REPUBLIC OF KAZAKHSTAN
MINISTRY FOR INVESTMENT AND DEVELOPMENT
COMMITTEE FOR ROADS

CENTER-SOUTH RECONSTRUCTION PROJECT:
BALKHASH-BURYLBAITAL ROAD SECTION
KM 1855-2152

DRAFT RESETTLEMENT ACTION PLAN

FINANCED BY INTERNATIONAL BANK FOR
RECONSTRUCTION AND DEVELOPMENT AND THE
REPUBLIC OF KAZAKHSTAN

MARCH 2017

Prepared for:
Committee for Roads
Ministry for Investment and Development
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# ABBREVIATIONS

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<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADB</td>
<td>Asian Development Bank</td>
</tr>
<tr>
<td>AP</td>
<td>Affected People</td>
</tr>
<tr>
<td>CFR</td>
<td>Committee for Roads</td>
</tr>
<tr>
<td>MID</td>
<td>Ministry for Investment and Development</td>
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<tr>
<td>EBRD</td>
<td>European Bank for Reconstruction and Development</td>
</tr>
<tr>
<td>GRP</td>
<td>Gross Regional Product</td>
</tr>
<tr>
<td>IDB</td>
<td>Islamic Development Bank</td>
</tr>
<tr>
<td>IFI</td>
<td>International Financial Institutions</td>
</tr>
<tr>
<td>KZT</td>
<td>Kazakhstan Tenge</td>
</tr>
<tr>
<td>LARF</td>
<td>Land Acquisition and Resettlement Framework</td>
</tr>
<tr>
<td>LARS</td>
<td>Land Acquisition and Resettlement Survey</td>
</tr>
<tr>
<td>NGO</td>
<td>Non Governmental Organization</td>
</tr>
<tr>
<td>PAPS</td>
<td>Project Affected Persons</td>
</tr>
<tr>
<td>OP</td>
<td>Operational Procedure</td>
</tr>
<tr>
<td>PMC</td>
<td>Project Management Consultant</td>
</tr>
<tr>
<td>CSCs</td>
<td>Construction Supervision Consultants</td>
</tr>
<tr>
<td>CCs</td>
<td>Construction Contractors</td>
</tr>
<tr>
<td>PIB</td>
<td>Public Information Booklet</td>
</tr>
<tr>
<td>RAP</td>
<td>Resettlement Action Plan</td>
</tr>
<tr>
<td>GRM</td>
<td>Grievance Redress Mechanism</td>
</tr>
<tr>
<td>RK</td>
<td>Republic of Kazakhstan</td>
</tr>
<tr>
<td>ROW</td>
<td>Right of Way</td>
</tr>
<tr>
<td>SSICL</td>
<td>State Scientific Industrial Center for Land</td>
</tr>
<tr>
<td>TOR</td>
<td>Terms of Reference</td>
</tr>
<tr>
<td>WB</td>
<td>World Bank</td>
</tr>
<tr>
<td>WE-WC</td>
<td>Western Europe Western China</td>
</tr>
<tr>
<td>ORM</td>
<td>Operational Requirement Management</td>
</tr>
<tr>
<td>RPF</td>
<td>Resettlement Policy Framework</td>
</tr>
</tbody>
</table>
### Glossary

<table>
<thead>
<tr>
<th><strong>Affected Persons</strong></th>
<th>People, Households, or Legal Entities affected by project related changes in use and access to land, water, natural resources, or income losses.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Compensation</strong></td>
<td>Payment in cash or kind to which the Affected People are entitled in order to replace land or other assets taken for project use.</td>
</tr>
<tr>
<td><strong>Cut-off-date</strong></td>
<td>Date after which people WILL NOT BE considered eligible for compensation, i.e., they are not included in the list of APs as defined by the census.</td>
</tr>
<tr>
<td><strong>Encroachers</strong></td>
<td>People who move into the project area, or who have trespassed into government land adjacent to their own, after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the project. Persons, informally using or occupying land prior to the cut-off date are eligible for compensation or alternative forms of assistance.</td>
</tr>
<tr>
<td><strong>Entitlement</strong></td>
<td>Entitlement means the range of measures comprising compensation in cash or in kind, relocation cost, income rehabilitation assistance, transfer assistance, income substitution, and business restoration which are due to APs, depending on the type, degree and nature of their losses, to restore their social and economic base.</td>
</tr>
<tr>
<td><strong>Household</strong></td>
<td>Household means all persons living and eating together as a single-family unit and eating from the same kitchen whether or not related to each other. The census used this definition, and the data generated by the census forms the basis for identifying a household unit.</td>
</tr>
<tr>
<td><strong>Income restoration</strong></td>
<td>Income Restoration means re-establishing productivity and Livelihoods of APs.</td>
</tr>
<tr>
<td><strong>Involuntary Resettlement</strong></td>
<td>Any resettlement, which does not involve willingness of the persons being adversely affected, but are forced through an instrument of law.</td>
</tr>
<tr>
<td><strong>Land acquisition</strong></td>
<td>Land Acquisition means the process whereby a person is compelled by a public agency to alienate all or part of the land she/he owns or possesses, to the ownership and possession of that agency, for public purposes in return for fair compensation.</td>
</tr>
<tr>
<td><strong>Rehabilitation</strong></td>
<td>Assistance provided to affected persons to supplement their income losses in order to improve, or at least achieve full restoration of, their pre-project living standards and quality of life.</td>
</tr>
<tr>
<td><strong>Socially vulnerable people</strong></td>
<td>Population, who have income less than living wage, or have other sources of personal vulnerability to hardship in adapting to changes caused by the project. Operationally, this is defined as people eligible for State Targeted Assistance, as</td>
</tr>
</tbody>
</table>
per January 2011 information from Statistic Department of Almaty region.

<table>
<thead>
<tr>
<th><strong>Land Owner</strong></th>
<th>Physical or legal entity, who uses land plot based on the right of private property, i.e. has purchased the right for property from the state.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lease-Holders</strong></td>
<td>A person or a legal entity who holds a right of leasing the land (long or short term) on a contractual bases. Typical long-term lease is 49 years.</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

The World Bank is financing the Center-South Road Project in Kazakhstan to develop economic corridor by reconstruction and broadening from 2 lanes to 4 lanes along the existing highway connecting Astana and Almaty. The Central-South Corridor of the Balkhash-Burylbaytal road section is divided into six (6) sections, which were designed by different design institutes. Reconstruction of the Center-South corridor entails changes in technical parameters from the existing two lanes to four lanes with a dividing strip, through the existing extension of the carriageway, with construction of necessary bridges, traffic junctions and other structures. This draft Resettlement Action Plan (RAP) is based on detailed designs prepared by the Government agencies and follow up social impact assessments including a census survey and public consultations. The RAP takes into account all persons, parties, property, business, legal and illegal possession of property that has been affected by the project.

The RAP includes a socio-economic analysis of status of affected persons, types and magnitude of project impacts, and mitigation measures that need to be taken to ensure that affected persons are benefited by the project, and also to restore or increase their incomes at the end of the project. A full census survey to be completed only after full and final design data, where information is available regarding land tenure, land use, ownership, expected losses, temporary impacts for properties that are affected during construction by the project. The RAP also incorporates Kazakhstan laws and procedures and the World Bank Resettlement Policy requirements to compensate all the persons whose private land status is affected permanently or temporarily due to reconstruction of the road section, including purchase and temporary use during construction.

Under the proposed road section, only state-owned land plots and rented land plots are subject to acquisition, including those for temporary acquisition. A total of 24 land lots have been identified for permanent and temporary land acquisition. Land owners of rented land plots have been offered alternative land plots as compensation instead of seized land plots. As per the census survey, 1433.772 hectares and 942.028 hectares of land fall respectively under permanent and temporary acquisition for reconstruction of the road.

According to the current legislation of the Republic of Kazakhstan, the akimats of Karaganda and Zhambyl oblasts together with owners, whose land plots are subject to seizure, carry out measures to select alternative land plots at will. Landowners of lands subject to acquisition at this road section expressed a desire to obtain alternative land plots instead of those seized according to the current legislation of the RK, and local executive bodies provided them with alternative land plots. The alternative plots are of equivalent size and productive value for the livelihood activities they used such as grazing and agricultural activities. The Akimats have paid due attention to providing alternative lands in close proximity in order to ensure smooth transition of the livelihood activities they used to do in the original land plots.

There are some temporary impacts anticipated during the construction period: This is for construction of site office and other related structures identified by the contractor. It is estimated that temporary acquisitions will be limited to six to twelve months period at a given road section/location. If the duration of the acquisition is extended beyond that period or if a temporary acquisition is converted into a permanent taking of land, the entitlements received during the temporary acquisition will not be deducted. Other than construction related buildings, constructions may disrupt cattle crossing paths and restrictions for pedestrian crossings. The Contractor will provide alternative access for cattle and pedestrian crossings with the consent of local communities.
The PAPs including land owners will be able to express their grievances through the Grievance Redress Mechanism (GRM) established under the project at any stage of the project. The resettlement budget at this stage includes only costs for formal land registration and transfer fees or taxes. The final RAP will be translated to Kazak and Russian languages and will be disclosed locally and the World Bank website.
1. **INTRODUCTION**

The Government of the Republic of Kazakhstan appealed to the World Bank for financing of Center-South Road Project to develop economic corridor by reconstruction and broadening from 2 lanes to 4 lanes along the existing highway connecting Astana and Almaty in order to:

- Reduce transportation and maintenance costs;
- Reduce travel time;
- Ensure the greatest access to markets and vacancies; etc.
- Increase economic opportunities, etc.

The Government of Republic of Kazakhstan is conducting a program to upgrade the major roads of the country that are managed by the Committee for Roads of the Ministry of Investment and Development. The program is aimed to improve transportation and transit of goods in and around the country, as well as in the surrounding countries, which is a significant and growing contribution to GDP. Transportation of goods to and through Kazakhstan has been increased over the past 10-15 years, as markets have expanded after the breakup of the Soviet Union, and Kazakhstan is now one of the major transit countries. More than two-thirds of goods in Kazakhstan are transported by road, and freight services of domestic and international companies are absolutely evident on the country’s roads.

The projects will also facilitate to the government to strengthen the capacities of agencies, which are responsible for managing the national road network, as well as to prepare and implement road safety and road service improvement action plan that will provide system-wide benefits. The projects will provide services for local, as well as international transportation of general cargo and other goods produced in Kazakhstan and other regions (Tajikistan, Kyrgyzstan and Uzbekistan). Institutional Development Measures include introduction of an efficient road management system that will incorporate modern methods for planning and executing road maintenance, as well as strengthening the capacity of the Committee for Roads of the Ministry of Investment and Development (MID) to efficiently implement all investments.

The Central-South Corridor of the Balkhash-Burylbaytal road section is divided into six (6) sections. Reconstruction of the road corridor entails changes in technical parameters from the existing two lanes to four lanes with a dividing strip, through the existing extension of the carriageway, with construction of necessary bridges, traffic junctions and other structures. This is the draft Resettlement Action Plan prepared with the objective of outlining the identified social impacts and mitigation measures to ensure safeguards due diligence in the implementation of the above road section as per the RPF.

2. **PROJECT DESCRIPTION**

2.1 Project Background

Astana-Karaganda-Balkhash-Almaty transport line is a part of M-36 "Border of the Russian Federation (to Yekaterinburg) - Almaty" international road and has a great importance in providing transportation of goods and passengers in this direction, as well as providing international, interregional and regional transport links. M-36 road passes through Almaty,
Karaganda, Akmola, Kostanai regions with further access to the border of the Russian Federation as far as the city of Yekaterinburg.

"Center-South" corridor is a long road section with very high traffic volume, which connects Almaty with Astana. The section of the road Karaganda-Balkhash-Burylbaital km 1855-2152 km, has a total length of about 297 km.

The road section "Karaganda-Balkhash-Burylbaytal" is located in Karaganda and Zhambyl regions. The road will provide a significant link of the route between western China and western Europe. The purpose of this route is to provide an all-weather highway through western China, Kazakhstan and Russia. This route will provide significant economic profit, significantly improve the flow of goods, tourists, in order to improve social intercourses between China and Kazakhstan.

The existing road of II category was built at the end of 2006 and it is planned to make reconstruction of the road section to the technical category 1b.

The proposed alignment will be partially reconstructed along the existing road within the existing strip (70 m) almost parallel to the existing road. The project road crosses various land forms, land use types and (micro) climatic zones.

The territory of the site is located in the south-east of Kazakh Uplands in a zone of deserts and semi-deserts. In the northern part, there is the main watershed ridge of Kazakh Uplands, the central part is a shallow-ridge ridge plain gradually decreasing to Balkhash lake.

In the process of design surveys, design institutes have carried out traffic accounting in accordance with requirements of instruction on accounting and forecasting of transport stream PR RK 218-05.1-05. The average daily traffic volume in 2015 was 1634 veh. / day. The estimated traffic volume at the designed section in 2015 was 2540 veh. / day.

The existing road reservation is 40 m. In connection with extension of the road, according to a preliminary assessment along the route and the proposed bypasses, there is a need for land withdrawal. During the reconstruction and construction of the highway, some agricultural lands will be affected along the future road section. About 80% of the future road section will run along the existing road much less and worse in quality.

