The Republic of Sakha (Yakutia) of the Russian Federation

Innovative Development of Preschool Education in the Republic of Sakha (Yakutia)

Resettlement Policy Framework

The Executors:

Ministry of Architecture and Construction Sector of Republic of Sakha (Yakutia)

677000, Yakutsk,
Ammosova St. 8

and

Ministry of Education of Republic of Sakha (Yakutia)

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1. Project Description

The Innovative Development of Preschool Education in the Republic of Sakha (Yakutia) Project (hereinafter: Project) aims to increase the access to kindergarten places and improve the quality of early childhood care and education services in the Republic of Sakha (Yakutia) where the conditions are created for improved child development outcomes. The Project consists of two complementary components, in addition to an implementation support component.

The first component will aim to increase access to improved learning environments for children of pre-school age, by building new ECD centers, and converting existing buildings into ECD centers, using innovative designs. The objective of this component is to increase the number of places available in improved pre-school education and care centers. A total of 8,830 new places would be created, equivalent to covering 87 percent of all children aged 3-7 years on the official waiting list for ECD services. This component will finance:

(i) Construction of new ECD centers in urban areas: This sub-component would finance the construction of 36 new innovatively-designed ECD centers in urban areas and settlements, with each center having an official capacity of at least 90 full-time children. 27 ECD centers would be built in urban settlements and 9 in Yakutsk city. This would create at least an additional 6,400 pre-school places, roughly equivalent to the number of urban children aged 3-7 years on the official waiting list.

(ii) Construction of new ECD centers and rehabilitation of existing buildings as ECD centers, in rural areas: This sub-component would finance the construction of 42 new innovatively designed ECD centers in villages, with each center having an official capacity of up to 75 full-time children; this would create at least an additional 2,040 places. It would finance the rehabilitation of seven buildings as ECD centers in remote areas; this would create new improved learning environments for at least 390 children. The new places created would be enough to enroll more than 60% of rural children aged 3-7 years on the official waiting list.

(iii) Development of innovative designs for new and rehabilitated ECD centers. In order to address shortcomings in existing designs and construction practices, the Project would finance the development of innovative designs to be used for the civil works in sub-components (i) and (ii).

The second component will aim to improve the quality and efficiency of ECD services as well as to increase the provision of alternative forms of ECD services. This component is organized into three sub-components that support reforms and innovations: to promote education services quality; to manage the pre-school system more efficiently; and to expand access to ECD through alternative forms of services delivery.

The third component will finance implementation support.

2. Objectives of the Resettlement Policy Framework

This Resettlement Policy Framework (RFP) has been prepared in compliance with the World Bank (WB) requirements as stated in the WB’S Policy on involuntary resettlement (OP 4.12). The RPF is also designed to meet the legal requirements of the Russian Federation (RF) and the Republic of Sakha (Yakutia). This Resettlement Policy Framework applies to all Project activities in the Republic of Sakha (Yakutia), including activities directly stipulated and financed under each subproject, as well as all other relevant activities that are not stipulated and financed under any subproject but are carried out by state and/or municipal authorities / private investors in connection with the Project in the Republic of Sakha (Yakutia).

Involuntary resettlement may cause impoverishment for both individuals and legal entities. For these reasons, involuntary resettlement will be avoided where feasible, or minimized, exploring all viable alternative project designs. Where involuntary resettlement is unavoidable, the Project resettlement
and compensation activity will only be executed after extensive consultation with the people affected by the project (PAP) who will also be involved at stage including planning and implementation of the program. Displaced persons or otherwise affected persons will be adequately compensated in a manner that could improve their livelihood or standards of living or at least restore them to pre-displacement levels or level providing prior to the beginning or the project implementation. The basic principles governing resettlement is to ensure that relocation, if necessary, of people is done expeditiously and in a manner that will not disrupt the normal activities of these required to move.

Any displacement required for or directly linked to the Project implementation will be carried out following well-established procedures specified in Russian laws and World Bank Operational Policy (OP) 4.12 and Bank Procedures (BP) 4.12 on Involuntary Resettlement. Wherever Russian laws, the laws of the Republic of Sakha (Yakutia), and World Bank policies are not in agreement, the principles agreed upon in the RPF will be followed. However, the total value of compensation provided for any displacement in any case should not be less than the amount which the individual or household would receive under the legislation of the Russian Federation and that would satisfy the requirement of OP 4.12 for compensation at replacement value.

The World Bank’s Involuntary Resettlement Policy (OP 4.12) applies to all components under the project, whether or not they are directly funded in whole or in part by the Bank. The compensation scheme under this policy applies to all categories of displaced persons (physical or economic) irrespective of whether they are protected by the laws governing compensation in the Russian Federation and the Republic of Sakha (Yakutia) or not. Particular attention will be paid to vulnerable groups (e.g., elderly, women, children, indigenous groups, etc.). The policy also requires that when triggered, measures for resettlement and compensation be fully implemented under the individual resettlement action plans (RAPs) prior to the implementation of project activity involving land use.

All works on the restoration, rehabilitation and construction of preschool education institutions financed by the Project in the Republic of Sakha (Yakutia), will be carried out on municipal property. Similarly, all investments in the sub-projects (reconstruction of small roads, kindergarten playgrounds) will be implemented on public lands and do not require land withdrawal. This was confirmed by the initial screening of sites, where Project activities will be held during the first year of Project implementation. Further, no significant loss of income is expected as a result of Project activities. However, it is recognized that some sub-project activities may cause negative impacts on formal or informal assets, livelihood or income generating activities, hence the preparation of this Framework was required.

### 3. Resettlement Action Plan (RAP) Preparation, Implementation, Review, and Approval

The location of Project sites for the first year of Project implementation has been confirmed, and all these sites are municipally owned and completely empty from any formal or informal occupants or users of any sort. While the location of Project sites for subsequent years has not been fully confirmed yet, it is expected that all these sites will belong to municipal authorities, will not require land acquisition or resettlement, and will not involve any disruption to prior formal or informal economic and other activities. However, in the case that individual RAPs will nonetheless be required, these RAPs will be prepared in full consultation with the population involved by the possible resettlement and according to this policy.

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1 While the World Bank OP 4.12 embodies the principle that a lack of legal land title does not disqualify people from resettlement assistance, under relevant Russian legislation, discrepancies with this principle arise. However, within the scope of this Project, informal users of property without title or lease who use the property for their living practices will be enabled to continue these practices at an alternative site. All informal users of property will also be entitled under the Project to rehabilitation assistance or some form of support to enable affected persons, who have lost their source of livelihood, to restore their income levels to pre-project levels.
a) Project Sites

Project sites for the first year of Project implementation have already been identified. These sites are all empty and not used for economic purposes and are within municipal property, and they therefore do not trigger the World Bank’s involuntary resettlement policy.

