JSC “Severelectro”
Project implementation unit (PIU)
Electricity supply accountability and reliability improvement project (ESARIP)
Construction of new substation 35/6/10kV “Sport” and two underground cable lines of 35kV
with length of 3,5-4km

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RESSETLEMENT ACTION PLAN
CONSTRUCTION OF NEW SUBSTATION
35/6/10 kV “SPORT” AND TWO
UNDERGROUND CABLE LINES OF 35kV
WITH LENGTH 3,5-4 km

ELECTRICITY SUPPLY
ACCOUNTABILITY AND
RELIABILITY IMPROVEMENT
PROJECT (ESARIP)

SUBMITTED FOR CONSIDERATION:
To Mr. Marat Abdykasymov
Director of PIU ESARIP
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720000, Kyrgyz Republic

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April 2015
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JSC “Severelectro”
Director of PIU ESARIP
Marat Abdykasymov

*signature*
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I. **ABBREVIATIONS AND DEFINITIONS**

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<th>Acronym</th>
<th>Description</th>
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<tr>
<td>WB</td>
<td>World Bank</td>
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<td>KR</td>
<td>Kyrgyz Republic</td>
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<td>PAP</td>
<td>Project affected people</td>
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<td>OP 4.12</td>
<td>Operational policy 4.12</td>
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<td>PIU</td>
<td>Project Implementation Unit</td>
</tr>
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<td>LA</td>
<td>Local authorities</td>
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<td>LL</td>
<td>List of losses</td>
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<td>SS</td>
<td>Substation</td>
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<tr>
<td>RAP</td>
<td>Resettlement action plan</td>
</tr>
<tr>
<td>ESARIP</td>
<td>Electricity supply accountability and reliability improvement project</td>
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<tr>
<td>DE</td>
<td>Design estimates</td>
</tr>
<tr>
<td>SE</td>
<td>JSC “Severelectro”</td>
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</tbody>
</table>

**Project affected people**

Person or household, which is affected by the direct negative economic or social impact in the result of forced expropriation (confiscation) of lands or other property within the Project, independently of the decision, if the mentioned PAP will be physically resettled or not.

**Compensation**

Monetary payments or other natural assets, rendered instead of confiscation of lands, loss of other kinds of property, or loss of livelihood as a result of project activity.

**Cutoff date**

The date of PAP census start within the project (including undetermined owners). After expiration of this term, any person not included into the census and who pretends for ground area or property, concerning the project, will not have right to get compensation.(is a census completion date, which is a legitimate date of completion for the avoidance of additional persons who wants to get benefits).

**Involuntary resettlement**

Forced confiscation of lands in the result of which there is direct or indirect economic or social impact through:

- a) Loss of profit from the usage of these lands;
- b) Resettlement because of forfeit of accommodation;
- c) Loss of assets or the access to assets;
- d) Loss of income sources or the livelihood independently of decision if the PAP will be resettled to another place or not.

**Census**

Counting of population affected by the Project with mentioning demographics and property. Estimates of PAP’s amount, character and level of impact.

**Resettlement action plan**

is a resettlement document, which contains specific and legally binding requirements to be abided by to resettle and compensate the affected side before implementation of the project activities.
causing adverse impacts

<table>
<thead>
<tr>
<th>Assistance in resettlement</th>
<th>Measures on rendering assistance to PAP, who will be probably physically resettled, for example, allowances for resettlement, house building or rental fee, depending on possibility and on necessity with the aim of relief of the resettlement process.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Economic assistance in rehabilitation</td>
<td>Rendering assistance in addition to compensation as preparation of land, education or employment of PAP, potential raising in getting incomes and level of output or at least bringing their standard of living to pre project level.</td>
</tr>
<tr>
<td>Resettlement</td>
<td>Physical resettlement of PAP from their place of residence or their business activity prior to launching of the project</td>
</tr>
<tr>
<td>Reinstatement</td>
<td>Assistance to PAP who lost their assets, livelihood means that should be compensated to improve their living standards or at least reinstate their pre-project standard of living. Reinstatement assistance can be provided in cash or in –kind equivalent, or combination of both to improve or reinstate the pre-project standard of life.</td>
</tr>
<tr>
<td>Operation policy</td>
<td>is a policy of the World Bank, which determines operational rules and procedures of land acquisition, resettlement and loss of physical or economic assets.</td>
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II. INTRODUCTION

Background

The project “Construction of new substation “Sport” 35/6/10kV, of two underground cable lines of 35 kV with the length 3.5-4 km” will be implemented within the framework of Component 1 of Electricity Supply Accountability Reliability Improvement Project, the objectives of which is reliability improvement electricity supply in the sphere of service of JSC “Severelectro” and strengthening of company’s work management.