There are no natural zones, ecosystems or sensitive habitats along this section. For the most part, the route passes through open sparsely populated areas. The proposed project involves acquisition of land and associated impacts, which are expected to be minimal along this section of the road with a length of 297 km.

In 2015-2016 design institutes conducted complex geodetic and geological surveys to develop the design for the project. The necessary approvals were obtained in accordance with established procedure from all interested parties: land allocation for the road, crossings and bypasses and etc. An agreement was obtained for water abstraction from local water sources for technical needs. All these agreements were reached during the public consultations with local communities (see Annex III) and in coordination with respective local akimats in accordance with the current
legislation of the Republic of Kazakhstan and are among mandatory requirements of the State Expertise.

The main part in the entire section of the Corridor that is financed by the World Bank is the road between Karaganda, Balkhash and Burylbaital. Its existing two traffic lanes will be reconstructed to four lanes. The Balkhash-Burylbaital Section of the Road Reconstruction Project for the Center-South Corridor consists of six road sections designed in detail with approximate length of a section ranging from 36 km to 64 km. It is a large and important project, which will have environmental and social impacts including to a certain degree land acquisition along the existing route for the road alignment and bypasses. All of these land plots were identified after the completion of the detailed design.

Details of the sections design are as follows:

**Centre South Road Corridor: Balkhash-Burylbaital**

The section is divided into six (6) Design Sections

**Table 2: Design of Balkhash-Burylbaital road section**

<table>
<thead>
<tr>
<th>Section</th>
<th>Section No.</th>
<th>Range of Length from and to, Km</th>
<th>Length of Each Section, Km</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balkhash - Burylbaital</td>
<td>1</td>
<td>1855-1905</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>1905-1955</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>1955-2005</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>2005-2069</td>
<td>64</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>2069-2105</td>
<td>36</td>
</tr>
<tr>
<td></td>
<td>6</td>
<td>2105-2152</td>
<td>47</td>
</tr>
</tbody>
</table>
Figure 1  Karaganda-Balkhash-Burylbaital-Kurty-Kapshagai Road Section, Center-South Corridor
3. SOCIO-ECONOMIC PROFILE OF THE PROJECT IMPACT ZONE

3.1. Socio-Economical Characteristics of the Project Sites

The road section is connected to other sections of the road, namely road sections of "Kurty-Burybital" and "Otar-Uzynagash", respectively. Population of the below-mentioned settlements will be using this road.

A load area of the road alignment includes the following settlements: Balkhash, Gulshat, Chubar-Tobek, Tasaral, Saryshagan, Priozersk, Mynaral, Ulken, Shyganak, Uzynagash, Samsy, Sarybastaun, Ungurthas, Targag, Degheres.

Balkhash is a city of regional subordination in Karaganda region of Kazakhstan (until May 1997 in Dzhezkazgan region). The city is located on the northern coast of Lake Balkhash, at Bertys Bay, in southern part of the Central-Kazakh melkosopochnik. Establishment and development of the city was the result of discovery of rich deposits of copper ore in 1928. From Balkhash bus station buses daily run to Karaganda, Almaty, Astana, Shymkent, Zhezkazgan and to villages of Aktogay district. There are two railway stations in Balkhash: Balkhash-1 and Balkhash-2. Every day trains leave for Karaganda, Semei, Zhezkagzan, and trailer vehicles Balkhash-Moscow and Balkhash-Novosibirsk. The population is 74.6 thousand people. It is located 380 km from the city of Karaganda.

Gulshat is a village in the Karaganda region of Kazakhstan. Administratively subordinated to Akimat of Balkhash town. The village is located on road Alma-Ata - Yekaterinburg. The distance from Lake Balkhash is 8 km. Population of the village is 625 people, of which 200 live in Chubar-Tyube branch. The population is engaged in fishing, animal husbandry. Out of 176 households, 70 maintain an auxiliary farm. The village has a school, a club, a branch of the city library named after S. Seifullin. There are 2 shops, a cafe, a kiosk, 4 dining rooms.

Tasaral is a village in Aktogay district of Karaganda region of Kazakhstan. The administrative center and the only settlement of Tasar rural district. It is located approximately in 237 km to south of district center, center of Aktogay city. According to the latest data, there were 416 people living in a village (224 men and 192 women).

Saryshagan-settlement in Aktogay district of Karaganda region of Kazakhstan. Administrative center and the only settlement of Saryshagan village administration. It is located approximately in 266 km to South of district center. According to the latest data, 8848 people (4239 men and 4609 women) lived in the village.

Priozersk is a city in Karaganda (some time ago Dzhezkazgan (Zhezkazgan)) region of Kazakhstan, administrative center of the Sary-Shagan test site. Located in the Betpak-Dala Desert (in Golodnaya Steppe) on Korzhynytube Peninsula of Lake Balkhash, 10 km south-east of Sary-Shagan railway station of Moiinty-Shu railway, built in 1956. In 15 km to the west of the city there is a military aerodrome "Kambala".
The distance from the city of Priozersk to the regional center Karaganda is 546 kilometers, to the capital of Kazakhstan Astana is 736 kilometers.
In the 1990s, most of the landfill sites were decommissioned and abandoned, in subsequent years - looted by marauders, equipment was dismantled. Population of Priozersk city reduced by 30%, many residential and administrative buildings have been abandoned and gradually destroyed. Infrastructure created during existence of the test site was partially used by armed forces of the Republic of Kazakhstan to deploy military units and establishment of its own center for training of specialists for various combat arms.
A requirement for authorized access to Priozersk city has been removed in 2005. Until 2009, Kazakhstan traffic police at a checkpoint has been recording entry time, a vehicle model and a license plate number, however no such recording has been performed since 2009.

Priozersk was founded in 1956, and its population was military and civilian personnel of the 10th missile defense system Sara-Shagan. The main criteria for choosing the terrain for the test site, same as for creation of missile test sites of Kapustin Yar and NIIP-5(Baikonur), was due to the area’s being sparsely populated with plain treeless terrain, a large number of cloudless days, and the lack of fertile farmlands.

Mynaral is a village in Moyynkum district of Zhambyl region of Kazakhstan. Administrative center of the Myanar rural district. According to the latest data, there were 659 people living in the village (326 men and 333 women).

Chiganak is a village (formerly a settlement) in Moyynkum district of Zhambyl region. According to the latest data, 2402 people (1,179 men and 1,223 women) live in the village. The main part of inhabitants are Kazakhs and Russians. However, there are representatives of other nationalities: Chechens, Kurds, Ukrainians / Cossacks, Byelorussians, Uighurs and other nations. The village is divided into microdistricts. It has 1 school, 1 kindergarten. The local residents mainly derive their income from employment in railway and power stations maintenance, as well as fishing and hunting, selling of smoked and dried fish at a railway station and along a road the line. In a few kilometers from the village there is Lake Balkhash, to which runs not asphalted road. Also several dozen of houses and summer cottages are located on a lakeshore. Decommissioned railway wagons equipped for temporary storage most often are used as summer cottages. The nearest city, with a traffic connection, is Ulken. There is a large water tower in the form of a mountain, from which a network of water pipes has been built. Houses nearest to the tower belong to families of Semidotski and Besekov. At the moment the village is in poor technical condition. Almost all asphalted roads are rendered unusable. As a result of a critical situation with water supply and droughts, vegetation including trees has become a rarity. Drought is increasing due to shrinking of Balkhash and changes in climatic features.

Ulken, a village (until 2013 - a city-type settlement) in Zhambyl district of Almaty region of Kazakhstan is the administrative center and the only populated place of Ulken Rural District. The settlement was founded in 1984 in connection with the planned construction of the South Kazakhstan State Regional Power Plant (SKSRPP), which was never implemented. In 1997, it was decided (as proposed by the President of Nuclear Society of Kazakhstan, Vladimir Shkolnik) to use the site for construction of nuclear power plant, but protests of environmentalists and residents of country again forced to review plans, and in the end of 2008 the government decided to build the Balkhash TPP. Preparations for the construction of BTPP began in 2013, but over
some time were suspended. In 2016 the construction was resumed – a construction site was prepared and, some materials brought According to the latest data, 1682 people (813 men and 869 women) live in the village.

Sarybastau is a village in Zhambyl district of Almaty region of Kazakhstan. It is part of the Ungurtas rural district. In the district there are 4 settlements: Ungurtas, Sarybastau, Akdala, Kokkainar, center of the district is Ungurtas village. Population is 4315 people, 32460 hectares of land, livestock is 4444 heads. There are 4 schools in the district: a secondary school named after Ungurtas, Sarybastau secondary school, incomplete secondary school Akdala, Kokkainar secondary school. Number of students is 589, 3 FAPs, 2 production cooperatives (hereinafter PC), 2 limited liability partnerships (hereinafter - LLP), 13 stores, 103 farms and 1 cafe. Ungurtas village is located in 34 kilometers from the regional center Uzynagash village.

Samsy a village in Zhambyl district of Almaty region of Kazakhstan is an administrative center of Samsy rural district. Samsy rural district unites three settlements: Samsy village, Targap, st. Kopa. The district has the population of 3503 people, 32460 hectares of land, and 20518 heads of livestock. In the district there are 3 schools: secondary school named after T. Sarsenbekov, Targap secondary school, incomplete secondary school of Kopa station. Number of students is 529, 2 FAP, 1 PC, 3 LLP, 20 stores, 90 farms and 2 cafes. Samsy village of is located in 23 kilometers from the regional center Uzynagash village.

Targap is a village in the Zhambyl district of the Almaty region of Kazakhstan. It is part of Samsy rural district. It is located about 40 km to the west from Uzynagash village.

In Degeres rural district there are 5 settlements: Degeres, Besmoynak, Bulak, Sunkar, Karaarsha, center of the district is Degeres village. It ahs a population of 4,060 people, 53,989 hectares of land. There are 5 schools in the district: Secondary School named after Ospankhan Aubakirov, Secondary School named after Zhangeldin, Sunkar secondary school, Bulak Primary School and Karaarsha Primary School, Number of students - 582, one rural medical outpatient clinic, 4 medical points, 1 kindergarten "Bobek and Bobekzhaiy", 2 mails, 5 stores, 2 restaurants, 1 bathhouse, 3 LLP, 142 peasant farms. Degeres village is located 65 kilometers away from the regional center Uzynagash village.

Table 3

<table>
<thead>
<tr>
<th>No.</th>
<th>Settlement</th>
<th>Total Number of People, pers.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Balkhash Town</td>
<td>74 600</td>
</tr>
<tr>
<td>2</td>
<td>Gulshat Village</td>
<td>425</td>
</tr>
<tr>
<td>3</td>
<td>Chubar-Tyubek Village</td>
<td>200</td>
</tr>
<tr>
<td>4</td>
<td>Tasaral Village</td>
<td>416</td>
</tr>
<tr>
<td>5</td>
<td>Saryshagan Village</td>
<td>8 848</td>
</tr>
<tr>
<td>6</td>
<td>Priozersk Village</td>
<td>13 100</td>
</tr>
<tr>
<td>7</td>
<td>Mynaral Village</td>
<td>659</td>
</tr>
<tr>
<td>8</td>
<td>Chiganak Village</td>
<td>2 402</td>
</tr>
<tr>
<td>9</td>
<td>Ulken Village</td>
<td>1 682</td>
</tr>
<tr>
<td>10</td>
<td>Sarybastau Village</td>
<td>4 315</td>
</tr>
</tbody>
</table>
In all the above villages, residents are engaged in livestock farming, in particular breeding of camels, cattle, horses and small cattle. Land is used to graze livestock, and melons are grown in areas with fertile soil.

Social surveys were carried out in August, 2015 throughout the entire "Center South" Transport Corridor (questionnaires were coordinated with the experts of the World Bank) to assess impacts of the transport infrastructure on social and economic living conditions of the population. Stakeholders and users of the road construction project, including population, employees of the state and budgetary organizations, entrepreneurs, were the participants of the survey.

The Social survey covered 224 households from 9 settlements potentially affected by the "Center South" Project. In addition to the quantitative questionnaires, the survey involved focus groups discussions with representatives of akimats, education and healthcare institutions since these entities most often than not engage with population and thus are fully aware of their demands (the list of questions is attached). Results of the social surveys were disclosed in the form of the report, which has been submitted to the World Bank.

The survey results indicate positive social impacts of the road reconstruction on the well-being of local population (stakeholders of the project) including vulnerable groups since the increase in transit will create opportunities for development of small-size businesses along the road. Furthermore, stakeholders perceive this initiative as very useful and have certain expectations associated with road improvements.

The survey has also revealed an urgent need for improved transport connection within regions. Respondents pointed to the unsatisfactory condition of the existing roads, causing problems with delivery of patients to hospitals, students commute to educational institutions, as well as the problems for transport links within and between regions.

<table>
<thead>
<tr>
<th></th>
<th>Samsy Village</th>
<th>3,503</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Degeres Village</td>
<td>4,060</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Table 4. Average Travel Expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>School and kindergarten</strong></td>
</tr>
<tr>
<td>---------------------------------</td>
</tr>
<tr>
<td><strong>College and higher educational institution</strong></td>
</tr>
<tr>
<td><strong>Polyclinics</strong></td>
</tr>
<tr>
<td><strong>Hospitals</strong></td>
</tr>
<tr>
<td><strong>Work places</strong></td>
</tr>
<tr>
<td><strong>Markets/bazaars</strong></td>
</tr>
<tr>
<td><strong>Other</strong></td>
</tr>
<tr>
<td><strong>45</strong></td>
</tr>
</tbody>
</table>
Table 4 shows that the largest expenses of respondents is in “Markets/Bazaars” category, and the highest indicator for travel time is in “Hospitals” category. These are due to distant location of these facilities, as well as that people mostly reach them by their own vehicles or pay for public transport. Commuting for students to colleges and higher educational institutions appears to be also the most expensive, which is also indicative of the distance to location. Expenses in “Other” category are less significant as compared to aforementioned.