Project sites for the next years of Project implementation will be selected on a competitive basis during appraisal or after the beginning of the Project implementation. All measures will be taken to avoid physical relocation, loss of assets, or loss of income. However, where resettlement will be unavoidable, site-specific RAPs will be developed.

b) Criteria for Project Sites Selection

The selection of specific sites will be based on governmental procedures that take into account the need for additional kindergarten space for children aged 3 to 7. Locations where project investments will be made will be selected based on the following formula (this is a common formula that was developed by the government to determine all new investments in kindergartens):

$$\Pi_i = \frac{\chi_i - M_i + A_i - B_i}{\sum(\chi - M + A - B)} \times 100\%$$

The meaning of these indicators is:

- $\Pi_i$ – indicates the lack of kindergarten space for children aged 3 to 7 in community “i”;
- $\chi_i$ – the overall number of children aged 3 to 7 in community “i”;
- $M_i$ – the number of children who will be able to enroll in a kindergarten in community “i”;
- $A_i$ – the number of children in community “i” who attend hazardous kindergartens that require rehabilitation;
- $B_i$ – the number of children who will be able to enroll in new kindergartens that are being constructed in community “i” in the current year or next year;
- $\chi$ – overall number of children aged 3 to 7 registered in the Republic of Sakha (Yakutia);
- $M$ – overall number of children who will be able to enroll in a kindergarten in the Republic of Sakha (Yakutia), based on the current capacity of kindergartens;
- $A$ – the overall number of children who attend hazardous kindergartens that require rehabilitation in the Republic of Sakha (Yakutia);
- $B$ – the number of children who will be able to enroll in new kindergartens that are being constructed in the Republic of Sakha (Yakutia) in the current year or next year.

All Project sites selected based on this formula will be on empty, municipally-owned land that has no prior users or occupants of any kind.

c) Guidelines for RAPs

A site-specific RAP will be developed if Project activities will involve physical or economic displacement, loss of assets, or loss of income (all of which fall within the term “resettlement” according to OP 4.12). The RAP will include the following measures:

a) measures to ensure that the displaced persons are:

- informed about their options and rights pertaining to resettlement;
consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and

provided effective compensation at full replacement cost for losses of assets attributable directly to the project.

b) if Project activities’ impacts include physical relocation within the boundaries of a settlement, the resettlement plan includes measures to ensure that the displaced persons are:

- provided assistance (such as moving allowances) during relocation; and
- provided with residential housing, or housing sites, or, (as required), sites of agricultural purposes, with characteristics and other factors which are at least equivalent to the previous sites.
- provided assistance after the completion of the resettlement process to restore their sources of livelihood.
- whenever possible, provided general assistance, aside from compensation (e.g., trainings, access to credit, help in finding employment, etc.).

Resettlement plans will be developed according to the format and the procedure presented in the Annex 1 and 2.

The preparation and implementation of RAP includes the steps below:

1. The preliminary screening and identification of key problems related to the potential resettlement, selection of the appropriate mechanisms for the organization of the resettlement as well as the collection of the information necessary for the preparation of resettlement actions under the component or subcomponent of the Project linked with the resettlement. The use and details of such working mechanisms on the settlement depend on the scales and complexity of the supposed action.

2. The disclosure of all legal and physical entities affected by the resettlement, collection of related socio-economic information about all affected people;

3. Census of affected persons and assets and appointment of a cut-off date by which affected persons will be identified. All claims arising from persons or assets not accounted for in the census, or appearing only after the cut-off date will not be eligible for compensation; this includes properties and assets appearing on the site after the cut-off date (any persons with claims which they feel were unfairly excluded can appeal the decision through the Grievance Redress Mechanism);

4. Elaboration of the compensation strategy and evaluation of compensatory measures. A certified appraiser shall be engaged in the evaluation of the properties and assets. Public consultations on compensatory measures.

5. Development of a resettlement schedule and procedures, including timely and adequate disclosure of information and public consultations involving affected people and defining implementing actors/agencies and their responsibilities.

6. Implementation of the RAP prior to commencement of any works involving resettlement;

7. Audit and monitoring of the RAP.
4. Categories of Project Affected People

Identification of the population subject to resettlement / affected by the Project in the Republic of Sakha (Yakutia) and all associated activities (such as infrastructure development) financed by regional / municipal authorities as well as by private investors will be carried out in two stages:

- 1st stage: Overall scale of resettlement, as well as potentially affected categories of population, are estimated during the preparation of preliminary subproject proposals.

- 2nd stage: Detailed assessment of resettlement needs, of all affected individuals / households /businesses, of properties / income to be lost and the resettlement plan including resettlement procedures are to be developed during the preparation of final application for each subproject. As part of this, a census of the affected population is organized during this stage using the formats presented in the Annex 4, tables 1-3 and following order, timing and data structure of the census of the affected population, which is part of the Procedures for Development of Resettlement Action Plan presented in the Annex 1. Detailed household datasheets will also be prepared, so that the census will rely on survey forms per household. The census will be singular and final, and there will be a clear cut-off date, which will be communicated to PAPs at the start of the census. Given the small numbers of potentially affected people, the census will be used to meaningfully consult with PAPs.

Affected people eligible for compensatory measures and assistance can be referred to one of three categories as below:

- a) those who have formal legal rights to property or assets recognized under the laws of the Russian Federation and Republic of Sakha (Yakutia);
- b) those who do not have formal legal rights to property or assets at the time the census begins but have a claim to such rights --provided that such claims are recognized under the laws of the Russian Federation and Republic of Sakha (Yakutia), or will become recognized through a process identified in the resettlement plan;
- c) those who lack the legal titles for the affected property or assets and/or are developing business or other livelihood activities on illegally or informally occupied land plots. These include individuals engaged in small-scale informal business, businesses or residents occupying structures that lack legal permits, persons occupied in farming activities for household consumption, etc.

All categories mentioned in sub items a) and b) will be granted compensation for taken lands and other assistance associated with restoration of their dwelling or livelihood, and the category mentioned in sub item (c) will receive assistance in their resettlement to the new place, if necessary, the people will obtain the additional assistance e.g. for livelihood restoration.

The opinion of affected persons and other stakeholders will be sought as part of the census (detailed household interviews) and through public consultations and incorporated into the resettlement planning and decision making process.

5. Eligibility Criteria for Various Categories of Affected People

The policy covers direct economic and social impacts that both result from the Project and are caused by the involuntary loss of land or restriction on land use resulting in:

- relocation or loss of shelter;
- loss of assets or access to assets;
- loss of income sources or means of livelihood, whether or not the affected persons must move to another location.

The criterion for determining eligibility for compensation and assistance is the assignment of displaced persons into three categories, as explained in Section 4 above.

**Compensation Matrix**

The following entitlement matrix describes the eligibility for compensation and/or assistance for impacts/losses for different types of assets and categories of Project – affected persons.