ESARIP project comprises the following three components:

Component 1. Distribution infrastructure strengthening


Component 3. Institutional Strengthening and Project Implementation Support

1. Component 1 – Distribution infrastructure strengthening (estimated cost of US$16.0 million): This component will help improve power supply reliability and reduce losses in the distribution network by supporting priority investments to strengthen the distribution infrastructure of SE. The targeted assets are part of a comprehensive investment plan prepared during the project preparation, and are selected based on their potential for reducing losses and improving power supply reliability. The selected investments include construction of new medium-voltage substations in Bishkek, and replacement of meters for high-consumption customers in Chui region.

2. Component 2 – Customer Service and Corporate Management System Improvement (estimated cost of US$7.0 million): This component will provide SE with information tools to improve quality of services provided to its customers (power supply and commercial matters), and to enhance overall efficiency of its performance in all business areas. To that end, the component will finance supply, installation and commissioning of selected MISs, training to SE employees to apply them, and limited investments into hardware to support the MISs. The MISs will be set-up company-wide and capture all three key areas of SE’s operations: commercial management, corporate resources management, and power network planning and operations. The specific MISs and their technical and functional specifications will be determined based on ongoing assessments and will likely include incorporation of a Commercial Management System (CMS), an Incidents Recording and Management System (IRMS), and a Corporate Resource Management System (CRMS).

3. Component 3 “Institutional strengthening and project realization support” (estimated cost of US$2.47 million, including US$0.47 million from the ECA Capacity Development Trust Fund): This component will support two key activities for the smooth implementation of the project and sustainability of project outcomes: (i) implementation support for project management, including monitoring and evaluation and incremental operating expenses of the Project Implementation Unit (PIU) under SE; and (ii) technical assistance to SE to improve its business processes, strengthen its governance and make the company more customer focused. The technical assistance will include strengthening of SE’s procurement
system and financial reporting and accountability mechanism, and improving SE’s business processes.

Construction of substation “Sport” with two transformer plants (2x16 MVA) allows to satisfy the current and future demand, and decrease the overloads of working substations “Tsentralnaya-1” and “Tsentralnaya-2” 3 MW on each.

According to calculations, it will provide the additional volume of electric power 27 216 million KW•hours per year. It is proposed to place the substation in the area of Sport Palace under the name of Kojomkul, Bishkek city in the crossing of streets Pushkina and Togoloka Moldo.

![Photo 1-2. Territory for placing substation “Sport”](image)

The site is allocated by SE on the Decree of Bishkek city town council of February 27, 2015 # 31“( see Annex 2 for the decree).

Site scheme of placing substation “Sport” is submitted in Annex 1.

**Project impacts**

For preparation of RAP in December, 2014 by the safeguards specialist, together with the World Bank representatives and PIU employees, the screening and scaling of project for the subject of determination of potential impacts and implement selection for resettlement organization has been done. As a result of the site visit, the necessity of use World Bank Operational Policy 4.12 “Involuntary resettlement” has been determined. Actuating of OP 4.12 “Involuntary resettlement” has been done because on the expected territory for allocation of “Sport” substation two kiosks for foodstuff sale are situated. The owners of these two kiosks (hereafter PAP #1 and PAP #2), will be impacted by the project as the kiosks will need to be dismantled.

Consultations with PAPs including landownership inventory, property rights for land and socio-economic census have been conducted in March 2, 2015 after SE obtained the the Decree on the allocation of this land for SE from the Bishkek town council for the purpose of constructing the “Sport” substation (Annex 2).
PAP survey conducted simultaneously with assets census and socio-economic investigation, revealed the following:

a) On the territory of placing “Sport” substation, two kiosks for foodstuff sale are working on the terms of municipal land lease agreement;

b) PAPs informed that the term of land lease agreements, signed at the beginning of 2014 between PAP #1, PAP #2 and municipality of Bishkek city for 2014 and first quarter of 2015 expires on March 31, 2015

c) lease agreements do not foresee allotting of property right for PAP #1 and PAP #2 of lands, on which their kiosks are situated. After termination of lease agreements and not prolonging them for next period, that is after March 31, 2015, leaseholders, PAP #1 and #2 complete their work without claims to municipal authorities;

d) prolongation of agreements will not be granted because of the issuance of town council’s Decree (Annex 2) about the allocation of “Sport” substation on this territory, which is a strategic investment.
**Estimated cost** of RAP implementation is 16 000 som at the expense of JSC “Severelectro”. These expenditures provide: dismantling of kiosks, transport charges, connected with sales auxiliaries transportation, transportation of demounted kiosks and goods, belonging to PAP and also costs for loading and unloading works.

For both PAP the budget of RAP represents (assistance in physical terms in rendering transport, loading and unloading services for account of SE on disposal of territory for construction of “Sport” substation.

**CHAPTER 1. JUSTIFICATION OF CONSTRUCTION NECESSITY OF NEW SUBSTATION “SPORT”**

For last five years growth of electric power usage by population in the area of SE service increased for about 8.6 % per year on account of increase for 11% of quantity of residential consumers mainly because of internal migration of rural population. As a result of this the overload of distribution net increased because the migrants are settled on the city outskirts without access to natural gas and central heating

In this connection on the terms of increase of residential customers the necessity of improvement the electricity supply reliability and operational work management strengthening of the company raised on the project site.