All respondents have been confident that the road construction will positively affect the region’s development: travel time will be reduced, access to other districts will be improved, which will enable development of rural communities along the road and improve their living conditions. As a result of the road construction, business and trade will be further development; the reduction in travel time will improve convenience for people to reach healthcare facilities and educational institutions. See Table 5 for more detailed information.

**Table 5. After the road construction completion, you will have:**

<table>
<thead>
<tr>
<th></th>
<th>Number of “Yes” Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>total</td>
</tr>
<tr>
<td>Reliable, safe and fast transport system</td>
<td>156</td>
</tr>
<tr>
<td>More access to education</td>
<td>27</td>
</tr>
<tr>
<td>More access to work places</td>
<td>82</td>
</tr>
<tr>
<td>More access to markets/bazaars</td>
<td>28</td>
</tr>
<tr>
<td>More access to healthcare</td>
<td>28</td>
</tr>
<tr>
<td>More access to entertainment centers</td>
<td>16</td>
</tr>
<tr>
<td>More access to airport/railroad</td>
<td>22</td>
</tr>
</tbody>
</table>

According to the Table above, the largest number of respondents considered that after the construction is completed they would have a reliable and safe transport system (156 responses), better access to places of work (82 responses), markets and healthcare facilities (28 responses each). A large number of responses in the latter group, is related to the fact that healthcare facilities are mostly located in district and oblast centers. In terms of access to places of work, a well-organized transport communication will help the population to find jobs in district and oblast centers, as well as in major cities.

**Chart 1**
1 – Reliable, safe and fast transport system
2 – More access to education
3 – More access to work places
4 – More access to markets/bazaars

Chart 1 shows the points of Table 5 which are most important for the respondents.

4. POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK RELATED TO LAND Acquisition AND RESTELLMENT

4.1 National Legal Framework for Land Acquisition

Land is state owned. It can be transferred, sold, or rented to individuals or enterprises. Generally, it is leased for 49 years. Once land is in private hands, the State can reclaim it only for specific uses, and only after compensating the owner. Kazakhstan’s laws and regulations regarding land and land ownership derive from the Constitution, which states that land (surface and underground) is in principle owned by the State, but can also be privately owned (Article 6.3). Article 26.3 also states that no one may be deprived of property unless stipulated by a court decision. Forcible alienation of property for public use in extraordinary cases stipulated by law may be exercised on condition of its equivalent compensation.

The Land Code of the Republic of Kazakhstan (CODE No. 442 of 20 June 2003) covers the reservation of land for State needs, stating that “[a] land plot may be reserved for state needs by way of purchase or by granting an equivalent land plot with the consent of the owner or land user” (Article 84.1). In the case of land under lease, the land user is compensated for the full amount of losses and may be granted an alternative plot (Article 84.4). The availability of suitable land to swap varies from one location to another, however. Landowners and users must be notified of the decision to purchase a year in advance, unless the owner or user agrees to release the land more quickly (Article 85.2). If part of a land plot is reserved and the remainder of the plot cannot be used as before (creating orphaned parcels), then the whole plot should be purchased (Article 86 para 2).

Outside of towns and settlements, land is generally owned by the state and managed by the district administration. Land used for agriculture or livestock is typically leased to land users at a modest rent on a 49-year term. Informal use is prohibited. Some areas where construction is anticipated are currently leased out to private users, primarily for grazing. Land leases are typically on the order of 100 ha. Fortunately, the area is characterized by ample open space where alternative areas are generally available. Meetings with district officials confirm that land taken for construction works could be replaced by other land in the vicinity to ensure that the current size or integrity of land leases is maintained. No physical displacement of people is anticipated.

The price of a land plot purchased for State needs is determined by agreement with the owner or land user (Article 87.1). The payment price includes the market value of a land plot or rights to it and of real estate situated on it, as well as all losses caused to the owner or land user due to loss of a land plot, including losses that they incur in connection with the premature termination of
obligations to third parties (Article 87.2). If the owner or land user agrees, another plot of equal value can be substituted instead of cash compensation (Article 87.3). If an owner disagrees with the decision to purchase (reserve) or disagrees with the price offer or other conditions of the purchase, the authority that issued the decision to purchase can file a lawsuit to ask the court to purchase the plot (Article 88 para 1) after the year of notification has passed (Article 88 para 2). In disputed cases, the land cannot be accessed until the court adjudicates a settlement that specifies levels of compensation and losses (Article 166.7).

Prior to the beginning of the forced alienation of land or other immovable property the Resolution of the Government of the Republic of Kazakhstan or local executive body (Akimat) in accordance with the Land Code (Article 84) of the Republic of Kazakhstan assigning a local executive body (Akimat) to act within the competence provided by the Land Code of the Republic of Kazakhstan.

The Resolution generally contains the following:
1) the purpose and the basis for the forced alienation for public use;
2) location, area, cadastral number of the land plot;
3) the owner of the property or non-state land user;
4) the date of forced alienation, but not earlier than three months from the date of the official publication of the given resolution;
5) places, where the owner or non-state land user may appeal for the reconciliation procedure.

In case if any changes are made in the specified resolution regarding subparagraphs 2) and 4) above, then the procedure of forced alienation for public use is carried out again from the date of publication of the amended resolution.

Such resolutions shall be published in the national or local media respectively within three working days from the date of its adoption.

In case, the private ownership right for the land plot is not registered in accordance with the legislation of the Republic of Kazakhstan, the owner has the right to formalize the private ownership right after the adoption of the resolution. At the same time, the period for the forced alienation established by the resolution, is extended for not more than six months.

An executive authority or subordinating executive body on behalf of the superior body should send a written notice of intended forced alienation with attached draft contract on land acquisition or other immovable property subject to acquisition to the owner by mail with mandatory receipt of the notification of the receipt of posting no later than three calendar days after publication of the resolution. In the absence of notification of the receipt of the documents specified in this paragraph, it shall be sent anew. A notification of forced alienation of land as a legal claim is subject to state registration in accordance with the Law of the Republic of Kazakhstan "On state registration of rights to immovable property." A contract on land acquisition or other immovable property serves as a basis for forced alienation.

A Local executive body (Akimat) submits the draft agreement on land acquisition or other immovable property to the relevant local representative body (Maslikhat) within two months from receipt by owner or non-state user of notification on alienation. A draft agreement on
purchasing land or other immovable property is considered by the Standing Commission of the local representative body not later than two weeks from the date of its submission with the obligatory invitation of the owner and other affected persons whose rights in relation to the alienated property will be terminated or limited. Once agreement with them is reached, it is approved by the executive authority and signed by the owner or land user.

The agreement on the purchase of land purchasing or other immovable property shall include:

1) the price for the land plots that is under alienation, which is in accordance with the procedure established by Article 87 of the Land Code of the Republic of Kazakhstan and Article 67 of the Law "On State Property" and identifying characteristics of the property or the land plot, provided to the owner or land user instead of the acquired land;
2) the difference in cost in case if the price of the acquired land plots would be higher than the price (value) of the land provided instead;
3) the amount of losses to be reimbursed, including the value of immovable property which is acquired, if incurred due to the forced alienation;
4) the period of payment of the price (value) for the acquired land or other immovable property or transfer of land plot (other immovable property) provided to the owner instead of acquired for public use;
5) property assets to be acquired for public use;
6) a list of persons whose rights in relation to the alienated property will be terminated or limited;
7) financing procedure for expenses of the government for the property acquisition for public use.

In case of disagreement of the owner of acquired property for public use or non-state land user with the resolution referred to in paragraph 2 of Article 63 of the Law of the RK "On State Property" and (or) the failure to reach an agreement with him about the value of acquired property and the amount of damages which have to be reimbursed at the end of three months from the date of receipt of the notification by the owner or non-state land user, but no later than (date) the implementation of forced alienation which is determined in the resolution referred to in paragraph 2 of Article 63 of the Law "On State Property". Disagreements over these issues are settled in court.

Civil cases upon claims for the forced land alienation or other immovable property are considered and resolved within one month.

8) In case of judgment of dismissal on expropriation of a land plot or immovable property in connection with the seizure of a land plot for state needs, the losses caused to the owner or non-state land user as a result of filing a claim and making the decision referred to in paragraph 2 of Article 63 of the Law of the RK "On State Property" shall be compensated from the budget.

9) The actual transfer of the land or other immovable property seized for public use in connection with the acquisition of land for state needs may be carried out only after obtaining by the owner or non-state land user whose rights are terminated or limited in expropriation related to the property seized, fair compensation as defined by the Law of the RK “On State Property”.
State registration of the rights termination for the owner or non-state land user and origin of the rights of the state to the property is carried out given that the agency, which is conducting state registration of rights to immovable property, has received the document confirming the payment of compensation.

The owner or non-state land user may exercise its rights to land and other property and make the necessary expenses, which ensure the use of the property in accordance with its intended purposes, from the receipt of notice of the initiation of land or other immovable property expropriation in connection with the seizure of land for public needs to reach agreement on the value of the property seized for public use and the amount of damages to be recovered, or from the court decision on land or other immovable property expropriation in connection with the seizure of land for state needs. At the same time, the owner or non-state land user bears the risk of costs and losses associated with the new construction, expansion or renovation of buildings (structures, facilities) and other real estate facilities within the given period.

If the owner or non-state land user is not able to use the rest part of land for the intended purposes after the land acquisition for public use, then the entire land plot is alienated.

- When the property rights are transferred to another person by means of alienation or for other reasons, as well as in changing the rights owner by virtue of universal title succession within the period of time specified in paragraph 1 of this article, the procedure for involuntary acquisition of land or other immovable property in connection with the land plot seizure for state needs is applied (continued) for the new rights-holder.

The cost of land, which is alienated for state needs (excluding losses) and has been acquired by the owner from the state, is determined by the amount paid to the state, except cases provided in paragraph 2 of this article.

With incomplete payment of the amount for the land plot (excluding losses), which has been sold by the state in installments, and its seizure in expropriation for public use, the alienated land price is determined in the amount of the amount paid to the state.

1) The cost of land, which is alienated for state needs and has been provided for individual housing construction, for private farming (except field plots), where an individual residential house is located, is determined based on the amount of the land plot cost and on the cost of the real estate located therein, not exceeding its market value.

   The cost of the land plot that is alienated for state needs and that has been transferred to the owner based on the civil transaction or by the court decision is determined in the amount of cost specified in the civil contract or in the court decision, but not exceeding the market value. In case if the price for the land plots is not specified in the civil contract, the cost of land is determined by its cadastral (appraised) value.

2) The cost of real estate located on the land plot is determined in the amount not exceeding its market value.

   The market value of the land or other immovable property to be disposed of in connection with the seizure of land for public needs is determined by an independent appraiser in accordance with Article 208 of this Law at the time of receipt of the notice on the impending expropriation of the land plot for public use by the owner of the land or non-state land user.

3) The amount of compensation is determined in accordance with paragraphs 4 and 5 of Article 9 of the Civil Code of the Republic of Kazakhstan on the basis of the value of
property and losses to its full extent that have affected the owner or non-state land user as a result of expropriation of land for public use and (or) caused by the termination of the owner’s or non-state land user’s obligations fulfillment to third parties. The amount of compensation to other persons, whose rights in relation to the alienated land for public use will be terminated or limited, is determined based on the losses that arise as a result of the expropriation.

4) The amount of compensation is determined in KZT.

5) Under an agreement with the owner of the land or non-state land user, another land plot may be provided taking into account the cost of the land plot that is provided or the rights thereto within the value of the alienated land plot or the rights thereto based on the cadastral (estimated) value in return of land seized in the expropriation for public needs. Reimbursement of the cost for the land plot or other immovable property in connection with the seizure of land for public use and losses to be recovered is provided to its full extent before the transfer of ownership rights for the specified property to the Republic of Kazakhstan or the administrative and territorial unit.

4.2 Reimbursement is made from the budget funds.

Payment of compensation though the property, other than money, is allowed upon agreement between the Republic of Kazakhstan represented by the Government of the Republic of Kazakhstan, or administrative and territorial unit represented by the local executive body and the owner of the property. This agreement is made in writing in the form of the contract on land plot or other immovable property purchase in connection with the seizure of land for public use.

Reimbursement is paid in a lump not later than one month from the date of signing of the contract on land plot or other immovable property purchase in connection with the seizure of land for public use or from the date of entry into force of the court decision.

Implementation of involuntary acquisition of land or other immovable property in connection with the seizure of land for public use, providing installment payment of compensation, is not allowed.

The owner of the seized property or non-state land user is entitled to initiate the conciliation procedures by submitting a relevant application to the local executive body within one month after receipt of written notice on the land or other immovable property expropriation in connection with the seizure of land for public use. The specified application will be recorded on the submission day.