<table>
<thead>
<tr>
<th>Type of Loss</th>
<th>Application</th>
<th>Definition of Entitled Person</th>
<th>Compensation Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Loss of land</strong></td>
<td>Loss of land on which project activities will be conducted</td>
<td>Land owners</td>
<td>Full replacement value of the land</td>
</tr>
</tbody>
</table>
| **Loss of commercial, businesses and industrial activities** | Loss of commercial, and industrial activities located or operated in the site of the infrastructure, and the infrastructure easement areas | Owners and workers of the commercial, business and industrial activities or whoever operates the business at the site of the infrastructure. | a) Full compensation payment to the owners, workers and operators until the new businesses if fully operational and functioning  
b) Compensation at replacement value for any business infrastructure  
b) Relocate business, or commercial and industrial activity to site acceptable to the affected persons. |
| **Loss of structures**                           | Structures located in the site of the infrastructure, and the infrastructure easement areas | a) Persons who own the structure  
b) Persons who use or occupy the structure with formal legal title (e.g., renters)  
c) Persons with no formal legal right or claim to the structure (including persons in a legal ownership | a) Full compensation payment to cover the loss of the structure and loss of income during the period the affected person could not reap any income.  
b) Relocate structure to site acceptable to the affected persons.  
c) Transitional |
The amount of compensation is determined with the help of independent qualified property assessment experts in accordance with the Law of the Russian Federation “On evaluation activities”. The market value of the asset, determined in accordance with Russian laws, will be compensated to affected persons. Under the Project an independent valuator is to be chosen to determine the resulting proposed offer prices ensuring that they correspond to World Bank principle of “replacement value.” Replacement value includes the value of the asset (without taking into account depreciation), any fees or taxes required for the purchase and/or registration of a new asset, as well as relocation support (e.g., moving expenses).

In the event that there are structures (barns, kiosks, small commercial buildings etc.) that will need to be demolished, “depreciation” will not be considered in calculating the compensation payable for affected structures. The affected people will be compensated at a level enabling them to replace their structures.

In order to prevent false claims for assistance appearing after disclosure of the Project plans a cut-off date must be specified after which any person carrying out informal activities at the Project sites is not eligible to receive any assistance as a result of project activities.

Special resettlement assistance will be provided to vulnerable groups and those are severely affected by Project activities. These groups include, among others, people who are below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation. People who require special attention and assistance during the resettlement process will be identified as part of the preparation of site-specific RAPs.

6. Legal Framework for Resettlement

The norms of Russian law and the Republic of Sakha (Yakutia) concerning issues of expropriation of land and property of citizens and legal persons for state needs are laid out in the RF Constitution, the RF Civil Code, the RF Town-planning Code, the law of the Republic of Sakha (Yakutia) of 29.12.2008, 644-Z № 181-IV «On urban development policy of the Republic of Sakha (Yakutia)”, the RF Housing Code and the RF Land Code, the Republic of Sakha (Yakutia) Land Code of 15.12.2010, 883-Z №673-IV. A study of the corresponding articles of these documents shows that RF legislation provides a limited list of cases allowing forced expropriation of property of citizens/ economic subjects. The general approach is that forced expropriation of property of natural/legal persons for state and municipal needs can only be carried out on condition of preliminary and equivalent compensation. If an agreement is not met between parties, the issue of forced dispossession is resolved legally. The main cases and procedures of forced dispossession are as follows.

- Allocation of land plot for state and municipal needs
- Finding a multiple-dwelling building to be hazardous
- Converting a dwelling into a non-residential premises or finding it unsuitable for habitation (only for cases of social rent of housing)
Early termination of rent contract

*World Bank’s Operation (O.P.4.12) on Involuntary resettlement*

A comparative analysis of norms concerning issues of forced expropriation of property and involuntary resettlement stipulated by Russian legislation, and the main regulations of the policy practiced by the World Bank, has shown that there are no significant conceptual contradictions between them. The main thesis of the World Bank policy on involuntary resettlement is that in realizing relocation programs, the evicted persons (natural and legal) should at least maintain the living standards and conditions they had before the beginning of the Project implementation, or even improve them. This is also stipulated by norms of Russian legislation concerning issues of forced eviction during expropriation of property for state needs. However, this approach is realized in full with relation to subjects possessing official legal rights to expropriation of property, such as the right of ownership, social rent contract, rent contract (category a) according to OP 4.12).

All natural and legal persons with official legal rights to land plots/property, according to the norms of RF laws and the Republic of Sakha (Yakutia), will receive full compensation of the cost of the expropriated property, and also other damage, losses and lost profit. Furthermore, the RF Housing code stipulates that bodies of power carrying out expropriation of housing may prove its owners with additional forms of assistance along with compensation of all losses.

The Bank’s safeguards measures stipulate providing additional aid to people after resettlement and over the period of time necessary to adaptation. Particular attention should be given to the most vulnerable categories of the population (such as people living below the poverty line, the elderly, young people, women and children, etc.) as per measures in RF legislation on social policy. Thus, for individuals possessing official rights, the main requirements of the safeguards policy of the Bank are fully met in the Russian legislation as well as of the Republic of Sakha (Yakutia). The time to solve the issue on expropriation of housing from an owner given by Russian legislation is 1 year. This term may only be reduced at the desire of the owner himself. Owing to these circumstances, within the Project, one must either take a decision on the need for relocation in advance (1 year before), or offer relocated owners more attractive conditions of relocation, in order to speed up this process.

Contradictions exist between O.P4.12 and the Russian Legislation exists on:

- Compensation to individuals lacking official legal rights to land plots/property at the moment of the census, but who have declared their rights to them, under the condition that these claims are recognized by Russian and the Republic of Sakha (Yakutia) legislation, or receive recognition according to procedure determined by the plan for conducting the census
- Compensation to individuals who do not have required recognition of legal rights and claims in relation to the plots of land/property they occupy
- Compensation to private companies and also individual entrepreneurs illegally occupying a plot of land/property, no protective measures during their eviction are stipulated by Russian and the Republic of Sakha (Yakutia) legislation.

For those cases, as stated earlier those affected persons and institutions will be entitled to some form of compensation whether or not they have legal titles if they occupy the land by a cut-off date. For all

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2 In the case of a loss of illegal, self-constructed housing, the municipality will resolve this issue in accordance with the type of household that has been deprived of housing by providing social housing, dormitory accommodation, a place in a home for the elderly etc. The ultimate goal is of not worsening housing conditions for the evicted household.
Bank-funded projects, the principles of OP 4.12 where there is conflict the Bank OP 4.12 must take precedence.

7. Functions and Responsibilities of Each Actor

Major organizational functions regarding resettlement and the related safeguards are shared by the Project participants in the following manner:

