefi	44.99182	
7	Yakup GİFTÇİ	Çevre ve Kam. Müdürlüğü	2018507	
8	Ayşegül Arslan	Kievre ve kam. da: Şb.	2038569	
9	F. İrem KALE ÜNÜ	TEİAŞ/ Çevre Müh	2038612	
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