The local executive body shall consider the proposals of the owner or non-state land user to the draft contract on land or other immovable property purchase in connection with the seizure of land for public use in terms of the composition of the seized property for persons whose rights will be terminated or limited in respect of the seized property, and the amount of damages to be recovered within one month. Upon the receipt of proposals, the local executive body is obliged to arrange an independent appraisal procedure to assess the value of the property seized for public use and to determine the procedure for financing of government expenditures for the purchase of the property, as well as carry out other activities related to the transfer of the property ownership rights.
Upon reaching an agreement between the local executive body and the owner or non-state land user of the property seized for public use, as well as other persons whose rights will be terminated or limited in respect of the seized property within expropriation, a draft contract on land or other immovable property purchase in connection with the seizure of land for public use will be forwarded to the local representative body for approval.

In case of failure to agree on the transfer of property with any concerned entities referred to in paragraph 3 of this Article, land or other immovable property expropriation in connection with the seizure of land for state needs will be carried out judicially.

Requirements for compensation payment before the transfer of the property ownership rights to the Republic of Kazakhstan or an administrative and territorial unit and other terms of compensation payment set out in Articles 67 and 68 of the Law of the RK "On State Property" cannot be canceled by mutual agreement.

If in case of signing an appropriate finance agreement between the Republic of Kazakhstan and International Financial Institution, which is an integral part of the agreements, ratified by the Law of the Republic of Kazakhstan and, accordingly, Land Acquisition and Resettlement Program express the views of the Government of the Republic of Kazakhstan and have the status of the International agreement. Along with it, the International agreements ratified by the Republic of Kazakhstan, identify provisions, which are different from mentioned in the Land Code of the RK, then the provisions of the above agreements will apply. International agreements ratified by the RK directly apply to the land relations. (Land Code of the RK, article 7)

An escrow account

4.3 LAND ACQUISITION PROCESS

As per the law, survey and design work includes a proposed alignment and estimates of the amount of land to be acquired permanently; the amount of land needed temporarily for staging, construction sites and borrow pits; and the number of buildings that would be demolished; and estimated cost of acquisition, rental and restoration of affected lands. The document is sent to the oblast and rayon levels for review and comments. It is then sent to Astana. Meanwhile, the rayon akimat issues a decree identifying the area affected by changes in the alignment and designating the land as subject to reservation (expropriation). At this point, CoR requests the local executive bodies to freeze land transactions in the area identified for land acquisition for bypasses, for example, to prevent speculation. At the same time, owners are notified that their land may be acquired.

i. The final design is prepared in an interactive manner, involving intensive field work and ongoing consultations with local officials, particularly on the rayon level. The design process generally starts with a meeting of all relevant officials in the oblast—agriculture, land resources, registration, utilities, public works, and others—to inform them of the tentative alignment and requesting information that should be taken into account in the final design. The final design includes more detailed maps of individual landholdings to be affected, complete ownership data from the cadastre, and estimated compensation for acquisition and losses.

ii. Once the alignment is agreed with local bodies, the design team obtains maps of cadastral lands (lay out) on owners and Committee for Roads will ask the Akimat of the rayon to
call affected owners together to discuss the land acquisition process. The data are then given to the licensed assessors who are responsible for determining the “market value” of the property to be acquired and negotiating compensation with owners. Although there is established precedent for assessing urban property values, rural property assessment is rather new, and transactions are not common in many areas. To determine rural property values, the assessor takes into consideration soil quality, productivity, trees, and other production characteristics, in addition to recent land transactions, if there are examples available. The assessors are expected to negotiate with owners and sign agreements, if possible, which are used for purposes of estimating project costs, but are not binding. Once the Akimat approve the final alignment, the CR can proceed with acquisition or expropriation. If the owners and akimat cannot agree terms, the Akimat can initiate a rayon (city) court after half year notification period ends. If Akimat or owner appeals to the court, the court renders a decision that includes the amount of compensation to be given to the owner. Judgments are said to be impartial, favoring either the government or the owner, depending on the case. Land cannot be accessed until compensation is completed and the title is transferred.

iii. The previous practice was for the Rayon Akimat to establish a valuation commission that included officials and landowners, without specialized inputs. The use of licensed assessors was expected to reduce claims and result in a smoother acquisition process, but the final results will be seen once the acquisition process begins.

The final design identifies possible locations for work camps, storage and staging facilities, borrow pits and other sites for temporary use during construction. Contractors can use the information to estimate costs and logistics, but are not required to use the recommended sites. Civil works contracts will require the contractors to be responsible for negotiating for temporary land use and reinstatement of all land required outside of the right of way for construction camps, offices, borrow pits, materials storage sites, materials processing sites and haul roads. The contractors will select the land parcels they require and they will be responsible for negotiating agreements with land owners to use the land and extract materials. If a contractor fails to obtain an agreement with a landowner, the contractor must select an alternative site and negotiate a new agreement. No land can be occupied involuntarily for temporary construction purposes. Contractors are assumed to prefer to rent State land, rather than private property, but the choice is theirs. In either case, the arrangements must be subject to a written agreement between the contractor and the owner and lands are required to be returned to their original state after work is concluded.

4.4 World Bank Policy related to Involuntary Land Acquisition/Resettlement

Principles

The World Bank policy O P 4.12 (Involuntary Resettlement) describes the principles apply in temporary or permanent impacts on households resulting from loss of land, structures or other fixed assets; changes in land use or business; restrictions on the use of land, housing or businesses. The principles apply to all “affected persons”, including those without formal licenses or titles, who experience impacts as the result of land acquisition or resettlement for State Needs.

- Avoid or minimize land acquisition and resettlement;
- Affected persons are entitled to be compensated at full replacement cost for their lost assets, incomes and businesses, including temporary losses or
impacts, without adjustments for depreciation or deductions for any other purpose;

- Compensation (and other forms of assistance, as warranted) should enable affected persons to improve, or at least restore, their pre-project incomes and standard of living;
- Affected persons must be consulted in resettlement planning;
- Affected persons must be fully informed of their compensation options;
- Land-for-land swap is the preferred compensation for lost agricultural land if it is available, unless an affected person chooses cash compensation;
- Costs of transfer of property—purchase or swap—are waived or borne by the investor, including taxes, fees, documentation and court appeals;
- Compensation will be made giving equal consideration to women and men;
- Lack of formal title or use agreement does not bar affected persons from entitlements or assistance required to achieve the objectives of the policy;
- Relocated affected persons receive assistance for relocation;
- Special attention should be given to households headed by women and other vulnerable persons and appropriate assistance provided to assure that their living standards are maintained or improved;
- Land acquisition and resettlement are executed as part of the Project and fully funded;
- Compensation will be fully provided before land can be entered for civil works or demolition.
- For cases of disagreement with compensation the Government shall put the compensation amount plus 10% in an escrow account.

<table>
<thead>
<tr>
<th>Land Plots Acquisition Practices in Kazakhstan</th>
<th>The WB Resettlement Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation of private land plot for agricultural/livestock grazing purposes, purchased from the State by the land owner and it acquisition for public use must be determined as an equal sum on market price of land plot. Payments for transaction fees are not covered. Certain sub-categories of land ownership can be appraised at the cadastre or civil value.</td>
<td>WB policy requires explicit full replacement cost coverage (market rate plus associated fees)</td>
</tr>
<tr>
<td>Harvest/livestock grazing, trees and structures are compensated only for registered (with legal titles) AP’s</td>
<td>AP without legal rights and requirements have the right for compensation for lost of harvest, trees and structures (non-land assets).</td>
</tr>
<tr>
<td>The Kazakh legislation does not require restoration of livelihood for Aps</td>
<td>The main purpose is considering the recovery of livelihood and living standards of relocated people, regardless of property right or legal status.</td>
</tr>
<tr>
<td>Additional assistance for vulnerable group, costs</td>
<td>Relocated persons should be assisted in their</td>
</tr>
</tbody>
</table>
on relocation and period of relocation are not provided. However, targeted social assistance is stipulated. Kazakh legislation suggests that the negotiated settlement is conducted by a commission, consisting of local executive bodies and district maslikhats.

4.5 Additional Legal Measures

Land and Housing Codes in Kazakhstan regarding the acquisition of land and assets for State needs are mostly concordant with the World Bank’s OP 4.12 in most topics. In the absence of standard regulations and procedures, implementation may vary in practice, however. The steps described below ensure more consistent implementation and compliance with Bank policies and international good practice during implementation. Under terms of the RAP Entitlements Matrix, all entities required to relocate by the project will receive a transitional allowance sufficient to cover transport expenses.

There is no acquisition of land plots of private owners or land plots leased from the government provided in this road section, and PAPs are not relocated correspondingly.

4.6 Encroachment and Informal Land Use

In accordance with long term and historic accepted local practice, local farmers generally have open access to use of state owned land for the grazing of livestock (normally sheep, goats and cattle). Some of this state land will be lost to the road construction. There will be no change to this local practice, and the District Akimats will ensure that farmers will continue to enjoy open access to use of state owned land for the grazing of their livestock. Given minor impacts and abundant presence of land in the area, this is not expected to have any significant negative impacts. It will be important that crossing routes (normally tunnels under the road) are constructed at regular intervals to allow the farmers with cattle to cross the road. Representatives of CfR of MID RK has agreed that additional crossing points can be provided if the community shows that a route is necessary for the farmers or other land users in the area, and that it has no engineering issues. Preferably decisions on the location of any additional crossing points should be made prior to construction start.

According to the Law of the RoK “On Public Property”, in case if the private property right to the land plot has not been registered according to the legal procedures of the Republic of Kazakhstan, upon receiving the decision, the owner can take required action to confirm his/her private property right to the land plot, to which such decision has been received.

At the same time, the timing for involuntary land acquisition for public needs, which is set based on the decision, shall be extended for the period of not more than six month.

It should be noted that designers and local executive authorities have not identified any unauthorized land users in the project impact area.
4.7 Land Swaps vs. Cash Compensation

The Land Code offers owners the option to swap land or buildings in lieu of compensation. In some areas of the country the alternative lands may not be readily available. Nonetheless, all affected persons will be informed of the option and all local Akimats have been requested to assess the availability and location of substitute lands. Given that the land is available for swap, officials involved in the land acquisition process are instructed to offer affected persons the option to swap land and buildings for compensation instead of cash, if they choose the last one.

All landowners, according to the current legislation of the Republic of Kazakhstan, were offered to land exchange instead of seized land.

The project will impact very small areas of land leased from the state, therefore amounts of compensation offered were insignificant and unattractive for landowners. Some opted for land exchange, while others even declined these amounts in favor of the state, on condition that akimats would assist with formalities, involving all relevant legal documents and pay for required state fees for a new registration of title documents.

In accordance with World Bank OP 4.12 and the agreed Land Acquisition and Resettlement Framework dated May 2008 and updated February 2009, additional compensation or assistance shall be considered for 1) for vulnerable people who may have difficulty adapting to project-related changes, 2) for those required to relocate (in this case, commercial enterprises) who will have transitional expenses associated with moving, and 3) for those who will lose a significant part of their productive land (more than 10% and above). These modes of assistance are normally supplemental to a standard Government compensation. Decisions for such cases will be made according to the requirements of the Loan agreement signed between the Republic of Kazakhstan and World Bank. The Akimats of respective regions of Karaganda and Zhambyl oblasts are ready to pay for all types of assistance to affected people entitled thereto as per requirements of the World Bank in case additional affected owners or land users are identified during project implementation.

Compensations also available for vulnerable people are people, whose income is less than living wage, or who have other sources of vulnerability or difficulties in adapting to changes, caused by the Project. Such groups could involve elderly people, low income groups, people with disabilities. As of January 01, 2017 in the Republic of Kazakhstan the living wage according to the Statistic Department of Almaty Oblast is 24 459 KZT. Operationally, this is defined as people eligible for State Targeted Assistance, on the basis of Information of living minimum received from Statistic Department. However, no vulnerable groups have been identified in the project affected area.

Following the agreement between the World Bank and the Committee for Roads, a letter will be issued to relevant akimats of Karaganda and Zhambyl oblasts, with a request to enact the list of “State Targeted Public Assistance Act”, No. 246-II of July 17, 2001 to define vulnerable people. This list defines all families requiring some form of public assistance as per a special program for payment of lump-sum allowances to socially vulnerable and poor families in each
community. The akimats of respective districts of Karaganda and Zhambyl oblasts agreed that all affected families on the vulnerable list would be paid additional one-time compensation payment.

Similarly, all affected entities that are required to be relocated will receive a transitional allowance sufficient to cover transport expenses or get shipping assistance. For households required to relocate, prior to displacement a lump sum allowance will be paid, and businesses required to relocate will be assisted in relocation.

The compensation process that has been conducted took into consideration not only the basic evaluation of the land and the property located on it, but also other parameters such as the presence of orchard—taking into account the age of the trees—and any other property or activity that could bring revenues to the affected people but that would be affected by the acquisition of the land, resulting in losses for the owner/lease holder.

4.8 Valuation process

The final list of Affected People along with their affected properties will be provided to the Akimat of Karaganda and Zhambyl Oblast after project approval. This will be followed by issuing of Akimat’s Decision on land plots acquisition for final assessment of the affected properties and AP’s compensation purposes.

The first assessment of the affected properties was undertaken by the independent appraiser under the assignment of the Committee for Roads for the preparation of RAP.