<table>
<thead>
<tr>
<th>Institution</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>World Bank</td>
<td>• approval of the Resettlement Action Plan</td>
</tr>
<tr>
<td></td>
<td>• evaluation of the outcomes of the resettlement and of the indicators of monitoring.</td>
</tr>
<tr>
<td>Ministry of Education of the Republic of Sakha (Yakutia)</td>
<td>• supervision over the resettlement process</td>
</tr>
<tr>
<td></td>
<td>• ensure that resettlement procedures meet the Resettlement Framework Policy and World Bank safeguards</td>
</tr>
<tr>
<td></td>
<td>• Hires consultant for RAP preparation</td>
</tr>
<tr>
<td>PIU</td>
<td>• identify resettlement needs (1st stage);</td>
</tr>
<tr>
<td></td>
<td>• develop suggestions on the resettlement plans (2nd stage);</td>
</tr>
<tr>
<td></td>
<td>• develop recommendations on assets evaluation, on potential income and opportunity loss evaluation, on measures of social assistance to the affected population, on alternative sources of income for informal occupants of subproject sites;</td>
</tr>
<tr>
<td></td>
<td>• develop proposals on forms and approaches to informing the population and ensuring information transparency of the resettlement process;</td>
</tr>
<tr>
<td></td>
<td>• facilitate public participation in planning, implementing and overseeing the resettlement process;</td>
</tr>
<tr>
<td></td>
<td>• develop proposals on grievances resolution;</td>
</tr>
<tr>
<td></td>
<td>• develop the resettlement process monitoring methodology</td>
</tr>
<tr>
<td>Consultant hired by PIU, specializing in resettlement issues</td>
<td>• develop resettlement plan and safeguards to be applied;</td>
</tr>
<tr>
<td></td>
<td>• conduct census of the affected population and maintenance of the actualized information regarding the affected population during resettlement preparation and implementation;</td>
</tr>
<tr>
<td></td>
<td>• evaluate losses eligible for compensation; development and implementation of measures of</td>
</tr>
</tbody>
</table>
social support of the resettled population;
- deliver all the entitlements and financing of resettlement costs;
- organize public information procedures, public participation in decision-making regarding the resettlement;
- consider and resolution of grievances;
- monitoring of the resettlement.

Allocation of roles and responsibilities among the Project participants / stakeholders is to be adopted in a form of a multi-party agreement for each sub-project.

8. Description of Implementation Process, linking resettlement to civil works

For all operations in the territory of the Republic of Sakha (Yakutia) that entail involuntary resettlement a resettlement plan or abbreviated resettlement plan will be elaborated. The abbreviated resettlement plan is used in case of minor impacts, or when the number of displaced persons is under 200 persons. The structure and contents of that plan/ abbreviated resettlement plan are presented in the Annex.

The RAP will include the following sections: baseline census and socioeconomic survey information; specific compensation rates and standards; policy entitlements related to any additional impacts identified through the census or survey; description of resettlement sites and programs for improvement or restoration of livelihoods and stands of living; implementation schedule for resettlement activities; and detailed cost estimate.

The PIU is responsible for supervision over the resettlement process and ensuring that resettlement procedures meet the Resettlement Framework Policy and World Bank safeguards and ensure that consultants and region prepare, implement, and monitor the resettlement plan. Resettlement planning will include early screening, scoping of key issues, the choice of resettlement instrument, and the information required to prepare the resettlement component or subcomponent of the Project. Appropriate social, technical, and legal expertise and on relevant community-based organizations and NGOs will take part in the preparation of the resettlement plans. Such consultations will take place once specific Project sites that trigger the resettlement policy will be identified and before the beginning of any Project activities on these sites. The PIU will ensure that the Project Implementation Plan will be fully consistent with the resettlement instrument.

All compensatory measures in respect to any Project activity will be settled before the implementation of the Project activities in accordance with this RPF. All compensation will be provided to Project affected people well in advance to the occurrence of any construction impact. Measures to ensure compliance with this policy directive will be included in the resettlement plan that will be prepared for each site involving resettlement or compensation.

Resettlement plans shall be screened to ensure that they contain acceptable measures that link resettlement activity to civil works in compliance with the RPF. Appropriate mechanisms will be put in place to ensure that no individual or affected household will be displaced due to civil works activity before compensation is paid and resettlement sites with adequate facilities are prepared and provided to the individual or household affected. Once the resettlement plan has been approved by the stakeholders, and prior the initiation of civil work, the said plan should be sent to the World Bank for final review and approval.
9. **Grievance Redress Mechanisms**

PIU and the Republic of Sakha (Yakutia) will take steps to minimize the potential for disputes. Solutions to grievances related to compensation amounts, delays in compensation payments will be pursued directly by the designated authorities in liaison with external consultants hired by PIU who will inform property owners and users about the destinations for grievance redress, and will maintain a record of grievances received, and the result of attempts to resolve them.

Aggrieved person will have a right of access to court. Where properties disputes are concerned, the PIU will encourage aggrieved person to find a mutual understanding of the case and come to an applicable mutual solution to the problem.

In the case of persistent dispute concerning amount of compensation or person entitled to any form of compensation, the case may be brought to the court. Notwithstanding there is the opportunity to appeal flawed decisions to project authorities and/or courts as is prescribed by law.

The main entities responsible for grievance redress are the PIU and the Ministry of Education will be in charge of the resettlement process. The person responsible for GRM at the Ministry of Education is the Head of the Department of General Education (Ms. Natalia Sitnikova, email: sitnikovany@sakha.gov.ru; phone: 4112-422-921). The PIU will appoint a specific person, who will be responsible for handling grievances according to the following process.

- **Submitting complaints:** grievances by Project affected people can be submitted to the local PIU representatives via the phone (a direct phone number of the person in charge of grievance redress in the PIU will be provided), in a written form using regular mail or email, or visiting the local PIU office. All grievances must be registered, and the registration number must be provided to the complainant in 1-3 days.

- **Processing complaints:** all grievances will be considered. Once a grievance is submitted, the PIU representative who is in charge of the GRM will inform the Head of the Department for General Education in the Ministry of Education. A written response to all grievances will be provided to the complainant within 15 days. If 15 days are insufficient to respond to the complaint, the PIU will inform the complainant accordingly and will be able to provide a final response after an additional period of 15 days. The PIU will provide to the Ministry of Education a detailed monthly report on the grievances that were submitted and the recourse that was provided.

- **Appealing PIU’s decisions:** in case the PIU is unable to solve the complaint or if the complainant is unsatisfied with the response received by the PIU, she will be able to submit an appeal to the Ministry of Education. The Ministry of Education will respond to the complaint within 15 days.

Information about channels available for grievance redress will be widely communicated to potential project affected people. The contact details (name, phone number, mail and email address, etc.) of the person responsible for GRM at the PIU will be disseminated as part of all public hearings and consultations, as well as in the local media, and on Project construction sites.

The grievance redress mechanism will be implemented in a culturally sensitive manner and facilitate access to vulnerable populations. A separate GRM will be available for indigenous peoples (as detailed in the Indigenous Peoples Planning Framework (IPPF)). As explained in the IPPF, indigenous peoples will be able to lodge complaints both via a representative of the Association of the Indigenous People of the North of the Sakha Republic (Yakutia) and through the Ministry of Education.
10. **Budget and Funding Arrangements**

Resettlement expenditures necessary to achieve the objectives of the project will be financed with the budget of the Republic of Sakha (Yautia) or municipal budget funds, depending on what level of authorities sites belong to, or provision is made within the constraints of the Project budget.

The full costs of resettlement activities necessary to achieve the objectives of the Project are included in the total cost of the Project in accordance with OP 4.12, including staffing of dedicated personnel that will be responsible for the grievance redress process. In case site-specific RAPs will be required, they will include a clear indication of resettlement costs and detailed budget allocations for each of the resettlement activities.

11. **Methods for consultation with and participation of affected people**

Once the scope of the works is identified, the concerned municipality and other institutions will hold public consultations to discuss the resettlement and its implications, to which all property owners and users whose property will be affected by the resettlement will be invited. These consultations will take place well in advance of the beginning of relevant Project activities, and will ensure that the concerns of Project affected people will be taken into account as part of the implementation of Project activities.

