

1A: Involuntary Resettlement and Land Acquisition Policy Framework**IPP3
Vol. 2**

Summary of Resettlement Policy Framework	
1.	The resettlement policy framework will apply to the following situations: A. Construction and or rehabilitation of small-scale infrastructure sub-projects, such as, roads, bridges, buildings, structures, water supply and sanitation facilities, and other civil work; and B. Potential eviction of people from land to used under the Project.
2.	The Project should have positive social benefits for people.
3.	It will avoid or minimize, any potential relocation of people by exploring alternate designs.
4.	Affected people should be fully consulted during the process of screening for social impacts, planning and implementation of resettlement activities.
5.	Where involuntary resettlement or negative impacts are unavoidable, it will follow the Constitution of Mongolia (Article 16, sub-article 3) and the Mongolian Law on Land, November 11, 1994 (Article 36 and 37) in that all affected people should be: a. Provided with an equivalent amount and type of land in the area for their losses; b. Compensated at replacement cost for structures and other property/assets; and c. Given transportation allowance and assisted with the move.
6.	If people are affected, a resettlement plan for each sub-project will be prepared. See procedures below.
7.	The compensation, resettlement and rehabilitation activities or community options will be satisfactorily completed before funds are disbursed for the sub-project.
8.	Affected people can file complaints to the project authorities in the following order: Bag, Sum, Aimag, Central project office in Ulaan Bataar and finally to the court.
9.	The cost of compensation and rehabilitation will be the responsibility of the local government at the sum level. Community solutions and options will be acceptable for community driven Local Initiative Fund (LIF) Component.
10.	All Project related staff and consultants will be provided orientation and training on resettlement issues and implementation.
11.	The Project will assign staff at the central and aimag levels to guide and monitor resettlement activities.
12.	Monitoring for resettlement matters will be a regular part of project monitoring.

2B: Involuntary Resettlement and Land Acquisition Procedures

	Resettlement Procedures	When	Who is Responsible
1.	Appoint staff at central and aimag levels for guiding and monitoring social matters. (Can be the same staff for environment)	Start of overall project implementation	LSPO
2.	Provide orientation to central, aimag and sum project staff on resettlement guidelines, approval and implementation procedures. Provide detailed training to Community Mobilizers in screening and implementation procedures.	Start of project implementation in particular location	
3.	<p>Consultations during <u>bag and sum meetings</u>:</p> <p>a. Consult with people during community outreach/public relations activities regarding potential negative social impact related to proposed sub-project proposals;</p> <p>b. Discuss local government and community approaches to solving any potential negative impacts;</p> <p>c. Obtain agreement from affected households on proposed options and/or compensation;</p> <p>d. Document the agreement and have signatures from head of household and bag/sum official; signed documents should be attached to sub-project proposals.</p>	At bag and sum consultations during community outreach	SPAC member and Community Mobilizer
4.	<p>Screening of <u>designs for construction and rehabilitation of proposed civil works in each submitted sub-project</u> (see checklist):</p> <p>a. Review designs for impact on affected people due to land acquisition and/or impact on property, assets and business;</p> <p>b. Approve designs if there are no negative social impacts or if mitigation measures are appropriate;</p> <p>c. If designs are not approved, request for redesign or alternative plans or for specific mitigation measures and re-submit;</p> <p>d. Conduct 2nd review of re-submitted designs and so on.</p>	During review of sub-project proposals	SPAC
5.	<p>Prepare <u>resettlement plan</u> for affected people, if required. It should include:</p> <p>a. a baseline survey of affected households (name of head of hhold, age, sex, occupation, no. of hhold members), impact on type and amount of land/property/assets/business;</p> <p>b. detailed information on amount of compensation and other assistance to be provided to the affected households <u>or</u> community options;</p> <p>c. schedule for compensation provision and assistance;</p> <p>d. cost estimate and funding source <u>or</u> community options.</p>	After approval of sub-project proposal and before disbursement of funds	Community Mobilizer
6.	After satisfactory provision of compensation and other assistance <u>or</u> completion of community options, request for disbursement of funds for sub-project.		SPAC
7.	Monitoring of social matters and preparation of short report for Central Team. (A standard format can be developed for this report.) World Bank will conduct spot checks during supervision missions.	Semi Annual	APAC
8.	Integrate all sum and aimag reports for inclusion into regular project progress report.	Semi Annual	LSPO

SPAC – Sum Poverty Alleviation Committee; APAC – Aimag PAC; LSPO – Livelihood Support Program Office

2: Ethnic Minorities Development Strategy

Summary of Ethnic Minorities Development Strategy	
1.	The ethnic minorities development strategy will guide the approach for working with ethnic minority communities in the Project.
2.	The principles underlying the ethnic minorities development strategy are: <ol style="list-style-type: none"> a. ethnic minorities will benefit from the Project equally; b. potentially adverse effects on ethnic minorities caused by Project activities will be avoided or mitigated.
3.	The strategy will be based on the Constitution of Mongolia which states that: <p>“No person should be discriminated against on the basis of ethnic origin, language, race, age, sex, social origin and status, property, occupation and post, religion, opinion or education. Everyone should have the right to act as a legal person.” (Article 14, sub-article 2);</p> <p>“Right to fair acquisition, possession and inheritance of moveable and immovable property.” (Article 16, sub-article 3)</p>
4.	In areas inhabited by ethnic minority communities, project implementation will be based on the following procedures: <ol style="list-style-type: none"> a. there will be informed participation of the ethnic minority people themselves; b. local preferences would be identified through direct consultation; c. indigenous knowledge would be incorporated into project approaches; and d. sub-project proposals would be determined and prioritized by the ethnic minority communities themselves.
5.	Project staff and community mobilizers in aimags such as Bayan Olgii, Uvs, and parts of Dornod would be of the same ethnic group as the ethnic minority beneficiaries themselves.
6.	Additional information dissemination and community outreach would be made to ethnic minority communities. For example, in Kazakh areas and other ethnic minority areas where needed, the local language will be used in print, media and in consultation. Project implementation manuals and guidelines would be translated from Mongolian into Kazakh. This is also confirmed in the Constitution of Mongolia which allows “national minorities” are allowed to use their native languages. (Article 8, sub-article 2)
7.	Under the LIF component, more flexibility in the choice of sub-projects within the project menu would be allowed for ethnic minorities, especially as strongly requested by the people themselves and as identified in the Social Assessment. One example is the pressing community need and frequently requested service for the rehabilitation of housing for Kazakh returnees.
8.	A special section on M&E will be included for monitoring the progress of the project in ethnic minority communities.
9.	All sum and aimag monitoring reports will be integrated for inclusion into regular project progress report.

3: In-Country Disclosure of Safeguard Information

	In-Country Disclosure	When
1.	Consultation was conducted at sum and aimag levels during the field visits in November and the social safeguard issues and approaches were discussed.	November 2001
2.	HLSPPO will post environment and social safeguards information on public Bulletin Board near the government office	December 2001
3.	Resettlement Policy Framework would be sent to 8 core-aimags. A HLSC would be requested to post the information on public Bulletin Board.	December 2001
4.	Information on Ethnic Minorities Development Strategy would be sent To 8 core-aimags. A HLSC would be requested to post the information on public Bulletin Board	March 2002