The affected properties valuation have been carried out by the Independent appraisers, on the basis of documents provided by respective owners to carry out the evaluation of affected assets.

Following documents have been checked and examined during evaluation:

- Identity Card
- State Acts on Land along with measurements of the land
- Detailed Technical Passports

Three types of evaluation methods which are common in Kazakhstan are applied:

(a) **Cost Method – Rate of Return method**
Cost approach represents the expenditures of owner. It is based on the fact that the cost for this land plot and its improvement will not increase the market price for already improved land plot with the equal on purpose and quality land improvements. For instance, in case of using this method, the manufacturing material: the quality and cost of property material, year of construction, state of the object and etc. should be considered. Mainly this method is used for residential facilities.

(b) **Comparable Method**
Comparative approach represents the comparison of similar property objects and land plots, which are on the same territory. Appraiser should take into account prices specified in advertisements about the sale of similar objects of property and land plots, which are published
in local newspapers or TV. Comparison with prices of recent sales of similar objects in the open market, where decisions are taken by independent buyers and sellers, is also carried out. The approach is based on the principle of substitution: wise buyer doesn’t pay larger amount for evaluated object, then that amount that is available on the market for similar of quality and utility objects. This principle is working mainly for residential premises.

c) Income Method – Discounted cash flow method
Profit approach is applied only for objects for commercial and agriculture purposes (filling stations, cafes, shops, points of sale, empty commercial lands, farming lands and others) for identifying cost of object evaluated that is capable to bring income in future during definite period of its use. The cost represents the amount of future income by the moment and profit due to resale of evaluating object. The approach is based on the principle of waiting, that is wise buyer (investor) acquires land plot expecting the future income or profit. The application of this approach requires thorough analysis of economical conditions and tendencies, that impact on the level of property profitability in the area of evaluation object location, and using of such procedures as discounting and capitalization. Appraiser on the basis of documents (tax statement, income statement and etc.) defines the evaluating cost.

In the Republic of Kazakhstan as per the clause 4, article 6 of RK Law “About evaluation activity” the obligatory evaluation should be performed in accordance with legislative acts of RK for redemption and acquisition of property from owner for the Government needs.

5. SOCIAL IMPACTS AND MITIGATION MEASURES

5.1 Overall Impacts
A quality road benefits not only a road user, but is also an important condition in terms of support given to other economic activities as production, purchase/sales and advertising and a huge number of other activities. The better are the roads that are constructed, which meet the needs of transport road users, the better environment is created for the development of economy as a whole. Roads are defined as “infrastructure" facilities; so they affect (either positively or negatively) the set of branches as a whole, providing connections between different economic agents. The stronger connections between producers, retailers and consumers, the greater amount of goods and services can be created and, respectively used, to improve consumer satisfaction, and sources of wealth, labor productivity, capital, etc. Therefore, the importance of roads for human life in the successful development of the society are difficult to be overestimated.

The importance of roads in the socio-economic development of society and public livelihood support has an unambiguously positive effect. With the improvement of transport and operating road facilities, the quality of public services will be significantly improved as a result of the road reconstruction. People are affected most of all by automobile emissions. The most dangerous type of traffic pollutions is emissions to the atmosphere of exhaust gases, as well as other types of energy losses: noise, vibration, electromagnetic radiation potentially damaging people's health. The impact of construction works will be relatively short, although accidents will possibly occur due to the poor condition of roads.
5.2 Approach for Identification of Project Affected Persons (PAPS)

The approach for identification of affected structures and land parcels relies on three approaches:

- Identification of formal use: two instruments were used for identification (1) existing cadastre and land use data maintained by the Land Resource Agency and (2) the construction survey conducted by designers for each individual section at a scale of 1:2,000, in which all structures within a ribbon of ca. 120 m width following the project alignment. This includes all structures within the existing ROW where works will take place.

- Identification of informal use: Roadside surveys along the entire alignment were conducted by the designers to identify and describe any form of informal use of the ROW or areas affected by bypass construction or other land acquisition, which would not result in visible structures and thus go undetected by above described methods for identification of formal use. This type of use would, for example, involve informal agricultural enterprises (gardens, small fields, seasonal stand), structures for animal or poultry husbandry that are encroaching on the ROW.

Information on any registered plot and its location with topographical coordinates are kept in the Centers for Immovable Property Registration under the Ministry of Justice. This information is also being collected by the “State Scientific Production Centre on Land” (GosNPTsZem) under the Land Resource Agency. Designers contracted by CR received information on potentially affected landowners from the oblast level departments of the GosNPTsZem in the form of a 1:25,000 scale map indicating the projected road and land plots intersecting with or located in close vicinity to the road. The designers combined these maps with information obtained by them during topographic alignment surveys carried out as a standard measure upstream in their work.

For the identification of illegal land users designers compared the official land use data received from GosNPTsZem with their own to-date construction survey. Thus each designer could identify structures which were built (commonly within the ROW) illegally and without formal title. The deadline is the date of completion of design and survey works.

To assess value of land and structures to be demolished, Akimats of Karaganda and Zhambyl oblasts will conclude contracts with appraisers who have appropriate licenses. Based on the land requirement data compiled by the designers, the appraisers contacted potentially affected parties to assess the value of their properties. Valuation methods used to estimate compensation for structures were similar to common international practices based on (i) cost, (ii) profits, and (iii) comparison with similar structure with a known cost. Valuations were to be based on current market values. Cost method was applied for valuing industrial and commercial premises in which the manufacturing material, the quality and cost of property material, year of construction, and state of the object were considered. The comparative method applied is mainly based on principles of substitution; this is mainly applied for residential premises. The profit approach is based on the principle of waiting, that is wise buyer (investor) acquires land plot expecting the future income or profit. The application of this approach requires thorough analysis of economics conditions and tendencies, that impact on the level of property profitability in the area of valuation object location, and using of such procedures as discounting and capitalization.
Valuation on the basis of documents (tax statement, income statement and etc.) defines the valuation.

In identification of the cost of agricultural land plots, the method based on evaluation of agricultural losses, in case of land acquisition, shall be used (this is the method for compensation calculation used by appraisers in agricultural land acquisition). The used methods comply with the national Kazakh laws, procedures and regulations. The amounts of compensation that will be calculated by the appraisers will be discussed with the majority of owners and representatives of akimats of respective districts of Karaganda and Zhambyl Oblasts.

The process of identification of affected people and assets will be started after completion of detailed design and listing of affected persons and property. For the purpose of objects evaluation the independent valuation agencies will be appointed to assess affected assets. The appraisers, on the basis of documents provided by respective owners will carry out the initial valuation of affected assets. Following this project approval, and in accordance with Kazakh legislation, the local Akimats will be responsible for conducting another independent valuation. In cases of any discrepancy between the estimated costs and full replacement values at the time of independent appraisal, the compensation payments to the affected people will be based on the most recent full replacement costs. Following documents will be reviewed during the valuation:

1. Owners/Users Identity Card
2. State Land Act referred to measurements of the land
3. Detailed Technical Passports

Lists of identified, affected persons by the project, will be approved by the decisions of akimat of corresponding districts. On the basis of the evaluation report, akimat will sign an agreement on expropriation. Commission appointed by the akimat for impact assessment consisted of unspecified number of members out of the staff of regional departments for land recourses management, architectural, urban-planning and other related services. Valuation will be carried out in presence of affected persons.

5.3 Land Acquisition and Resettlement Impacts
Land acquisition for permanent use is required for the reconstruction of the road. Household area survey was carried out in the presence of representatives of all stakeholders and the affected land users, for the purpose of selection of land plots for the reconstruction of "Astana-Almaty" republican road km 1855-2152 under the I-b category, and acts of land selection were prepared and signed by the commission.

To accommodate the new elements of the road lane permanent allotment is accepted as 70 m according to "Standards and regulations for the allotment of public roads", so additional allotment is required across the road. The total area of permanent land acquisition is 1 433.772
hectares. The requirement of state leased and state lands for a temporary withdrawal is 942.028 hectares (Appendix 1)

Residential and non-residential buildings, other engineering linear structures to be demolished are not impacted by the construction strip. Temporarily occupied lands are subject to reclamation according to the Land Code of the Republic of Kazakhstan and Regulations on compensation for losses of agricultural production, approved by the Government of the Republic of Kazakhstan dated 08.10.2003, No.1037, the project provides for the reimbursement of losses of agricultural production, which should be listed in the National budget within six months from the date of the decision to grant rights to the land. In addition, compensations and additional assistance will be provided as per the WB policy requirements.

In the right of way under the projected road the burial, animal burial, archaeological sites, and physical and cultural properties are absent. Also no any buildings, constructions or structures irrespective of form of ownership (state, lease or private) on this road project do not get under road construction. In case if it such cases that be identified during construction, then addendum to the RAP will be prepared, appraisers will calculate a compensation amount and other procedures will be followed according to the legislation). In case of land acquisition, local executive bodies will provide the population with alternative lands (pasture). On this road section state reserve lands and rented lands (which are used as «pastures») are being withdrawn, so the users will be provided with alternative land plots in accordance with existing legislation of RK.

A total of 23 land lots have been identified for acquisition for the road construction. None of these land owners will lose their income, the akimats will provide them with equivalent land plots that have been identified in agreement with them. The private lands that will be acquired include livestock grazing lands. The details regarding lands to be acquired for the Project’s road section, are given in the following Tables:

**Table 7: Land Subject to Permanent Acquisition for the Project**

<table>
<thead>
<tr>
<th>Resettlement Impact on Land to be acquired (purchased) hectare</th>
<th>Number of affected land plots due to land acquisition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential land</td>
<td>-</td>
</tr>
<tr>
<td>Agricultural land (Pasture)</td>
<td>1 433.772</td>
</tr>
<tr>
<td>Commercial land</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1 433.772</td>
</tr>
<tr>
<td><strong>Number of affected land plots due to land acquisition</strong></td>
<td>14</td>
</tr>
</tbody>
</table>

**Table 8: Land Subject to Temporary Acquisition for the Project**

<table>
<thead>
<tr>
<th>Resettlement Impact on Land to be acquired (purchased) hectare</th>
<th>Number of affected land plots due to land acquisition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential land</td>
<td>-</td>
</tr>
<tr>
<td>Agricultural land (Pasture)</td>
<td>924.028</td>
</tr>
<tr>
<td>Commercial land</td>
<td></td>
</tr>
</tbody>
</table>
The above tables indicate that lands, which will be acquired for this project, is agricultural/pasture. Residential land does not fall for seizure. Agricultural land is used only for grazing, with no cultivation. In case a temporary acquisition converts to permanent, the owners are guaranteed entitlements granted for permanent acquisition.

Currently, at the road section “Balkhash – Burylbaital” km 1855-2152 there are no socially vulnerable groups of population, households and project affected persons. In case socially vulnerable groups of population are revealed during the implementation, akimats shall pay relevant compensation.

The Project will not affect structures (business) in Balkhash – Burylbaital road section, and no household relocation will be required. As per the clause 4, article 6 of RK Law “About valuation activity” a mandatory valuation should be performed in accordance with legislative acts of RK for redemption and acquisition of property from owner for the Government needs.

5.5 Construction Induced Social Impacts

The road construction may cause temporary impacts such restrictions for crossing points for farmers and cattle. This information are not available until the detailed designs are drawn and identified such locations along the road sections. The final RAP will include the details of crossing points and impacts will be assessed with appropriate mitigation measures.

5.6 Entitlements Matrix

All people affected by seizure of grazing land, will be compensated by additional support by akimats based on the agreed RPF entitlement matrix, which is specified below in the table

<table>
<thead>
<tr>
<th>Property</th>
<th>Description</th>
<th>Affected People</th>
<th>Entitlement for compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lease holders for agricultural land [including pasture category]</td>
<td>All lost land, regardless of the severity of the impact</td>
<td>Long Term Leaseholder</td>
<td>• Cash compensation in the amount of market value of gross harvest (or indexed matrix for the to pasture quality) for the remaining lease term; renewal of lease agreement on alternative land plot on previous conditions. In case of alienation or temporary land acquisition, as a result occurs partially or completely disrupted work of irrigation, drainage, erosion control structures (systems), losses can be based on the cost of the works for the construction of new or rehabilitation of existing facilities and structures (systems), including the cost of...</td>
</tr>
<tr>
<td>Property</td>
<td>Description</td>
<td>Affected People</td>
<td>Entitlement for compensation</td>
</tr>
<tr>
<td>--------------------------</td>
<td>--------------------------------------------------</td>
<td>----------------------------------</td>
<td>------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Severe Impact—more than 10% of income loss</td>
<td>Owner, Leaseholder</td>
<td>• Cash compensation is equal to market value of two livestock grazing years.</td>
<td></td>
</tr>
</tbody>
</table>
| Commercial Land          | Owners                                           | • Land compensation with provision to the ownership the equal land plots; or  
|                          |                                                  | • Cash compensation for alienated acquired land on market price without payment of taxes, transfer registration fees and expenses, including all losses, which shall be due to the early termination of obligations owed to third parties; and  
|                          |                                                  | • Compensation for interrupting of business if such occurs |
| Houses, Buildings and Structures | Owners of permanent structures | • Compensation of the full market value or at the request of the owner the provision of structure in exchange; if the value of provided structure is lower than alienated, the owner is paid the difference in price, or  
|                          |                                                  | • Cash compensation for outstanding (or unauthorized) construction at price of replacement of lost structure and other material assets at price of building materials value, construction work and labor, excluding the cost of recycled materials, amortization and charges for the transfer of property. The cost of lost connections to the water supply and other utilities is included in the compensation. |
| Business and employment  | Temporary or permanent loss of business or employment | All affected persons,            | • Owner: allowance is paid for lost wages for the period of forced break in work up to 3 months. Owner: if permanent, cash compensation is paid, which is equal to one year income; if temporary, cash compensation is paid for the period of income loss. Compensation is calculated on the basis of tax declaration or official minimum wage.  
|                          |                                                  | • Owner: allowance is paid for lost wages for the period of forced break in work up to 3 months. |
| Temporary Loss           | Land used for construction activities Subject to negotiation between owner and contractor Owner (private or public) | • Contractor pays cash compensation at local commercial rental rates for duration of use  
|                          |                                                  | • Land restored to original status at end of rental |
|                          | Land for borrow pits Subject to negotiation between owner and contractor Owner (private or public) | • Contractor pays cash compensation for rental and materials at market rates  
|                          |                                                  | • Land restored to original status at end of rental |
|                          | Land use as grasslands/pasture for Owners, land tenant or state | • Pecuniary recompense or providing of alternative land plots |
Persons losing more than 10% of their grassing productive lands will receive assistance in the form of two times the annual crop value of the land area lost. However, there are no such persons along this road project. None of all 10 agricultural lands lose 10% or more lands.