The PIU will hire external consultants who will take the lead in ensuring that consultations are held with affected people and not entirely transfer the responsibility to the concerned municipalities. The content and results of the consultation (including the questions of Project affected people and the responses given to them) will be recorded in minutes that are maintained in the sub-project files and made available to the PIU and the Bank team. All consultation sites will be easily accessible to Project affected people.

The format and timing of consultations will be flexible and culturally sensitive to ensure that all affected parties can effectively participate in the consultations. Measures will be taken to proactively reach out to local populations beyond those directly affected by Project activities and engage them in the consultations as well.

12. **Monitoring Arrangements**

Consultants contracted by PIU will conduct monitoring of resettlement during the Project and evaluation of resettlement impact upon completion of subproject activities and all accompanying activities.

Based on the baseline information collected in preparation of site-specific RAPs, indicators that will be monitored for each subproject as part of the RAP implementation include the following:

- Number of households or businesses that have been actually resettled and their size (number of household members);
- Number of individuals / households whose income was negatively affected by subproject and accompanying activities (number of household members), and who have been provided with assistance in finding alternative income sources (number of household members);
- Number of grievances filed;
- Number of grievances resolved;
• Amount of monetary compensation provided by category of claimant;
• Type and value of non-monetary compensation provided;
• Type of assistance provided (not including compensation).

Given the limited number of affected people, follow up and monitoring will be done for each household during, as well as at the end of, the Project activities.

Consultants that will be hired by the PIU and who will be responsible for the resettlement process will provide the PIU with a detailed monthly report on resettlement activities. In case any of the planned activities have not been executed, the report will explain the reasons for this and suggest how the activities will be implemented in the subsequent month.

Data collection forms are provided in Annex 4.

13. Disclosure arrangements

A previous draft of this RPF was disclosed on the official website of the Ministry of Education of the Republic of Sakha (Yakutia) (http://www.sakha.gov.ru/node/68199). The RPF was disclosed in the Russian language as the Institute for Humanities Research and Problems of Indigenous Peoples of the North confirmed that Russian is the primary language of 95% of the Republic’s population. Information about public hearings and consultations on the RPF was also made available on the website. The final version of the RPF will be disclosed in both Russian and Yakutian languages. It will be published on the website of the Ministry of Education and hard copies will also be made available in the offices of the Ministry of Education and the PIU. A notice in a local newspaper will also announce the availability of the RPF for public access in these locations.

In case that site-specific RAPs will be required, they will be disclosed in Russian and Yakutian languages in all sites where Project activities will take place. Information about public hearings and consultations regarding the RAP will be made available in the local media, on public bulletin boards, on Project construction sites, in the local PIU offices, and in the local offices of municipal authorities. While all indigenous populations are fluent in either Russian and Yakutian languages, according to the 2010 census in the Russian Federation, the information will be also be made available in indigenous languages wherever required.

<table>
<thead>
<tr>
<th>Stages</th>
<th>Nature of activities</th>
<th>Timing</th>
<th>Responsible authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defining properties/land plots to be used (only public land, no land</td>
<td>Based on information provided by applicant in preliminary proposals determine categories of affected population for subprojects. Review and consider all feasible options for Project implementation to avoid or minimize the scope of resettlement for individuals/legal entities.</td>
<td>Pre-project preparation</td>
<td>Municipal authorities, the PIU</td>
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<tr>
<td>acquisition will be done)</td>
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</table>
| Census of individual residents/legal entities to be resettled, defining  | 1. Based on information in subproject application collect and analyze information on individuals/legal entities to be resettled and their immovable property:  
- information on individuals residing in the project area;  
- characteristics of households/economic agents to be resettled;  
- scope of expected loss (full or partial) of property and other losses;  
- title information;  
- information on vulnerable groups and individuals eligible for special measures;  
2. Putting the information into a system and splitting the population to be resettled into 3 categories:  
   a) individuals with formal land/property titles;  
   b) individuals without formal land/property title at the beginning of the census who claimed their rights provided that such rights are recognized by national legislation or are recognized following the procedure spelled out by the resettlement plan;  
   c) individuals without legal rights and claims to be recognized with respect to land plots and properties they occupy.  
3. Census completion and ensuring regular information updates regarding conditions and standards of living of those to be resettled in order to have | Early stages of pre-project preparation | Municipal authorities, the PIU  |
| their title on withdrawn immovable property, valuation of the withdrawn  |                                                                                                                                                                                                                      |                                  |                                 |
| properties                                                             |                                                                                                                                                                                                                      |                                  |                                 |
In order to ensure reliable information by the time of actual resettlement, it is necessary to:

<table>
<thead>
<tr>
<th>Informing about resettlement, compensations and other assistance available during resettlement</th>
<th>Informing individuals/legal entities on the upcoming resettlement procedures applied to the above three categories as well as on possible reasons for resettlement:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) individuals/legal entities having ownership, social rent, rental lease rights:</td>
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</tbody>
</table>

**Action with respect to owners of residential properties:** residential property can be withdrawn only in case of disposition of occupied land for state/municipal needs on condition of providing pre-transaction compensation of equal value.

- decision to withdraw residential property made by the body of government authority or local government should be registered with the body responsible for state registration of property rights and transactions.

- owner of the residential property at least one year prior to the withdrawal should be notified in writing about withdrawal of the residential property owned by him/her as well as about the date when such decision was registered by the body that had made the withdrawal decision. Redemption of the residential property before one year since such notification shall be made only with the owner’s consent.

- Redemption price of the residential property, timing and other conditions of the redemption shall be defined by an agreement with the owner. The agreement shall include a commitment of the Russian Federation, constituent member of the Russian Federation, municipality to pay the redemption price for the withdrawn residential property (cost of the residential property as well as all losses and opportunity cost).

- Should the owner disagree with the withdrawal decision, or in case the agreement with the owner regarding redemption price of the residential property or other conditions of its redemption fails to be reached, the body of government authority or local self-governance making such decision may bring a law suit on acquisition of the residential property. The suit may be determined by a decision of respective body of executive power at least one year prior to dispossession.

**Throughout the duration of the project**

| Municipal authorities and the PIU |

**Determined by a decision of a respective body of executive power at least one year prior to dispossession**

| Municipal authorities or a corresponding body of executive power |
be brought within **two years** upon forwarding respective notification to the owner.