On the territory provided by municipality of Bishkek city for allocation of SS “Sport” on the crossing of Pushkina and Togolok Moldo streets, two kiosks are functioning on the lease terms with municipalities on realization of foodstuff. But it is impossible to continue their work at this place as the requirements on defense of population from electrical action will be violated, because of non-conformity of protective and control area dimensions, specified by the norms in three meters from SS barrier. So it is necessary to make demounting and transportation of kiosks for deallocation of the territory for construction.
Chapter 2. LEGAL FRAMEWORK ON LAND ACQUISITION AND RESETTLEMENT

2.1 Land acquisition and resettlement in the Kyrgyz Republic


As such article 12 of the KR Constitution specifies as following:

1. KR recognizes the variety of forms of ownership and their equal protection is guaranteed.

2. Ownership is inviolable. None can be arbitrarily deprived of property. Expropriation of property against the will of the owner is possible only through a court decision.

3. Land, sub-soil resources, air space, waters and forests are an exclusive property of the Kyrgyz Republic; those are used for protection of the unified environmental system being a basis of life and livelihood of KR people and protected by the government.

4. The extent and procedures used by owners to exercise their rights and ensure protection of those regulated by /Law.

The extracts of some articles from the Land Law of the KR, which are more suitable to the land use issue and land purchase, are given below:

Article 4. The ownership of land

1. In accordance with the Constitution of the Kyrgyz Republic, land may be the state, communal, private or other forms of ownership.

2. State - owned land shall include lands allocated to state land users, lands of forest, water funds, lands of especially protected territories, lands of reserve stock, lands of frontier area, lands of the agricultural re-allocation fund, pastures of rural settlements, pastures in the zone of intensive use, as well as distant pastures, and other land not transferred in private or communal ownership.

State ownership shall include lands of state pedigree cattle breeding, seed-growing, experimental farms, testing stations and areas, bases of education and scientific research institutions of agricultural profile formed on lands of the agricultural re-allocation fund, except lands allocated to citizens residing or working in the said farms as land shares.

The right of the State to land shall be exercised by the Government of the Kyrgyz Republic throughout the entire territory of the Republic within jurisdiction established by this Code.

3. Lands within the borders of rural councils, as well as within the borders of cities shall be communal ownership, except lands in private and state ownership.

Management and disposal of lands in communal ownership shall be exercised:

- within the borders of rural councils - by the executive body of ayl or village council;
- within the borders of cities - by local state administrations and bodies of local self-government;

Management and disposal of lands within the borders of rural councils and cities being in state ownership shall be exercised by the bodies of local government in cases provided by this Code.
4. Pastures cannot be transferred in private ownership or leased out.

**Article 7. Term of Utilization of a Land Plot by Land Users**

1. The use of a land plot may be termless (without indication of term) or fixed-term (temporary).
2. The fixed-term (temporary) use of the land plot including the use right on the conditions of the lease agreement shall be recognized the use of land limited in term up to 50 years. After expiration of this period, the period of use of the land plot may be prolonged subject to the agreement of parties.
3. Land plots shall be provided to foreign individuals for fixed-term (temporary) use only.
4. Agricultural land of reallocation fund shall be leased out as a rule for the period of not less than 5 years.

**Article 35. Transfer of a Land Plot. Payment for Transfer of a Land Plot (extract)**

1. An owner of a land plot or a land user may transfer the rights he holds to a land plot fully or partially to other individual or legal entity without any permission of state agencies unless otherwise provided by this Code, other legislative acts of the Kyrgyz Republic, conditions of allocation of a land plot.
2. Upon transfer of a right to land plot by the owner or land user to other individual or legal entity the amount of payment for land plot shall be determined by the agreement of parties.

**Article 53. Creation of an Easement**

1. An easement may be created by the agreement of the parties (voluntary easement) or in case of necessity, by the decision of the authorized agency (coercive easement).
2. Encumbrance of land with an easement shall not deprive the land owner/user of the right to use and dispose of its right to land plot.

**Article 56. Purposes of Creation of a Coercive Easement**

1. In cases provided by this Code and other legislation, an authorized agency may establish coercive easement upon demand of an interested party.
2. A coercive easement shall be established to secure:
   1) access to a land plot if another access is impossible, extremely difficult, or requires incommensurate expenses;
   2) laying and operation of electric transmission lines, communications, water supply, heat supply, reclamation, and other needs that may not be secured without establishment of a coercive easement.

**Article 57. Indemnification of Damages Related to Establishment of a Coercive Easement. Fee for a Coercive Easement (extract)**

1. Damages inflicted upon a land owner/user by establishment of a coercive easement shall be subject to indemnification by the person in whose advantage easement is established.