5.7 Employment Opportunities and Labor Influx Issues

During the construction period many work places will be created, including for local residents, who will be able to participate in the road construction. Road reconstruction will dramatically improve conditions for traffic, increase speed and travel time on the road as well as will increase traffic safety. According to preliminary calculations during the road construction approximately 3000 persons will work on this road section. At the same time it should be mentioned that for example general laborers, road workers, cooks, dishwashers, electricians, drivers and other specialists will certainly be hired from local population in accordance with qualification. However, total number of labor force requirements, potential impacts associated to labor-influx cannot be assessed at this stage but will be addressed in detail in the final RAP to ensure that adequate mitigation measures are included.

It is possible that workers from other regions will join the labor force, along with contractors bringing in their own technical and engineering staff. This, in its turn, will open up an opportunity for communities along the road alignment to sell locally produced goods and services and thus improve their socio-economic standing. Moreover, the locals could benefit from the new knowledge, experience and technology brought by technical and engineering staff of contractors. The construction camps that will be built for workers will have proper conditions for their safety and health. At the same, coordination between contractors, local akimats and community representatives would be established on the rules of conduct to mitigate any potential risks of conflict, including those related to health and well-being of the local population. The construction camps, in their turn will be provided by the contractors with the best and high-quality management along with healthcare facilities, grievance redress systems. The grievance redress system will be used for resolution of issues arising among workers and/ or with communities.

6. PUBLIC CONSULTATION AND DISCLOSURE

In May – June 2015 personnel of JSC “KazDorNII” in association with “Sapa SZ” LLP and “KazCEP” LLP jointly with personnel of CfR MID RK and JSC NC “KazAutoZhol” in Karaganda and Zhambyl regions held public hearings on Assessment of Environmental and
Social Impact based on investigations and analysis for the sections of the Centre South Road Corridor “Karaganda – Balkhash – Burylbaital Road Section to may be financed by the World Bank. Within the few weeks of preceding consultations several hundred information leaflets were distributed in the course of the field studies.

The following groups of people were invited (or participated) to the Public Hearings:
- All local population, whose interests are likely to be affected during road reconstruction; List of participations are specified in Appendix 2. Minutes of hearings
- NGOs working in the environmental and social areas;
- Representatives of the official authorities in the area of environmental design and social issues.

Consultations were carried out in the following settlements/ villages of Karaganda and Zhambyl oblasts:
- Saryshagan village – 06.06.2015
- Balkhash – 17.06.2015
- Gulshat village – 17.06.2015
- Zhambyl Oblast
- Kashkanteniz station – 18.06.2015
- Shyganak village – 18.06.2015

The details of Public Consultations are presented in the attached Minutes of Meeting. (See Appendix 2). During the event the local residents raised a number of issues concerning the Project implementation period/duration, compensation amounts, pedestrian crossing (walkway), locations, green plantings and other issues. The audience was satisfied with the clarifications of the specialists of “KazdorNII” JSC in association with SAPA SZ LLP and “KazCEP” LLP provided in response to the questions raised and the World Bank Environmental and Social policies as a whole. There were some useful comments or recommendations from the part of the participants in regards to the design and construction stages of the Project, as well as to begin construction of the road in the shortest time in particular. Appendix 2 of the Minutes of Hearings.

The consultant noted that this preliminary stage of interest in the Project and participation (consultations on TOR ESIA and the main concept) on behalf of supporters of the Project was weak. Thus, consultations were mainly carried out from sources and under auspices of KazDorNII JSC in association with LLP "SAPA SZ" and LLP "KazCEP". For comparison, general public and potential people who came under the influence took a keen interest in the project. Apparently this campaign was one of the first instances of public disclosure of project details. Summarizing, all the hearings held in Zhambyl and Karaganda regions came to the conclusion that the local population had not been previously informed about the road reconstruction project. The main issues raised at public hearings were issues related to the provision of jobs for the local population during the reconstruction, the amount and types of compensation for land that will potentially be acquired. At this stage, there seems to be little attention from the public regarding issues related to the environmental and social impact of road renewal.

The event will be organized by:
• Local Executive Bodies - Akimats of Karaganda and Zhambyl oblasts, cities, districts and (village) rural districts.

The second public hearings were held in the following villages / settlements of Karaganda and Zhambyl oblasts:

Karaganda Oblast
- Saryshagan village – 08.07.2015
- Gulshat village – 08.07.2015
- Balkhash – 09.07.2015

Zhambyl oblast
- Shyganak village - 08.07.2015
- Kashkanteniz station – 08.07.2015

The Consultant together with the Customer - COR participated in public hearings dedicated to discussion of Environmental Impact Assessment and the Resettlement Plan for sections of the international transit corridor "Center-South", which may be financed by the World Bank. The main elements of the Resettlement Plan were also discussed. During the hearings, information brochures on Social and Environmental Policy of the World Bank and a brief description of all procedures for redemption and filing of complaints were distributed.

A notice on the planned public hearings was published in the press:

“North Balkhash Region” newspaper № 70 (1391) July 01, 2015
«Tokyrauyn tynasy» №28 (7502) June 26, 2015
«Moimkym tany» №64 (6057) July 03, 2015

Additionally, there were third public hearings carried out involving design organizations at the stage of design works completion, during which the WB’s social and environmental policies, the ESIA have been repeatedly explained to the attendees. The public hearings were held in Karaganda and Zhambyl oblasts in the period from May 25 to May 26, 2016.

Karaganda Oblast
- Balkhash – 25.05.2016
- Saryshagan village – 25.05.2016
- Priozersk – 25.05.2016

Zhambyl oblast
- Mynaral village – 26.05.2016
- Shyganak village - 26.05.2016

Issues discussed at these hearings included; technical parameters of the road, schedules of the proposed work, the expected benefits and expected impacts, as well as the proposed measures how to mitigate measures, the number of underground crossings, design solutions for abutments, the design of detours, junctions and subways for needs of land owners and rural farms. Other issues included: identification of proper sites for production base, landfill removal of construction debris; possibility of using water from nearby ponds for technical needs, , and sharing of information on land plots belonging to peasant affected by construction.
The Project Management Consultant plays an important role in the public information process by preparing and distributing of brochures that describe the process and explain rights and responsibilities, compensation prices, payment schedule and options for dealing with complaints.

Moreover, all identified affected people were provided with the information brochures, which states the relevant rules, rights, prices, compensations, payments and grievance redress mechanisms. In addition, these brochures and other information about the project, is available in all regional and district akimats, where every interested person can attend and obtain information.

The public consultations indicated that, in accordance with the legislation, necessary approvals had been obtained with all interested parties on: the land allocation for the road in agreement with their owners, crossings and short cuts to the road. An agreement was also obtained for water abstraction from local sources for technical needs.

The RAP will be published on the web-site of the project “Western Europe-Western China” europe-china.kz and relevant district akimats. The RAP in English language will be disclosed on the WB’s web-site. The process of consultations during the project preparation stage was mainly concentrated on the interview of key informants, focus group discussions and public hearings. All the public hearings were recorded, and interests of local population and communities were taken into account according to the standards of RK.

The program of Consultations includes the following people:

a) Head of households, likely to be affected  
b) Members of households  
c) Community  
d) Relevant Akimat  
e) Main concerned entities such as women, road users group, medical workers and;  
f) Public information brochure distributors

The provided Public Information Booklet (PIB) will include the following useful information, regarding Resettlement Plan:

a) Summary description of the project;  
b) Types of anticipated impact;  
c) Main policy of compensation and payment;  
d) Summary information on restoration measures of the livelihoods;  
e) When and where affected people will receive their rights  
f) Consultations and affected public and entities participation;  
g) Execution schedule  
h) Grievance redress mechanism  
i) Roles and responsibilities of local executive bodies, deputy District Akimat, RK, local representatives of the CfR of the MID RK, grievance redress coordinators;  
j) Contact information (including PMC grievance redress coordinators) names, contact numbers and addresses;

The las public hearings were held in the period from 17.04.2017 to 21.04.2017. The in-country disclosure, including handouts was in Kazakh and Russian.
During these hearings, the design agencies, representatives of the CfR MID RoK, KazAvtoZhol NC JSC and consultants shared information on the completed road projects designs approved by the State Expertise, and discussed all issues related to environmental protection, resettlement, acquisition and cultural and archaeological heritage with all participants. All attendees wished for the reconstruction project to start as soon as possible. Thus, they have been expecting positive impacts only. Minutes of Public Hearings contain the detailed information on the subject.

The Project Management Consultant (PMC) will play a key role in the organizational setup for Resettlement and Lands Acquisition Management during Project implementation. According to the PMC’s Terms of Reference (TOR) there will be two social safeguards specialists (One International and one National) working in the PMC for the duration of the Project. Part of their duties and responsibilities will be the management of implementation of this RAP.

7. GRIEVANCE REDRESS MECHANISM

Guideline on Grievance Redress Mechanism (GRM Guideline) was developed and approved in 2014 by Committee for Roads MID RK for all road sector projects. GRM Guideline is intended to be used as a guidance document for stakeholders involved in design, preparation and implementation of road projects, and complements grievance redress requirements incorporated in the loan agreements, as well as environmental and social safeguard documents (in case of projects funded by IFIs).

The overall objective of the GRM Guideline is to establish an effective communication channel among the stakeholders for providing a timely and efficient two-way feedback mechanism to address any complaints made about the project, including those from members of the communities, local businesses and other stakeholders, as well as raising public awareness on the projects and on the availability of a GRM mechanism. The Grievance redress procedure suggests resolution of grievances in the spirit of mediation between the parties, and should comply with the spirit of IFI standards and practices.

Specific objectives of GRM Guideline include:

- Facilitation of an effective dialogue and open communication between the project stakeholders;
- Development of an accessible, transparent and efficient complaint procedure for people involved in and/or impacted by road sector projects;
- Clear definition of roles and responsibilities of the various parties involved in consideration and resolution of grievances;
- Establishment of procedures and standards for recording, sorting, investigating, handling of grievances, and providing feedback;
- Establishment of a mechanism for responding to complaints in an understanding, transparent and culturally appropriate way;
- Increase of awareness on project activities and available mechanism for amicable resolution of grievances,
- Minimization of grievances regarding the project activities and impacts, better management of expectations;
• Improvement of the projects performance (including environmental and social performance) through ensuring monitoring of grievance redress process and periodic progress reporting.

The GRM will be available for those living or working in the areas impacted by the project activities. Any person impacted by or concerned about the project activities will have the right to participate in the GRM, will have easy access to it, and will be encouraged to use it. The proposed GRM does not replace the public mechanisms of complaint and conflict resolution envisaged by the legal system of the RoK, but attempts to minimize use of it to the extent possible.

This GRM Guidelines envisages two levels for grievance redress for the projects of the road sector that are implemented under the management of the CfR: grievance redress by the Grievance Redress Committees (GRC) at the regional (oblast) and central (Astana) levels. The scheme for GRM process is specified in the Figure 2 below. Details of grievance redress and management procedures is given in the annex—

Figure 2: GRM Process Scheme
8 MONITORING AND EVALUATION. The PMC will appoint an expert for internal resettlement monitoring, who will work in close cooperation with Social Safeguard Specialist of the PMC and develop detailed plans and indicators for monitoring of subsequent stages of this RAP. Monitoring experts will be submitting information on the resettlement progress once per half-year, which shall be incorporated in the Project Reports. Expenses of this internal monitoring have been included in the project budget. General system of monitoring indicators is explained in the resettlement action plan for Karaganda and Zhambyl oblasts.

If necessary, the PMC shall employ an expert to carry out independent resettlement process and outcomes assessment, which will be further discussed with the project managers. This expert shall be in charge of monitoring and will decide whether conditions of the resettlement have been met during its implementation, whether income resources of individuals have been recovered, whose interests have been affected, and whether any unforeseen or sudden consequences occurred.