**Action with respect to owners of residential housing in a block of flats recognized as uninhabitable:** in case a block of flats is recognized as uninhabitable and set for demolition, the body making such decision may demand that the owners of units in such house should demolish the house within reasonable timeframe. In case the owners fail to demolish the mentioned house by the mentioned deadline, the land on which the house is located shall be withdrawn for municipal needs and therefore each residential unit in this house shall be withdrawn on condition of providing pre-transaction compensation of equal value, except for housing owned by the municipality.\(^\text{Determined by a decision of a respective body of executive power}\)\(^\text{Municipal authorities or a corresponding body of executive power}\)

**Action with respect to non-owners (living under social rent arrangements) when residential property is transferred to non-residential or is recognized as unfit for living:** in case the residential housing occupied under social rent is to be transferred to non-residential or is recognized as unfit for living, individuals evicted from such housing shall be provided by the renter with other residential housing with amenities under social rent arrangements. The new housing should have necessary amenities with respect to the given residential area, its total floor space should be equal to that of the previously occupied housing, and it should meet the established requirements and be located within the boundaries of the residential area. The housing provided to the individuals who are evicted by court (should they refuse to move voluntarily) should be mentioned in the court decision.\(^\text{Determined by a decision of a respective body of executive power}\)\(^\text{Municipal authorities or a corresponding body of executive power}\)

**Action with respect to legal entities in case of lease termination:** termination of property (buildings, installations, premises) lease contract shall be made in the same format as the contract itself unless laws, other regulatory acts, contracts or business practice provide otherwise. Should the lessee refuse to amend or terminate the lease contract, the lessor may bring the case to court. The term specified in the lease contract or 30 days (based on existing market practices).\(^\text{Municipal authorities or a corresponding body of executive power}\)

If the lease term is not specified in the property lease contract, such contract may be terminated at any time with a 3-month notice of the other
party (this is based on existing market practices).

| b) individuals without formal land/property title at the beginning of the census who claimed their rights provided that such rights are recognized by Russian legislation or are recognized following the procedure spelled out by the resettlement plan. |
|---|---|---|
| If the title can be confirmed with documents prior to resettlement, such individuals/legal entities move to category a), if no confirmation can be provided – to category c). The probability of addressing resettlement issues for this category in court is high. |

| c) individuals without legal rights and claims to be recognized with respect to land plots and properties they occupy. |
|---|---|---|
| Action with respect to residents who occupy housing illegally: in case residential housing to be withdrawn is occupied by uncontrolled settlers/squatters, the issue shall be resolved based on the type of household to be deprived of housing. Social housing, hostels, boarding homes, etc. options may be offered; however, no objective to maintain or upgrade residential standards of the evicted household would be pursued. Individuals in this category may be eligible for additional assistance by means of job placement, training, self-employment, social benefits, child allowances, etc. Special attention will be paid to the vulnerable populations (e.g. those below the poverty line, elderly, young individuals, women and children etc.). |
| Action with respect to legal entities/individual entrepreneurs who occupy properties illegally: legal entities/individual entrepreneurs who occupy land/property illegally will be enabled to continue their activities at an alternative site. All informal users of property will also be entitled under the Project to rehabilitation assistance or some for of support to enable affected persons, who have lost their source of livelihood, to restore their income levels to pre-project levels. |

| Consultations with affected population | Discussion of the conditions and progress of resettlement with the resettled |

| Municipal authorities or a corresponding body of executive power |

<p>| Within census completion and launch of resettlement | Municipal authorities or a corresponding body of executive power | Municipal authorities or a corresponding body of executive power |</p>
<table>
<thead>
<tr>
<th>Regarding acceptable options</th>
<th>Includes:</th>
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<tbody>
<tr>
<td>- developing general approaches and policies for consultations with individuals to be resettled, their engagement in preparation and implementation of resettlement activities (by means of public hearings, collective discussions, individual interviews, written notifications, etc.);</td>
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<tr>
<td>- solicitation of opinions and requests of the resettled by means of public hearings, apartment/house visits, collective gatherings and discussions, written appeals etc., their reflection and summary;</td>
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<tr>
<td>- assessment of resettlement options and choices made by the individuals to be resettled, including with respect to: compensation formats; individual, family, household resettlement arrangements; need for additional social assistance;</td>
<td></td>
</tr>
<tr>
<td>- assessment of resettlement options and choices made by legal entities/individual entrepreneurs to be resettled;</td>
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<tr>
<td>- designing organizational measures that would ensure timely delivery of affected populations’ requests to the project management during planning and implementation stages, as well as delivery of information on additional issues related to resettlement (community liaison office for the Project, use of IT, etc.);</td>
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<tr>
<td>- designing measures to provide additional support to vulnerable populations (for example, retirees, disabled, women, children, and other groups that will be identified as part of the Project).</td>
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</table>

<table>
<thead>
<tr>
<th>Designing resettlement schedule</th>
<th>Schedule for all resettlement activities, from preparation to completion, with deadlines for deliverables to the affected population and withdrawal of various types of assistance. The schedule should reflect interaction of resettlement activities with the overall Project work plan.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Within reasonable timeframe and considering the scope of resettlement activities</td>
<td>Municipal authorities and the PIU</td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>Developing resettlement budget</th>
<th>Resettlement budget includes:</th>
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<tr>
<td>- cost estimates for all activities, by item, considering inflation and</td>
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</tbody>
</table>
contingencies;
- withdrawal schedules;
- sources of financing;
- measures to ensure timely arrival of necessary resources and financing of resettlement activities.

<table>
<thead>
<tr>
<th>Resettlement</th>
<th>Settlement of individuals and legal entities pursuant to developed approaches and established agreements</th>
<th>Pursuant to specific conditions</th>
<th>Municipal authorities or a corresponding body of executive power</th>
</tr>
</thead>
</table>
| Review and resolution of resettlement-related complaints | Using a variety of means and channels to review complaints of the resettled:  
- informal review of inessential complaints;  
- arbitration for resettlement disputes;  
- making decisions by respective municipal, regional and national bodies;  
- court proceedings. | Between launch of resettlement and Project completion | Municipal authorities or a corresponding body of executive power and the PIU |
| Monitoring and resettlement impact evaluation | - developing guidelines for resettlement activities monitoring;  
- developing indicators for monitoring resettlement inputs, outputs and outcomes;  
- evaluation of resettlement impact upon completion of resettlement and all accompanying activities;  
- using monitoring outcomes in planning and implementation of similar future activities. | Upon completion of resettlement and before the Project completion | PIU |
Annex 2: Resettlement Plan Format

Resettlement plan is based on up-to-date and reliable information about:

- the proposed resettlement and its impacts on the displaced persons and other adversely affected groups;
- the legal issues involved in resettlement.

The base structure of the Resettlement Plan covers the elements below. When any element is not relevant to project circumstances, it should be noted in the resettlement plan.

1. *Description of the project.* General description of the project and identification of the project area.

2. *Potential impacts.* Identification of:

   a) the project component or activities that give rise to resettlement;
   b) the zone of impact of such component or activities;
   c) the alternatives considered to avoid or minimize resettlement; and
   d) the mechanisms established to minimize resettlement, to the extent possible, during project implementation.

3. *Objectives.* The main objectives of the resettlement program.

4. *Socioeconomic studies.* The findings of socioeconomic studies to be conducted in the early stages of project preparation and with the involvement of potentially displaced people, including:

   a) the results of a census survey covering:

      i) current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
ii) standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population

iii) the magnitude of the expected loss—total or partial—of assets, and and the extent of displacement, physical or economic;

iv) information on socially vulnerable groups and persons for whom special provisions may have to be made; and

v) provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.

b) Other studies describing the following:

(i) land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;

(ii) the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;

(iii) public infrastructure and social services that will be affected; and

(iv) social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

5. Legal framework. The findings of an analysis of the legal framework, covering:

a) the scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
b) the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available alternative dispute resolution mechanisms that may be relevant to resettlement under the project;

c) relevant law (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights; customary personal law related to displacement; and environmental laws and social welfare legislation.

d) laws and regulations relating to the agencies responsible for implementing resettlement activities;

e) gaps, if any, between Russian laws, the laws of the Republic of Sakha (Yakutia) covering eminent domain and resettlement and the Bank’s resettlement policy, and the mechanisms to bridge such gaps; and

f) any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including, as appropriate, a process for recognizing claims to legal rights to land--including claims that derive from customary law and traditional usage.