**Article 62. Termination of the Right to Land Plot**

The rights to land shall terminate in the event of:
1. Alienation of the right to land plot to another person;
2. Foreclosure of the land plot being in ownership or in use at claims of creditors in accordance with legislation;
3. Death of a land owner/user, provided that the owner/user have no heirs;
4. Voluntary waiver of the rights to land plot by the land owner/user;
5. Expiration of the term of the land use;
6. Termination of labor relations or of the relations equated to them which have conditioned the allocation of the official land plot for use;
7. Impossibility of further use of the land plot caused by a natural disaster;
8. Withdrawal of the land plot on the grounds and in the procedure provided in Chapter Eleven of this Code;
9. Liquidation of a state or a communal land user, of a public association, of a social fund, or of a religious organization;
10. Withdrawal of citizenship of the Kyrgyz Republic by the owner of the agricultural land plot or land plot, except in case of mortgage housing construction.
11. Termination of a concession agreement, a mining concession agreement, a production sharing agreement, and during termination of a right to use sub-soil resources;
12. Termination of an agreement concluded under public-private partnership.

Article 66. Grounds for Withdrawal of the Land Plot (extract)

Withdrawal of the land plot shall be allowed in the event of:
1) utilization of a land plot in violation of its targeted use;
2) withdrawal (redemption) of the land plot for state and public needs in accordance with provisions of this Chapter;
3) failure to use a land plot or part of the land plot allocated for agricultural production within three years;
4) failure to use a land plot allocated for non-agricultural production in accordance with the town-planning legislation;
5) failure to pay land tax within the period established by tax legislation.

Article 68. Withdrawal (Redemption) of the Land Plot for State and Public Needs

3. Upon calculation of the redemption price of the land plot, it shall include the market value of the right to land and of the buildings and structures located on the land, and the damages inflicted to the land owner/user by termination of the right to land plot, including the damages connected with early termination of his obligations to third parties.

2.2 World Bank policy on Involuntary Resettlement

The WB Operational Policy 4.12 "Involuntary Resettlement" (December 2001; Revised April 2013) aimed to mitigate risks related to involuntary resettlement. The overall objective of the Policy is as follows:

(a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.

(b) Where it is not feasible to avoid resettlement, it should be minimized. The resettlement activities should be provide sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and
should have opportunities to participate in planning and implementing land acquisition and resettlement actions.

(c) Project affected people should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. This policy covers direct economic and social impacts that both result from Bank-assisted investment projects, and are caused by (a) the involuntary taking of land resulting in (b) relocation or loss of shelter; (c) loss of assets or access to assets; (d) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; (e) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

The policy requires the preparation of a Resettlement Action Plan to mitigate impacts of involuntary resettlement. Resettlement plan will comprise all measures to raise awareness of the proposed options and rights regarding resettlement; ensuring technically and economically appropriate resettlement options and ensuring prompt and effective compensation of expenses at full replacement cost for the loss of property directly associated with project implementation.

However, where impacts on the entire displaced population are minor or (fewer than 200 people)\(^1\) are displaced, an abbreviated resettlement plan may be produced. For the projects with considerable resettlement impact (over 200 people), a complete resettlement plan is required. In resettlement planning the Policy requires the following:

1. Displaced persons and their communities, and any host communities receiving them, are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement. Appropriate and accessible grievance mechanisms are established for these groups.

2. In new resettlement sites or host communities, infrastructure and public services are provided as necessary to improve, restore, or maintain accessibility and levels of service for the displaced persons and host communities. Alternative or similar resources are provided to compensate for the loss of access to community resources (such as fishing areas, grazing areas, fuel, or fodder).

3. Patterns of community organization appropriate to the new circumstances are based on choices made by the displaced persons. To the extent possible, the existing social and cultural institutions of settlers and any host communities are preserved and settlers' preferences with respect to relocating in preexisting communities and groups are honored.

To achieve the objectives of this policy, particular attention is paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.

\(^1\) OP 4.12 — “Consequences will be insignificant, if PAP will lose less than 10% of its manufacturing assets”.

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2.3 Comparison of Kyrgyz Republic and WB Resettlement Policy

Main differences between Kyrgyz Republic Land Law and WB policy are outlined in the table below.