The following table provides detailed scope of work for internal monitoring

<table>
<thead>
<tr>
<th>Scope of Work for ‘Internal Monitoring’</th>
<th>Responsible organization</th>
<th>Periodicity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Acquisition</td>
<td>Akimats, CSC, PMC</td>
<td>Every quarter</td>
</tr>
<tr>
<td>Payment of compensation</td>
<td>Akimats, CSC, PMC</td>
<td>Every quarter</td>
</tr>
<tr>
<td>Number of persons, who received compensation (by providing alternative land plots)</td>
<td>Akimats, CSC, PMC</td>
<td>Every quarter</td>
</tr>
<tr>
<td>Dissemination of information</td>
<td>Akimats, CSC, PMC</td>
<td>Every quarter</td>
</tr>
<tr>
<td>Consultation with APs and other stakeholders</td>
<td>Akimats, CSC, PMC</td>
<td>As required</td>
</tr>
<tr>
<td>Grievance Redress Mechanism</td>
<td>Akimats, CSC, PMC</td>
<td>As required</td>
</tr>
<tr>
<td>Restoration of livelihood and income</td>
<td>Akimats, CSC, PMC</td>
<td>As required</td>
</tr>
<tr>
<td>Legal capacities of vulnerable APs, including project affected women, to improve their livelihood</td>
<td>Akimats, CSC, PMC</td>
<td>As required</td>
</tr>
</tbody>
</table>

These indicators will be established to ensure attainment of the RAP objectives, as given in the Resettlement Framework, and will be followed during internal monitoring.

The monitoring at the site will be carried out by Social Safeguard Specialist of the PMC in coordination with respective CfR and Akimat experts. The monitoring will rely mainly on the
following information collection methods: a) review of files b) informal sample of APs survey, c) key informant interview d) in-depth case studies and e) community public meetings.

The PMC will be submitting monthly progress reports to the Committee for Roads.

Since land acquisition and resettlement works have not been started yet, its monitoring will not be conducted. Monitoring indicators are presented in the following table.

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Activities</th>
<th>Monitoring indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Determination of compensation recipients</td>
<td>Checking of list of compensation recipients eligible for compensation</td>
<td>Number of people on the list of compensation recipients who are not eligible for compensation (inclusion by mistake)</td>
</tr>
<tr>
<td></td>
<td>Identifying of persons who may claim to eligibility compensation, but are not included in the list of compensation recipients. For each type of compensation should be carried out separate inspection.</td>
<td>The number of people who meet the criteria but are not included in the list of recipients of compensation (exclusion by mistake)</td>
</tr>
<tr>
<td>Controlling types of Compensation</td>
<td>Confirmation of the territories which are affected temporarily or permanently under the final RAP</td>
<td>The land for temporary acquisition, for which compensation will be paid</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The land subject to permanent acquisition for which compensation will be paid</td>
</tr>
<tr>
<td>Compensation control</td>
<td>Examination of financial documents</td>
<td>Number of people who receive compensation promptly and in full with the breakdown under type of compensation</td>
</tr>
<tr>
<td></td>
<td>Identifying and analysis of the reasons for which compensation has not been paid in full and on time</td>
<td>Number of people who receive compensation in a timely manner with the breakdown under type of compensation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The amount of funds allocated for compensation</td>
</tr>
<tr>
<td>Impact on households (income restoration)</td>
<td>Follow up socio-economic survey of affected households (year 3)</td>
<td>Changes in income / livelihood of households, comparison of the results of socio-economic census to follow up survey</td>
</tr>
<tr>
<td>Consultation and participation</td>
<td>Determining the level of involvement and identification of reasons for inadequate participation</td>
<td>Number of compensation recipients who participated in the consultation and coordination meetings at each stage of land acquisition</td>
</tr>
<tr>
<td></td>
<td>The analysis of disputes and complaints content. Conflict resolution</td>
<td>Number of complaints</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Number of complaints granted.</td>
</tr>
</tbody>
</table>
9.. IMPLEMENTATION OF THE COMPENSATION SCHEME

The CfR, akimats of Karaganda and Zhambyl oblasts recommend that this report shall be accepted by all parties as the agreed approach for all remaining land acquisition and resettlement in connection with reconstruction of road M-36 “Border of RF (to Ekaterinburg) – Almaty”. Akimats of Karaganda and Zhambyl oblasts will ensure that all APs will be paid compensation defined above. It is obvious that in the event of disagreement about whether payment was made in accordance with the legislation of Kazakhstan or resettlement policy of the World Bank, APs shall receive the compensation, which is higher.

10. SCHEDULE AND BUDGET

Table 12

<table>
<thead>
<tr>
<th>Task</th>
<th>Institution in Charge</th>
<th>Performance Timing</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approval of land management projects, issuance of decisions by akimats on land acquisition</td>
<td>Akimats of Karaganda and Zhambyl oblasts, Committee for Roads</td>
<td>2017</td>
<td>In process</td>
</tr>
<tr>
<td>Issuance of notice on land acquisition to PAPs</td>
<td>Akimats of Karaganda and Zhambyl oblasts</td>
<td>2017</td>
<td>Not completed</td>
</tr>
<tr>
<td>Preliminary negotiations with land owners for formation of contracts on compensation payment (in case of selection of money compensation chosen by owners instead of providing the alternative lands) or provision of alternative land plots</td>
<td>Akimats of Karaganda and Zhambyl oblasts</td>
<td>2016</td>
<td>Completed</td>
</tr>
<tr>
<td>Land plots appraisal</td>
<td>Akimats of Karaganda and Zhambyl oblasts</td>
<td>2016</td>
<td>Completed</td>
</tr>
<tr>
<td>Census and SEI, data output and its analysis</td>
<td>Committee for Roads, PMC</td>
<td>October-December 2016</td>
<td>Completed</td>
</tr>
<tr>
<td>Preparation of RAP and its submission to the WB for approval</td>
<td>Committee for Roads, PMC</td>
<td>March 2017</td>
<td>Not completed</td>
</tr>
<tr>
<td>Formation of contracts for compensation payment with proprietors</td>
<td>Akimats of Karaganda and Zhambyl oblasts, Committee for Roads</td>
<td>2017</td>
<td>Not completed</td>
</tr>
<tr>
<td>Compensation payment to proprietors and land owners</td>
<td>Akimats of Karaganda and Zhambyl oblasts, Committee for Roads</td>
<td>2017</td>
<td>Not completed</td>
</tr>
<tr>
<td>Cleaning of RoW</td>
<td>Akimats of Karaganda and Zhambyl oblasts</td>
<td>2017</td>
<td>Not completed</td>
</tr>
<tr>
<td>Issuance of notice on the commencement of construction works</td>
<td>Committee for Roads, PMC</td>
<td>After signing contracts with contractors</td>
<td>Not completed</td>
</tr>
<tr>
<td>Grievance Redress</td>
<td>Committee for Roads, Akimats of Karaganda and Zhambyl oblasts, PMC and Construction Supervision Consultants</td>
<td>Constantly, upon receipt</td>
<td>Not completed</td>
</tr>
<tr>
<td>Internal monitoring</td>
<td>Committee for Roads, PMC</td>
<td>Quarterly, since the construction commencement</td>
<td>Not completed</td>
</tr>
</tbody>
</table>

10.1. Assessment of Costs
The budget includes tentative cost of compensation for the land plot, relocation, restoration of income, assistance provision in obtaining the PAPs’ entitlements, administrative costs (2.5 % of the total budget), unforeseen expenses.

However, at the moment, by prior agreement with landowners, provision of alternative land was offered to them, and it was agreed by landowners.

I would like to note that under withdrawal for reconstruction of the road there were small areas of land that, according to appraisers were estimated on insignificant amounts and, at request and consent of landowners, they were offered alternative land plots, respectively, at the moment there are no costs for Resettlement Plan, except New legal documents of landowners in justice bodies. Administrative costs - include costs for registering of new title documents in justice system. According to estimates of appraisers, they are preliminary amount to 300,000 tenge.

**10.2 General Budget**

General costs for Resettlement Plan amount to **500 000 KZT. which is 1 587 USD.** USD calculation is based on the exchange rate of 315.2 KZT for one USD. The budget incorporates all the expenses related to the land acquisition, relocation, rehabilitation, restoration, of income, administrative expenses, external control, as well as unforeseen expenses. Further details of expenses from the budget are provided in the Table below:

**Table 13**

<table>
<thead>
<tr>
<th>Item</th>
<th>Ownership Type</th>
<th>Purpose of Use</th>
<th>Total, KZT</th>
<th>Total, USD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Compensation</td>
<td>State-owned land</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Private land</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Rented</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total A</strong></td>
<td><strong>Land</strong></td>
<td><strong>Compensation</strong></td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Facilities</td>
<td>State-owned land</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation</td>
<td>Private land</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Rented</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total B</strong></td>
<td></td>
<td></td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total, A+B</td>
<td>-</td>
<td>-</td>
<td>300 000</td>
<td>952</td>
</tr>
<tr>
<td>Administrative</td>
<td>-</td>
<td></td>
<td>200 000</td>
<td>635</td>
</tr>
<tr>
<td>Expenses</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unforeseen Expenses</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>-</td>
<td></td>
<td><strong>500 000</strong></td>
<td><strong>1 587</strong></td>
</tr>
</tbody>
</table>

*Note: USD to KZT exchange rate – website of the National Bank of Kazakhstan [http://nationalbank.kz](http://nationalbank.kz) – 1 USD is 315.2 KZT as of 09.03.2017*
# Appendix 1

## Information on the Land Plots within “Balkhash-Burybaital km 1855-2152 Road Reconstruction” Subject to Permanent Acquisition

<table>
<thead>
<tr>
<th>№</th>
<th>Proprietor or Land Owner</th>
<th>Intended Use? What is currently use or not. If not please do not mention as intended use</th>
<th>Entitlement Type</th>
<th>Area Subject to Acquisition, ha</th>
<th>Vegetation Type</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Reserve lands of Balkhash</td>
<td>Agricultural</td>
<td>State</td>
<td>13.388</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
<tr>
<td>2</td>
<td>Reserve lands of Cubar-Tobek</td>
<td>Agricultural</td>
<td>State</td>
<td>91.972</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
<tr>
<td>3</td>
<td>Reserve lands of Gulshat</td>
<td>Agricultural</td>
<td>State</td>
<td>304.585</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
<tr>
<td>4</td>
<td>Lands of Nauanov farm</td>
<td>Agricultural (farming)</td>
<td>Rent for 49 years</td>
<td>30.518</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
<tr>
<td>5</td>
<td>Reserve lands of Aktogay region</td>
<td>Agricultural</td>
<td>State</td>
<td>159.25</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
<tr>
<td>6</td>
<td>Reserve lands of Priozersk</td>
<td>Agricultural</td>
<td>State</td>
<td>284.53</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
<tr>
<td>7</td>
<td>Reserve lands of Moiynkum region</td>
<td>Agricultural</td>
<td>State</td>
<td>388.759</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
<tr>
<td>8</td>
<td>JSC «Kazakhstan Temirzholy»</td>
<td>Surrounding grounds</td>
<td>State</td>
<td>0.49</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
<tr>
<td>9</td>
<td>Chinibekova Altnai</td>
<td>Agricultural (farming)</td>
<td>Rent for 49 years</td>
<td>0.03</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
</tbody>
</table>
### Information on the Land Plots within “Balkhash-Burybaital km 1855-2152 Road Reconstruction” Subject to Temporary Acquisition

<table>
<thead>
<tr>
<th>No.</th>
<th>Proprietor or Land Owner</th>
<th>Intended Use</th>
<th>Entitlement Type</th>
<th>Area Subject to Acquisition, ha</th>
<th>Vegetation Type</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Reserve lands of Balkhash</td>
<td>Agricultural</td>
<td>State</td>
<td>1.948</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
<tr>
<td>2</td>
<td>Reserve lands of Cubar-Tobek</td>
<td>Agricultural</td>
<td>State</td>
<td>35.514</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
<tr>
<td>3</td>
<td>Reserve lands of Gulshat</td>
<td>Agricultural</td>
<td>State</td>
<td>118.246</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
<tr>
<td>4</td>
<td>Lands of Nauanov farm</td>
<td>Agricultural (farming)</td>
<td>Rent for 49 years</td>
<td>7.010</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
</tbody>
</table>

**TOTAL:** 1,433.772 ha
<table>
<thead>
<tr>
<th></th>
<th>Reserve lands of Aktogay region</th>
<th>Agricultural</th>
<th>State</th>
<th>269.17</th>
<th>Pasture</th>
<th>Provision of alternative land plots</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Reserve lands of Priozersk</td>
<td>Agricultural</td>
<td>State</td>
<td>97.29</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
<tr>
<td>7</td>
<td>Reserve lands of Moiynkum region</td>
<td>Agricultural</td>
<td>State</td>
<td>157.607</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
<tr>
<td>8</td>
<td>Reserve lands of Shyganak r/d</td>
<td>Agricultural</td>
<td>State</td>
<td>111.442</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
<tr>
<td>9</td>
<td>Reserve lands of Ulken r/d</td>
<td>Agricultural</td>
<td>State</td>
<td>143.801</td>
<td>Pasture</td>
<td>Provision of alternative land plots</td>
</tr>
<tr>
<td></td>
<td>TOTAL:</td>
<td></td>
<td></td>
<td>942.028</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Appendix II

**Grievance Redress Management Process**

Complainants or concerned individuals may visit, call or send a letter or e-mail or fax to the rural akimat, grievance focal point at CCs and CSCs, GRC Coordinator, representatives of CfR MID RK in Karaganda and Zhambyl oblasts and register their grievances related to road sector projects. Receipt of grievances received through a letter or e-mail or fax shall also be acknowledged through a letter / e-mail / fax within 3 working days upon receipt by GRC coordinator at regional level. Receipt of grievances lodged in person or via phone will be acknowledged immediately.