6. Institutional Framework. The findings of an analysis of the institutional framework covering:

   a) the identification of agencies responsible for resettlement activities and NGOs that may have a role in project implementation;

   b) an assessment of the institutional capacity of such agencies and NGOs; and

   c) any steps that are proposed to enhance the institutional capacity of agencies and NGOs responsible for resettlement implementation.

7. Eligibility for compensation and social assistance. Definition of “displaced persons” and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.
8. **Valuation of and compensation for losses.** The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.

9. **Resettlement measures.** A description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy. In addition to being technically and economically feasible, the resettlement packages should be compatible with the cultural preferences of the displaced persons, and prepared in consultation with them.

10. **Site selection, site preparation, and relocation.** Alternative relocation sites considered and explanation of those selected, covering:

   a) institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;

   b) any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites;

   c) procedures for physical relocation under the project, including timetables for site preparation and transfer; and;

   d) legal arrangements for regularizing tenure and transferring titles to resettlers.

11. **Housing, infrastructure, and social services.** Plans to provide (or to finance resettlers' provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services); plans to ensure comparable services to host populations; any necessary site development, engineering, and architectural designs for these facilities.
12. Environmental protection and management. A description of the boundaries of the relocation area; and an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

13. Community participation. Involvement of resettlers and host communities:

   a) a description of the strategy for consultation with and participation of resettlers and hosts in the design and implementation of the resettlement activities;

   b) a summary of the views expressed and how these views were taken into account in preparing the resettlement plan;

   c) a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individuals families or as parts of preexisting communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries); and

   d) institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that vulnerable groups (e.g., pensioners, disabled, women, children, etc.) are adequately represented.

14. Integration with host populations. Measures to mitigate the impact of resettlement on any host communities, including:

   a) consultations with host communities and local governments;

   b) arrangements for prompt tendering of any payment due the hosts for land or other assets provided to resettlers;

   c) arrangements for addressing any conflict that may arise between resettlers and host communities; and
d) any measures necessary to augment services (e.g., education, water, health, and production services) in host communities to make them at least comparable to services available to resettlers.

15. *Grievance procedures.* Affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

16. *Organizational responsibilities.* The organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies’ capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

17. *Implementation schedule.* An implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.
18. *Costs and budget.* Tables showing itemized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

19. *Monitoring and evaluation.* Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.
**Abbreviated Resettlement Plan**

An abbreviated plan may be prepared if the impacts on Project affected people are minor (impacts are considered minor if the affected people are not physically displaced and less than 10 percent of their productive assets are lost). In such a case, the abbreviated plan will cover the following elements:

a) a census survey of displaced persons and valuation of assets;

b) description of compensation and other resettlement assistance to be provided;

c) consultations with displaced people about acceptable alternatives;

d) institutional responsibility for implementation and procedures for grievance redress;

e) arrangements for monitoring and implementation; and

f) a timetable and budget (financing arrangements)

The abbreviated plan will also cover a socioeconomic survey and income restoration measures.

<table>
<thead>
<tr>
<th>Situation</th>
<th>World Bank Policy</th>
<th>Russian Federation Law</th>
<th>Comments</th>
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</table>
| a) Natural /legal persons with legal claims (right of property, social rent, rent) | 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. | Article 32 of the RF Housing Code regulates the process of evicting the owners of *dwellings* in confiscating a land plot for state or municipal needs. A dwelling in this case may be confiscated from the owner by means of purchase by the state, with the confiscation of the according land plot for state or municipal needs. The purchase of part of a dwelling is not allowed without the agreement of the owner.  
- The decision of the body of state power of the Republic of Sakha (Yakutia) or body of local self-administration on confiscation of a dwelling is subject to state registration at a body that carries out state registration of rights to property and deals with it.  
- The owner of a dwelling, not later than *one year* before the proposed confiscation of the given dwelling, must be informed in written form on the decision about the confiscation of the dwelling belonging to him, and the date of state registration of this decision by the body taking the decision on confiscation. The purchase of a dwelling before a year has passed from the day that the owner receives this notification is only allowed with the agreement of the owner.  
- With a certain purchase price of the dwelling, it includes the *market cost of the dwelling*, and also all the *losses caused* to the owner of the dwelling by its confiscation, including losses that he suffers owing to a change of residence, temporary use of another dwelling until acquiring ownership of another dwelling, change of place, search for another dwelling for acquiring the right of | No conflict between the WB policy and Russian law |