Table 2.3.1

<table>
<thead>
<tr>
<th>Provisions of Land code of the KR</th>
<th>Requirements of OP 4.12</th>
<th>Actions on implementation²</th>
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<tbody>
<tr>
<td>Compensation for acquired land only for titled landowners, i.e. the PAPs with formal documents permitting the use of land, or holders of customary rights.</td>
<td>Lack of formal title to land will not bar PAPs from entitlements, those people without legal title to land and/or structures occupied or used by them are entitled to various options of resettlement assistance as per the entitlement matrix, provided they cultivated/occupied the land before the eligibility cut-off date.</td>
<td>“PAP #1 and PAP #2, are eligible for compensation from SE for transport costs, connected with transportation of sales auxiliaries, kiosks and goods, belonging to both PAP, and also expenditures for loading-unloading works.</td>
</tr>
<tr>
<td>Consultation with PAPs or communities in respect of land or asset confiscation not required.</td>
<td>PAPs are to be fully informed and consulted on compensation, entitlements and resettlement options incl. relocation sites.</td>
<td>PAPs were informed of the planned construction and their compensation options. They will be able to call the project focal points for any questions, queries or problems that may arise during the dismantling, transportation of assets.</td>
</tr>
<tr>
<td>Land compensation shall be made based on redemption cost, which includes the market value of the right to land and of the buildings and structures located on the land, and the damages inflicted to the land owner/user by termination of the right to land plot, including the damages</td>
<td>Land for land as a priority, with replacement land to be acceptable to PAPs and to be of same size and productive capacity.</td>
<td>During realization of substation construction “Sport” the compensation for land is not required, because it is used by PAP on the terms of rent and is not their property. However, PAPs will receive assistance with transportation.</td>
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</table>

² Implementation of International legal norms execution by the Project.
connected with early termination of his obligations to third parties. replacement cost shall be provided\(^3\).

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<tr>
<th>Compensation for other assets (structures, crops, trees, and business income) is provided by formal user at market value.</th>
<th>Compensation for other assets is paid on replacement value of housing and buildings(^4). At the same time amortization of objects and the cost of good for usage materials is not taken into account, as well as advantage price from project realization.</th>
<th>Before realization of Project for both PAP the assistance will be rendered in physical terms by executing transportation and loading-unloading works on sales auxiliaries transportation, demounting and transportation of kiosks and goods. Compensation for commercial losses (loss of income) is not foreseen, as terms of lease agreement of both PAP are expired on March 31, 2015 without prolongation.</th>
</tr>
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<tbody>
<tr>
<td>Payments for transportation expenses and settlements are not provided.</td>
<td>Payments/ assistance for transportation and settlements are provided.</td>
<td>In this Project the transportation expenses are included into the budget of RAP.</td>
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</table>

In case of disparity of the laws of the Kyrgyz Republic with the requirements of the policy of the WB on involuntary resettlement (OP 4.12), the principles and procedures of OP 4.12 should be applied. This priority of WB norms over the national legislation is required for all World Bank financed projects.

\(^3\) Replacement cost for land plots is equal to the market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration of the rights of land ownership/use and transfer taxes and/or fees.

\(^4\) Replacement cost for buildings and structures is equal to the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any documentation and registration of property rights registration and transfer taxes. Depreciation of the asset and the value of salvage materials are not taken into account nor the value of benefits to be derived from the project.
In this project both PAPs use municipal land on the rights of rent without ownership for it and absence of lease agreement prolongation, the terms of which are expired on March 31, 2015.

Because of it in accordance with the criteria for determination of right for getting compensations or help⁵, they will be rendered assistance in the kind of transportation services, connected with sales auxiliaries transportation, demounting, transportation of kiosks and goods, and also conduct of load-unload works. All costs will be covered by SE.
3. ELIGIBILITY CRITERIA AND PROCEDURES FOR VARIOUS CATEGORIES OF PAP

Categories of persons, who have right to compensation during resettlement

The resettling people can refer to one of the following three categories:

a) People who have official juridical rights for lands in accordance with legislation of the Kyrgyz Republic;
b) People who do not have official legal rights for land areas for the moment of beginning census, but claiming about their rights for such areas or property on the term that such pretences are recognized by country legislation or they win the recognition in order determined by the Plan of resettlement conduct;
c) People who do not have official rights for lands or concerned property or making business or other activity on this land, which provide means for living illegally or informally. It includes persons occupying the land area without permission and also of persons engaging in farming for sale or for private needs and others.

Herewith the people, who relate to categories, indicated in subsections (a) and (b) will get compensation and other assistance for their confiscated land. But for people related to category (c) instead of compensation for their confiscated land the assistance should be provided during resettlement in the kind of cash benefit and compensations, or employment and etc. it depends on concrete conditions.

In this project for both PAP the assistance is foreseen in the kind of conduct transport, loading-unloading works and demounting of trading pavilions.

3.2 Socio-economic status of PAP

Information gathering about socio-economic status of PAP was conducted concurrently with census, by the way of PAP questioning for which special forms were worked out, which consist of: -households interview, inventory of PAP’s land reserves and PAP’s entitlement matrix for compensation. Results of social economic data are shown in provision 3.

However respecting the immunity of private life, information concerning individuals and households, that is provision 3 of RAP is not subject to disclosure to community (public opinion).

3.3 Actions in construction of SS “Sport”

3.3.1 Census

Census of PAP with making inventory of concerned assets, determining ownership for land and revealing socio-economic status have been conducted on March 2, 2015 after receiving from the Bishkek town council of legal document (annex 2) about land allotting to SE for placing SS “Sport”.