Each project level party participating in the GRC at regional level shall maintain a record-book to register the complaints, and regularly share the grievance details with GRC coordinator at regional level, in order to keep the track of grievances and the status of their resolution. The GRC coordinator at the regional level shall coordinate with each member of the GRC on a weekly basis, collect relevant documents, maintain a consolidated registry of complaints received, follow-up on the status of resolution of each complaint received, maintain an up-to-date grievance database and provide relevant reporting.
Whichever channel is used for receiving the grievance (e.g. e-mail, mail, fax, call, etc.), its registration will be made by the GRC coordinator at the regional level, who will acknowledge receipt and follow up with the grievance investigation and consideration by the GRC at regional level. All the grievances will be recorded in a standard format, which will include but not limited to the following details:

- Contact information of the affected party;
- Date, time, and place where the complaint was received;
- Name of the person who received the grievance;
- Details of the grievance.

The project will pursue a participatory approach in all stages of planning and implementation. This is expected to ensure that the affected people have nothing or little to complain about. However, some people may still remain dissatisfied for some reason or the other. Many grievances arise due to inadequate understanding project policies and procedures, and can be promptly resolved by properly explaining the situation to the complainant.

Many grievances arise due to inadequate understanding project policies and procedures, and can be promptly resolved by properly explaining the situation to the complainant.

In case the complainant refuses to provide contact details or no contact information is available in the grievance received by e-mail / mail / fax, the GRC at the regional level will consider the anonymous complaint. In such cases, the printed response will be posted at the information board of the KazAutoZhol’s respective regional branch, as well as at the information board of the relevant Akimat, so as the complaining party can approach and get familiarized with the feedback.

The GRC coordinator at regional level will collect the data on grievances and centralize the grievance registry to assure that every affected person, group or community has an individual registry number and that follow-up and corrective actions are implemented as per resolution provided, or if the issue was not resolved at regional level, it is passed for consideration at the central level. The grievance database will be maintained and updated on a bi-monthly basis by the GRC coordinator at regional level for each project. The database will be designed to make it simple and easy to input data, provide information on grievance and status of its resolution, timeline for resolution and level at which the issue was considered and resolved, track individual grievances, etc. The grievance database will specify details of grievance resolution and include information on satisfaction of complaining party by the resolution provided (excluding the cases of grievance lodged anonymously). Where it will not be possible to resolve grievances to the satisfaction of both parties, appropriate information will be reflected in the database. The GRC coordinator at regional level for each project will share the grievance database with the safeguard specialist of KazAutoZhol central office / GRC coordinator at central level, who will maintain and update the centralized grievance database for all road sector projects.

**Grievance Processing**

Depending on the nature of grievance, this step may include verification, investigation, negotiation, mediation or arbitration, coordination with appropriate agencies and decision-making. Verification includes gathering of documents, proofs and facts, as well as clarifying
background information in order to have a clear picture of the circumstances surrounding the grievance case. Verification will be undertaken by members of the GRC at the regional level, and overall coordination of activities will be ensured by the GRC coordinator. Results of verification or fact-finding activities will be presented at the meeting of the GRC at regional level, where the issue will be considered and resolution will be sought.

The GRC at regional level will discuss the grievance case within ten working days and recommend its settlement to parties. Meetings of the GRC at the regional level will be held on a bi-monthly basis; however, special ad hoc meetings can be arranged is between of regular meetings as needed. The GRC coordinator at regional level will ensure that actions and decisions are properly documented in order to demonstrate that the GRC at regional level is providing an appropriate attention to the grievance and is actively seeking ways to obtain resolution that could satisfy the parties.

If grievance cannot be resolved by the GRC at the regional level and is passed for consideration by the GRC at the central level, appropriate documents collected during investigation and fact-finding shall be shared with the GRC coordinator at the central level. The GRC coordinator at the central level will circulate such documents among the members of GRC at central level, to ensure that they are aware of all relevant details prior to GRC meeting.

Consideration of grievance case by GRC at central level, may require further verification of the issue, including gathering of additional documents, obtaining input from various state stakeholders and project parties in order to have a clear picture of the circumstances surrounding the grievance case. Additional verification will be undertaken by members of GRC at the central level (as needed), and overall coordination of activities will be ensured by the GRC coordinator at central level. Results of verification will be presented at the meeting of GRC at the central level, where the issue will be considered and resolution will be sought.

The GRC at the central level will discuss the grievance case within twenty working days and recommend its settlement to parties. Regular meetings of GRC at central level will be held on a monthly basis; however, special ad hoc meetings can be arranged is between of regular meetings as needed.

If following its consideration by the GRC at central level, the grievance cannot be resolved to the satisfaction of the parties, the recommendation will be made to seek resolution through the courts. Irrespective of the outcome of grievance consideration, documentation regarding the case by the GRCs at regional and central levels will be collected and maintained by GRC coordinator at central level (with input from GRC coordinator at regional level). The GRC coordinator at the central level will keep a separate track of cases, which were not resolved through GRM and were referred to the RoK legal system.

**Feedback Provision**
At the regional level, for grievances lodged in the office or via phone to the GRC coordinator at regional level the acknowledgement of grievance receipt will be confirmed immediately. For mailed, e-mailed or faxed grievances acknowledgement of receipt will be provided by GRC coordinator at regional level not later than 3 working days. In case the grievance is not related to project activities or impacts generated due to the project implementation and cannot be considered under this GRM Guideline feedback will be provided to the complaining party to which entity (community/rayon/oblast level Akimat, as relevant) it has been forwarded.

Acknowledgement of the grievance receipt, as well as response/recommendation will be provided to complaining party through preferred mode of communication mentioned in grievance registration form.

If grievance was resolved at regional level, the complaining party will be informed of the outcome. If grievance was not resolved at the regional level and was passed to the GRC at the central level for consideration and resolution, appropriate information will be provided to the complaining party, including the date when the case was passed to GRC at the central level and the date by which the outcome at the central level is expected.

If the grievance was resolved at the central level, the complaining party will be informed on the outcome of grievance resolution. If grievance was not resolved by the GRC at central level, appropriate information will be provided to the complaining party, including details why the case was not resolved, as well as recommendation to seek for resolution through RoK legal system.

If the grievance was anonymous or the complainant refused to provide contact details, the information on status of grievance redress and outcomes resolution process, will be posted on the information boards of relevant regional branch of CfR MID RoK and relevant community / rayon / oblast Akimats. Outcomes of the grievance resolution process will also be documented in the grievance database and reflected in the project periodic progress reports.

The GRC coordinator at the regional level will coordinate GRM activities with members of GRC at regional level on a weekly basis to update GRC’s consolidated database of complaints for each project. Each member of the GRC at the regional level will have access to the grievance database and will be provided with an electronic copy of the grievance database file in MS Excel format.

The GRC coordinator at regional level will monitor the grievance resolution process and prepare a summary report on GRM, which will be included in its quarterly progress report. The GRC coordinator at the regional level will submit the grievance monitoring forms (relevant parts completed), as well as grievance database for each project to the GRC coordinator at central level on a monthly basis.

The GRC coordinator at central level will collect data from the GRC coordinators at regional level, undertake monitoring of the overall GRM
process, track timelines of grievance resolution, recommend corrective actions to GRC coordinators at regional level (as needed), and prepare a summary report on GRM, which will be shared with CoR (and IFIs, as needed) on quarterly basis. In addition, the GRC coordinator at central level will maintain a centralized grievance database for all road sector projects funded by IFIs and will update that on monthly basis. The copies of the grievance database should be shared with CoR (and IFIs, as needed) on a monthly basis. In addition, the GRC coordinator at central level will prepare summary reports on a semi-annual and annual basis (as needed) and submit them to the CoR (and respective IFI, as needed).

To ensure timely and effective resolution of grievances, it is recommended to establish a tracking system and define key performance indicators. This approach will enable the assessment of the overall effectiveness of the GRM and allow for corrective actions as needed.

**Disclosure of Grievance Redress procedure**

The grievance redress procedure for the project will be disseminated through information leaflets and brochures, and presented during the project related meetings and public consultations. During these gatherings, it should be emphasized that the informal GRM is aimed at quick and amicable resolution of complaints and does not substitute the legal process established under national legislation.

At the beginning of each project (commencement of construction at each section of the road) community consultation shall be carried out by CCs and CSCs under the coordination and supervision of the GRC coordinator at regional level to ensure people’s awareness of the availability of the GRM, steps of grievance resolution as well as contacts and locations of focal points to be approached in case of grievance.

CCs, CSC, PMCs, regional branches of Kazavtozhol and akimats, as well as NGOs and professional mediators are considered as the key actors of the GRM and play a crucial role in disseminating the information on GRM and facilitating quick and amicable resolution of complaints. The GRC coordinator at the regional level shall coordinate information dissemination activities on GRM, and ensure that the posters providing details on GRM and contacts of grievance focal points at CCs and CSCs, GRC coordinator at regional level are posted in publicly accessible and visible places at every construction site and in every affected community. In addition, the information on GRM (leaflets, brochures), including contact details grievance focal points at CCs and CSCs, GRC coordinator at regional level, should be available at the offices of CCS, CSCs, PMCs, Akimats, regional branches of Kazavtozhol.

In the areas populated by minority groups meetings shall be held and information leaflets shall be provided in the linguistically appropriate manner, if the language used by the minority group is different from official language of RoK.

Certain persons or groups of persons with grievances in regard to the project can address to the employees of Karaganda and Zhambyl oblasts correspondingly and the Committee for Roads of the Ministry for Investment and Development of the Republic of Kazakhstan, in particular,
to the deputy akims of the relevant districts that are coordinating housing and utilities issues, roads and to representatives of the CfR MID RoK in these regions.

Heads of the above government institutions are obliged to provide responses to the requests and review complaints received from the affected persons and their representatives within one month. Public reception should be provided at the work place in the specified and informed weekdays and hours according to the schedule approved by the first deputy head of the relevant government authority.

If complaints are not resolved at the rural or district level, then these complaints will be forwarded to the level of the CfR MID RoK.

Persons in charge: Karymbayeva Assel - 8-7172-754641, e-mail: a.karymbaeva@mid.gov.kz

APPENDIX III– Public Consultation Details

Minutes for each of the consultations listed below were prepared and are on the record. Below information provides basic information on the dates and locations of said consultations.

(1) Mynaral village of Moiynkum region

Consultations held on: April 19, 2017, 3:00 pm

Venue: Administrative office of akim of Mynaral rural district of Moiynkum district of Zhambyl oblast

Public hearings have been organized by: Akimat of Mynaral rural district of Moiynkum district of Zhambyl oblast, CfR MID RK, «KazAvtoZhol NC» JSC

Information about public hearings has been provided to the public through: Announcement

Participants: Residents of Moiynkum district, representatives of local executive authorities, representatives of CfR MID RK «KazAvtoZhol NC» JSC, PMC «KazdorNII/Sapa-SZ», «Zhana Zhol» LLP, «Semdorproject» LLP and «SK Engineering» (list of participants is attached)
(2) Priozersk town

Consultations held on: April 20, 2017, 10:00 am

Venue: Building of assembly hall of administrative office of akim of Priozersk town of Karaganda oblast

Public hearings have been organized by: Akimat of Priozersk town of Karaganda oblast, CfR MID RK, «KazAvtoZhol NC» JSC

Information about public hearings has been provided to the public through: Announcement

Participants: residents of Priozersk town, representatives of local executive authorities, representatives of CfR MID RK «KazAvtoZhol NC» JSC, PMC «KazdorNII/Sapa-SZ», «Kustanaidorproject PRI» LLP (list of participants is attached)

(3) Saryshagan village

Consultations held on: April 20, 2017, 15:00 pm

Venue: Culture center building of Saryshagan village of Aktogai district of Karaganda oblast

Public hearings have been organized by: Akimat of Saryshagan village of Aktogai district of Karaganda oblast, «KazAvtoZhol NC» JSC

Information about public hearings has been provided to the public through: Announcement

Participants: residents of Saryshagan village, representatives of local executive authorities, representatives of CfR MID RK, «KazAvtoZhol NC» JSC, PMC «KazdorNII/Sapa-SZ», «Kustanaidorproekt PRI» LLP (list of participants is attached)

(4) Shyganak village of Moiynkum district
**Date:** April 19, 2017, 10:00 am

**Venue:** Administrative office of akim of Shygnak rural district of Moiynkum district of Zhambyl oblast

**Public hearings have been organized by:** Akimat of Shyganak rural district of Moiynkum district of Zhambyl oblast, CfR MID RK, «KazAvtoZhol NC» JSC

**Information about public hearings has been provided to the public through:** Announcement

**Participants:** residents of Moiynkum district, representatives of local executive authorities, representatives of CfR MID RK, «KazAvtoZhol NC» JSC, PMC «KazdorNII/Sapa-SZ», «Kazdorproject PRI» LLP (list of participants is attached)