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<tbody>
<tr>
<td>Housing owners</td>
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<tr>
<td>Situation</td>
<td>World Bank Policy</td>
<td>Russian Federation Law</td>
<td>Comments</td>
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<tr>
<td>Ownership to it, registering the right of ownership for another dwelling, early termination of his obligations to third parties, including the profit lost. By agreement with the owner of the dwelling, he may be given ownership in exchange for the confiscated dwelling of another dwelling, deducting its cost from the purchase price. If the owner of the dwelling does not agree with the decision to confiscate the dwelling, or if an agreement has not been reached with him about the purchase price of the dwelling, or about other conditions of its purchase, the body of state power or the body of local self-administration taking this decision may file a lawsuit on the purchase of the dwelling. A lawsuit on purchase of a dwelling may be filed within two years from the moment that the owner of the dwelling is sent the according notification.</td>
<td>No conflict between the WB policy and Russian law</td>
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<td>Housing owners, whose dwelling (apartment-building) is found to be hazardous and liable for demolition</td>
<td>Same</td>
<td>If an apartment-building is found to be hazardous and liable for demolition (according to the procedure established by the Government of the Russian Federation), the body that takes the decision on finding this house to be hazardous and liable for demolition receives ground to present the demolition order to the owners within a reasonable period. If the owners have not carried out the demolition of the building in the period indicated, the land on which it is situated is subject to confiscation for municipal needs, and accordingly each dwelling is liable for confiscation in this building, with the exception of dwellings which belong by right of ownership to the municipality, according to the procedure stipulated by parts 1-3 and 5-9 of article 32 of the RF Housing code.</td>
<td>No conflict between the WB policy and Russian law</td>
<td></td>
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<tr>
<td>Occupants of dwellings under a social rent contract subject to resettlement due to the dwellings being converted into non-residential premises or found unsuitable for habitation</td>
<td>Same</td>
<td>The procedure for providing a dwelling by social rent contract in connection with the conversion of a dwelling into non-residential premises, or if it is found unsuitable for habitation is established by articles 87 and 89 of the RF Housing code. If a dwelling that is occupied under a social rent contract is subject to conversion to non-residential premises or found unsuitable for habitation, the citizens evicted from this dwelling</td>
<td>No conflict between the WB policy and Russian law (as OP 4.12 applies to all cases in which people are involuntarily removed by a project supported by the World Bank).</td>
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<tr>
<td>Situation</td>
<td>Requirements</td>
<td>Comments</td>
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<td>are provided with another suitable dwelling by the landlords under a social rent contract. The new dwelling that is provided to citizens in connection with eviction on the grounds provided for by articles 86-88 of the Housing code must be suitable in relation to the conditions of the according inhabited area, equivalent by total area to the previously occupied dwelling, meet established requirements and be located within the boundaries of the given inhabited area. The dwelling provided to citizens who are evicted according to court procedure must be indicated in the court’s decision on eviction.</td>
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<tr>
<td>Legal persons whose rent of property is terminated early</td>
<td>Same</td>
<td>Early termination of a rent contract of property (building, structure, premises) is carried out in the same form as the contract, unless otherwise specified by law, other legal documents, contract or business practices. If the tenant refuses to change or terminate the rent contract, the landlord may go to court (article 452 of the RF Civil Code). If the rent term in the property rent contract is not determined, then this contract may be terminated at any time, with a warning about this by the other party three months in advance (article 610 of the RF Civil Code). No conflict between the WB policy and Russian law</td>
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<tr>
<td>b) persons without formal legal rights to land plots / immovable property, but whose claims can be recognized by the Russian law or are recognized following order set in the Resettlement plan</td>
<td>Such persons are provided resettlement assistance (resettlement assistance may consist of land, other assets, cash, employment, and so on, as appropriate) in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons are provided compensation for loss of assets other than land.</td>
<td>Such cases can only be resolved through courts. In case of a conflict the World Bank OP 4.12 takes the precedence of the Russian Federation Law.</td>
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<tr>
<td>Situation</td>
<td>Requirements</td>
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<tr>
<td><strong>c) persons without formal legal rights or claims to land plots / immovable property subject to recognition</strong></td>
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<tr>
<td>Such persons are provided resettlement assistance (resettlement assistance may consist of land, other assets, cash, employment, and so on, as appropriate) in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons are provided compensation for loss of assets other than land.</td>
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<td>In the case that housing is lost that is occupied on the basis of self-Construction/self-seizure, for example, the municipality will resolve this issue in accordance with the type of household that has been deprived of housing. Options may be used for providing temporary or permanent social housing, dormitory accommodation, a place in a home for the elderly etc., but at the same time, the goal of not worsening or improving housing conditions for the evicted household will not be pursued.</td>
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<td>In realizing measures for social support as part of the Project, particular attention should be given to the most vulnerable categories of the population (e.g., people living below the poverty line, the elderly, young people, women and children, etc.). It should be noted that in RF legislation on social policy, certain measures for supporting these categories of citizens are provided. They will be provided to evicted families or individuals if their position corresponds to the formal attributes stipulated for this by Russian laws.</td>
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<tr>
<td>In case of a conflict the World Bank OP 4.12 takes the precedence of the Russian Federation Law.</td>
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<table>
<thead>
<tr>
<th>Situation</th>
<th>Requirements</th>
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</thead>
<tbody>
<tr>
<td><strong>Dwellers of illegally occupied / built housing</strong></td>
<td></td>
</tr>
<tr>
<td>Such persons are provided resettlement assistance (resettlement assistance may consist of land, other assets, cash, employment, and so on, as appropriate) in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons are provided compensation for loss of assets other than land.</td>
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<tr>
<td>In the case that housing is lost that is occupied on the basis of self-Construction/self-seizure, for example, the municipality will resolve this issue in accordance with the type of household that has been deprived of housing. Options may be used for providing temporary or permanent social housing, dormitory accommodation, a place in a home for the elderly etc., but at the same time, the goal of not worsening or improving housing conditions for the evicted household will not be pursued.</td>
<td></td>
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<tr>
<td>In realizing measures for social support as part of the Project, particular attention should be given to the most vulnerable categories of the population (e.g., people living below the poverty line, the elderly, young people, women and children, etc.). It should be noted that in RF legislation on social policy, certain measures for supporting these categories of citizens are provided. They will be provided to evicted families or individuals if their position corresponds to the formal attributes stipulated for this by Russian laws.</td>
<td></td>
</tr>
<tr>
<td>In case of a conflict the World Bank OP 4.12 takes the precedence of the Russian Federation Law.</td>
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<table>
<thead>
<tr>
<th>Situation</th>
<th>Requirements</th>
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<tbody>
<tr>
<td><strong>Legal persons / entrepreneurs illegally using property for business</strong></td>
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<tr>
<td>Such persons are provided resettlement assistance (resettlement assistance may consist of land, other assets, cash, employment, and so on, as appropriate) in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons are provided compensation for loss of assets other than land.</td>
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<tr>
<td>No safeguard measures are envisioned</td>
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<td>In case of a conflict the World Bank OP 4.12 takes the precedence of the Russian Federation Law.</td>
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<tr>
<td>Situation</td>
<td>Requirements</td>
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<td>World Bank Policy</td>
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<td>compensation for loss of assets other than land.</td>
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Annex 4: Tables and formats for screening of affected population / private businesses

These tables will be used to gather information about Project affected people in case site-specific RAPs will be required.

Table 1: Characteristics of families and housing affected:

<table>
<thead>
<tr>
<th>Household number</th>
<th>Name of the household head (and if applicable, spouse name)</th>
<th>Number of male household members</th>
<th>Number of female household members</th>
<th>Number of children younger than 13</th>
<th>Number of adults older than 60</th>
<th>Number of socially vulnerable household members (unemployed, veterans, students etc.)</th>
<th>Sources of income and average annual income per person</th>
<th>Tenure status (titled owner, owner without documents, tenant etc)</th>
<th>Description of the housing (total floor space, number of rooms, condition etc)</th>
<th>Comments</th>
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</thead>
<tbody>
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</tbody>
</table>

Table 2: Characteristics of businesses and properties affected:

<table>
<thead>
<tr>
<th>Business number</th>
<th>Name of the business owner</th>
<th>Type of activity</th>
<th>Number of employees</th>
<th>Average monthly income</th>
<th>Duration of existence of the business in the affected place</th>
<th>Tenure status (titled owner, owner without documents, tenant etc)</th>
<th>Description of the housing (total floor space, condition etc)</th>
<th>Comments</th>
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</thead>
<tbody>
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</tbody>
</table>

Table 3a: Impacts Caused by Displacement (Households):

<table>
<thead>
<tr>
<th>Household number</th>
<th>Loss of House</th>
<th>Loss or decrease of Income</th>
<th>Loss or difficulty of access to education</th>
<th>Loss of access to health services</th>
<th>Loss of access to public services</th>
<th>Loss of social networks</th>
<th>Comments</th>
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<tbody>
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</tbody>
</table>
Table 3b: Impacts Caused by Displacement (Business):

<table>
<thead>
<tr>
<th>Business number</th>
<th>Loss of business place</th>
<th>Loss or decrease of income</th>
<th>Loss of economic networks</th>
<th>Comments</th>
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</thead>
<tbody>
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<td></td>
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</tbody>
</table>

Data from these tables will be consolidated into individual household or business-specific data sheets.