Paras 15, 16 and footnote 20 of OP 4.12: “…persons referred to category (c) of sub-para 15 of OP 4.12, those who have no recognizable legal right or claim to the land they are occupying, are provided with assistance in the form of cash allowance or compensation, or employment, etc. – as the case may be as compensation for land parcels withdrawn from them thereof.”
The inhabitants of Bishkek city, who have been under the project influence, are invited for consultations, informed on terms of census conduct, cutoff date and included into the list of PAP.

The following is included into the census:

The list of PAP and concerned assets

<table>
<thead>
<tr>
<th>№</th>
<th>Name of PAP</th>
<th>Status of PAP</th>
<th>Structures to be dismantled</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>PAP №1 Sagynbaeva Natalya</td>
<td>Absence of legal ownership for land. Trading pavilions of both PAP are situated on municipal territory on the terms of lease agreement The expiration dates of agreements end on March 31, 2015 without prolongation.</td>
<td>Kiosk belonging to PAP #1, realizes sale of foodstuff.</td>
</tr>
<tr>
<td>2</td>
<td>PAP №2 Aitymbekova Charchankul</td>
<td>Kiosk belonging to PAP #2, realizes foodstuff.</td>
<td></td>
</tr>
</tbody>
</table>

Territory on which the substation “Sport” will be placed
During survey of PAP the locus of concerned assets, their factual condition status of PAP have been determined, and the questions relating resettlement have been clarified.

Survey analysis revealed that PAPs need assistance physically by rendering transport, loading-unloading services for transportation of trading pavilions and goods to the places showed by PAP at the cost of SE. This kind of help is preferable for PAP.

Monetary compensation for PAP is not foreseen as the expiration dates of lease agreements, signed for 2014 and first quarter of 2015 with Bishkek municipality ended on March 31, 2015 without prolongation.

3.3.2. Compensation measures evaluation for rendering assistance to PAP

Expenditures of SE in the capacity of assistance for PAP will amount in 16 000 soms and will be used for conducting demounting works of two trading pavilions, transportation and load-unload works on shipment of demounted kiosks and goods.

The calculation of costs is shown in the following table:

<table>
<thead>
<tr>
<th>Name of PAP</th>
<th>Cost of trading pavilion demounting—D, (som)</th>
<th>Cost of loading-unloading works of demounted trading pavilion and goods—P, (som)</th>
<th>Transportation in Bishkek city—T, (som)</th>
<th>Total sum of SE costs for rendering assistance(^7)-S(som)=D+P+T</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAP №1</td>
<td>4 000</td>
<td>500 ((\text{som})\times 4 \text{(workers)}=2 000)</td>
<td>2 000</td>
<td>8 000</td>
</tr>
<tr>
<td>PAP №2</td>
<td>4 000</td>
<td>500 ((\text{som})\times 4 \text{(workers)}=2 000)</td>
<td>2 000</td>
<td>8 000</td>
</tr>
<tr>
<td>Total sum of compensation</td>
<td>8 000</td>
<td>4 000</td>
<td>4 000</td>
<td>16 000</td>
</tr>
</tbody>
</table>

\(^7\) Costs for demounting, load-unload works and transportation are taken from prices of commercial structures, engaged in this business on the territory of Bishkek city by the way of phone survey of these structures.
Total budget of RAP is 16 000 soms at the cost of SE.

4. CONSULTATIONS AND INFORMATION COVERAGE

Before starting the construction of SS “Sport” all necessary procedures spelled out in this RAP will be implemented, with working out of present document, including measures on getting involved into the activity on resettlement of the settlers themselves, conduct of consultations and providing their participation in preparation and implementation of measures on resettlement together with the representatives of SE. Besides, PAP have been the main link of the process during conduct of these procedures.

With this aim in the course of rendering consultations, PAP openly clarified legal questions on assistance option because of lease agreement expiration on March 31, 2015. The problems on resettlement have been explained taking into account that they do not have legal right of land ownership, on which the construction of SS should be planned and absence of any assets on the rented territories, requiring additional compensations. PAP asked assistance in kind of sales auxiliary and goods transportation to the placement in Bishkek city showed by them.

For conducting consultations on the evaluation of Project affect, the form of communication for conducting direct negotiations as more trustful information source has been chosen. PAP considered that direct negotiations are acceptable for them.

Consultations were held on March 2, 2015 in front of the kiosks. Abstract of minutes and photos of information consultations are indicated in Annex 4.

During the meeting, Kutmanova E.V. - a consultant on social issues, gave clear, plain and comprehensive clarifications about objectives and procedures of WB OP 4.12 “Involuntary resettlement” and explained principles of RAP preparation. Information about starting and duration of census was announced.

After preparation, this RAP will be submitted to the Head of PIU for agreement. After making corrections, RAP will be submitted to WB for review and approval with the aim of compliance to requirements of OP 4.12 “Involuntary resettlement”.

Then, using the principles of informing community that is publication of information in the established order, RAP will be published on website of JSC “Severelectro” and website of WB at info-shop, and also sent to municipality of Bishkek city and PAP.

In the table the order of information coverage is presented in the following way:

Table 4.2.1
<table>
<thead>
<tr>
<th>№</th>
<th>Order of Informing actions</th>
<th>To whom RAP is submitted</th>
<th>Result of informing</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>After RAP preparation</td>
<td>To PIU</td>
<td>Agreement of RAP</td>
</tr>
<tr>
<td>2</td>
<td>Correcting of RAP taking into account comments and suggestions</td>
<td>Again to PIU</td>
<td>Recurrent agreement of RAP</td>
</tr>
<tr>
<td>3</td>
<td>Agreed with PIU, RAP</td>
<td>To WB for review and approval</td>
<td>After approval of WB:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1. Publishing on website of JSC</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>“Severelectro” and on website of the</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>WB at info-shop.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2. Distribution to the municipality</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>of Bishkek city and PAP</td>
</tr>
</tbody>
</table>

On the web-site of SE, RAP will be available in English and Russian languages. The translation of RAP into Kyrgyz in not necessary, as both PAP know Russian.

5. Grievances Redress Mechanisms

When risks or negative impact appear relating PAP with the aim of receiving and fair settlement of fears and grievances redress concerning resettlement, the grievances redress mechanisms are worked out with utilization of the following principles:

a) Compliance of the grievances redress mechanisms to the scale of project impact;
b) Efficiency of problems settlement, utilization of understandable and open process, of culturally acceptable and available for all segments of the relevant persons, free and non-repayable:
c) Foreseeing of access to judicial or administrative measures, that is inclusion of right into the judicial appeal;
d) Awareness of PAP about these mechanisms duly. The order of submission, redress of grievances.

<table>
<thead>
<tr>
<th>Complain t Steps</th>
<th>Who receive grievance from PAP</th>
<th>Form of complaint</th>
<th>Procedure of grievance redress</th>
<th>Time to consider grievance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Instance I</td>
<td>Project Implementation Unit (PIU) Abdykasymov Marat</td>
<td>In writing with date and signature</td>
<td>1) Assistant of the head of the department registers a complaint in the log and assigns a</td>
<td>20 days</td>
</tr>
</tbody>
</table>

Format of Grievance log is presented in Table 6.2, 6.3
Individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to project-level grievance redress mechanisms described above or the World Bank’s Grievance Redress Service (GRS). The GRS ensures that complaints
received are promptly reviewed in order to address project-related concerns. Project affected individuals may submit their complaint to the WB’s independent Inspection Panel which determines whether harm occurred, or could occur, as a result of non-compliance with WB policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond.


6. ORGANIZATIONAL FUNCTIONS

The responsibility of the PIU includes the following:

a) Preparation of RAP in cooperation with the local authorities and participation of PAP;
b) Implementation of RAP;
c) Ensure reliability of PAP census and their assets.

The RAP will be implemented after the WB approval. Afterwards the RAP will be submitted to Bishkek town council and PAP. The RAP will also be disclosed in SE website and in World Bank’s website (also known as ‘infoshop’)

7. MONITORING AND EVALUATION MECHANISMS

The PIU will monitor implementation of RAP throughout the course of construction. Monitoring procedure will be included into a quarterly general project progress report, including indicators and notes of the following information:

**Monitoring mechanism of RAP implementation:**

<table>
<thead>
<tr>
<th>No.</th>
<th>Monitoring indicators</th>
<th>Number and record of information</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Complaints and proposals received from PAP</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Pending complaints</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Rendering assistance by SE in demounting of sales auxiliaries, transportation and load-unload works at the placements showed by PAP with notes confirmation of works execution.</td>
<td></td>
</tr>
</tbody>
</table>

For this RAP the separate file will be started, in which the following documents will be included:

a) The results of PAP census;
b) Social economic characteristics of PAP;
c) The log for complaints and proposals, submitted in tables 7.2 and 7.3.

The log for complaints in the 1st instance of claim procedure

<table>
<thead>
<tr>
<th>#</th>
<th>Name of PAP and contact data (address,</th>
<th>Content of complaint</th>
<th>Date of receiving the claim at PIU</th>
<th>Date of answer for received</th>
<th>If PAP is satisfied by the results of consideration (yes/no) or to mention</th>
</tr>
</thead>
</table>
The log for claims registration of the 2nd instance of claim procedure and judicial decisions

<table>
<thead>
<tr>
<th>#</th>
<th>The content of recurrent claim</th>
<th>Date of receiving the claim</th>
<th>Accepted decision</th>
<th>Date of PAP’s response to the decision</th>
<th>Is PAP satisfied with the result? (yes/no) If no, state reasons</th>
<th>Date of addressing to court and court’s decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

The abovementioned documents will be collected in the accumulative file throughout project implementation. When the project will be finished, the control examination of RAP requirements implementation will be executed.

8. ANNEXES

Annex 1. Scheme of “Sport” substation allocation

Annex 2. Copy of Bishkek municipality Decree of February 27, 2015

“About providing by JSC “Severelectro” the ground area for allocation of “Sport” SS.

Annex 3. Results of socio-economic data of PAP

Annex 4. Abstract of minutes and photos of consultations with PAP;

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9 This Log will be filled out if the PAP is not satisfied by the decision adopted on the complaint by the 1 instance.
Annex 1

Scheme
Of allocation of 35/6/10KV substation “Sport” in the crossing of Pushkina-Togoloka Moldo streets
Annex 2

Copy of Bishkek municipality Decree of February 27, 2015 “About providing by JSC “Severelectro” the ground area for allocation of “Sport” SS.
3. Заказчику необходимо обеспечивать свободный доступ к техническому обслуживанию и ремонту инженерных сетей, расположенных на предоставляемом земельном участке и прилегающей к ней территории.

4. Заказчику нужно принять к сведению, что в случае невыполнения пункта данного постановления, в отношении г. Бишкек оставляет за собой право отмены данного постановления в установленном порядке.

4. Контроль за исполнением данного постановления возложить на Бишкектеплосетьхозуправление, Бишкекское городское управление по землеустройству и регистрации прав на недвижимое имущество, Управление муниципальной собственности города г. Бишкек.

Мар

К. Кыздаров
ANNEX 3

PAP’s survey data and characteristics of concerned assets

<table>
<thead>
<tr>
<th>No of PAP</th>
<th>Name of PAP and contact data</th>
<th>Name and location of concerned asset, parameters</th>
<th>PAP status</th>
<th>Current condition of the concerned asset</th>
<th>Project Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Saktynbaeva Natalya</td>
<td>Kiosks, at which the foodstuff is sold, are situated in the crossing of Pushkina-T. Moldo streets, Bishkek</td>
<td>Absence of legal right for land property. Kiosks of both PAP are located on municipal territory on the terms of lease agreement. Expiration of agreements end on March 31, 2015 without prolongation</td>
<td>Kiosks are in working condition</td>
<td>Kiosks will be closed because of “Sport” substation construction</td>
</tr>
<tr>
<td>2</td>
<td>Aitymbekova Charchankul</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Brief social economic characteristics of households

<table>
<thead>
<tr>
<th>№ of household</th>
<th>Name of the Head of household</th>
<th>Number of people at home</th>
<th>Children’s quantity younger than 13 years</th>
<th>Number of people older than 60</th>
<th>Number of Students</th>
<th>Income resource</th>
<th>Average monthly income</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Saktynbaev M.</td>
<td>3</td>
<td>1</td>
<td>not</td>
<td>No</td>
<td>Private business</td>
<td>5000 soms</td>
</tr>
<tr>
<td>2</td>
<td>Aitymbekova Ch.</td>
<td>5</td>
<td>2</td>
<td>1</td>
<td>no</td>
<td>Private business</td>
<td>6000 soms</td>
</tr>
<tr>
<td>Question</td>
<td>Answer</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------</td>
<td>--------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>1. Question of PIU:</strong>&lt;br&gt;What is your status at present in this activity?</td>
<td><strong>Answer of PAP:</strong>&lt;br&gt;We work on the terms of lease agreement with municipality of the city. The terms of agreements up to March 31, 2015. Prolongation of agreements is not mentioned there and we know, that we should close our work after March 31, 2015.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>2. Question of PAP:</strong>&lt;br&gt;Shall we have any compensations?</td>
<td><strong>Answer of PIU:</strong>&lt;br&gt;As the lease agreements are expiring on March 31, 2015 and you know that they will be not prolonged, then you will be rendered assistance in demounting and transportation of sale auxiliaries, kiosks and goods to the place mentioned by you. These works will be done for account of SE. Financial compensation is not foreseen by RAP, because you are informed beforehand by municipality of Bishkek city about close of your work.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>3. Question of PAP:</strong>&lt;br&gt;Why our kiosks cannot be left at their places?</td>
<td><strong>Answer of PIU:</strong>&lt;br&gt;But it is impossible to continue your work at this place as the requirements on defense of population from electrical action will be violated, because of non-conformity of protective and control area dimensions, specified by the norms in three meters from SS barrier.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Decision:</strong></td>
<td>1. Information received from PIU, PAP has been taken into consideration. 2. There are no complaints on questions of financial compensations to PIU. But for providing assistance in equipment transportation, PAP thanked PIU.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
CONSULTATION PHOTOS WITH PAP

Photo 9. Consultation conduct with PAP №2
March 2, 2015

Photo 10. Consultation conduct with PAP №1
March 2, 2015