

**The State Institution for Development of Drinking Water Supply  
and Wastewater Disposal of the Water Resources Service  
under the Ministry of Water Resources, Agriculture and Processing Industry  
of the Kyrgyz Republic**

**DRAFT**

**Resettlement Policy Framework**

**“Water Supply and Sanitation Universal Access Program - Phase 1”**

**April, 2024**

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## A. Abbreviations

AO	Aiyl Okmotu
AK	Aiyl Kenesh
SIDWSWD	State Institution for Development of Drinking Water Supply and Wastewater Disposal
DDE	Development of Design Estimates
DP	Displaced person
DMS	Detailed Measurement Survey
DSI	Detailed surveys indicators
GRM	Grievance Redress Mechanism
IOL	Inventory of Losses
KR	Kyrgyz Republic
LA	Local authorities
LAR	Land acquisition and Resettlement
LIR	Loss Inventory Results
M&E	Monitoring and Evaluation
MWE	Municipal water enterprise
MWRAPI	Ministry of Water Resources, Agriculture and Processing Industry of the Kyrgyz Republic
MPA	Multi-phase program approach
OM	Operational Manual
PAP	Project Affected Person
PIU	Project Implementation Unit
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
RPADWC	Rural public association of drinking water consumers
SOE	State owned enterprise
WB	The World Bank
WSS	Water supply and sanitation
WASH	Water, sanitation and hygiene
WRS	Water Resources Service

## B. Definitions

Involuntary Resettlement	Project-related land acquisition or restrictions on land use which may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, including those that lead to loss of income sources or other means of livelihood), or both.
Cut-off date	The date of commencement of the census of persons affected by the project within the project area. This is the date on and beyond which any person whose land is occupied for project use will not be eligible for compensation.
Detailed measurement survey (DMS)	With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of APs. The final cost of resettlement can be determined following completion of the DMS.
Voluntary land donation	Means that communities or individuals can agree to voluntarily donate land for subprojects for desired public benefits. The current principles of voluntary land donation are "informed consent and the right to choose". Informed consent means that the people involved are fully aware of the project, its implications and consequences and freely agree to participate in the project. The right of choice means that the people involved have the ability to agree or disagree without negative consequences formally or informally caused by others.
Compensation	Cash or in-kind payment of the replacement cost of assets to be acquired under the project.
Project affected person (PAP)	A person or household exposed to direct economic and social impacts caused by: (A) involuntary land acquisition resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; or (iii) loss of sources of income or livelihoods, whether or not those affected are required to relocate. B) forced restriction of access to legally designated parks and protected areas, resulting in spillover effects on the livelihoods of displaced people.
Restrictions on land use	Land use restrictions refer to restrictions or prohibitions on the use of agricultural, residential, commercial, or other land uses that are directly represented and enforced by the project. This may include restrictions on access to legally designated parks and conservation areas, restrictions on access to other common property resources, and restrictions on the use of land within easements or safety zones.
Resettlement Policy Framework (RPF)	The Resettlement Policy Framework (RPF) is the tool that will be used throughout project implementation. The RPF sets out the resettlement's objectives and principles, organizational arrangements and financing mechanisms for any resettlement that may be required during project implementation. The RPF guides the preparation of resettlement action plans of individual subprojects to address the needs of people who may be affected by the project.

Inventory of Losses (IOL)	This is a process that identifies and measures all real property (i.e. land under residential structures and land used for commercial activities and/or agriculture; housing units; kiosks, stalls and stores; ancillary structures such as fences, gates, trees, etc., of commercial value and sources of income and subsistence within the Project Area, identifies their owners, establishes their exact location, and calculates their replacement cost. In addition, the extent of impacts to impacted property and the extent of impacts to the PAP's sources of income and productive capacity will be determined.
Census	Counting the Project affected population by demographics and assets. Determination of the number of PAPs, nature and level of impacts.
Resettlement Action Plan (RAP)	A resettlement document that is prepared after subproject location and contains specific and legally binding requirements to be complied with for resettlement, including compensation of PAPs prior to the commencement of any construction activities that lead to resettlement.
Resettlement assistance	Measures to assist PAPs who are likely to be physically resettled, e.g. resettlement grants, housing or rent, as feasible and necessary to facilitate the resettlement process.
Land acquisition	Land acquisition refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property, and acquisition of access rights such as easements or rights-of-way. Land acquisition may also include (a) acquisition of unoccupied or forgotten land, regardless of whether the landowner relies on such land for income or livelihood; (b) reclaiming public land that is used or occupied by people or households; and (c) project impacts that result in land being flooded or otherwise rendered unusable or inaccessible.
Easement	The right of a person to limited purposeful use of a land plot owned or used by another person.
Environmental Social standards	The ESS sets out the requirements for borrowers/clients related to the identification and assessment of environmental and social risks and impacts associated with projects supported by the Bank through investment project financing. 10 ESSs set standards that the Borrower/Client and the project must meet during the project life cycle.
Replacement cost	The amount in cash or in-kind required to replace an asset for an amount determined to be compensation for: (a) agricultural land based on market prices that reflect recent sales of land prior to project initiation or resettlement, or in the absence of such recent sales, based on productive value; (b) residential land based on market prices that reflect recent sales of land prior to project initiation or resettlement, or in the absence of such recent sales, based on settlement with similar parameters; (c) houses and other related structures, based on current market prices for materials and labor without depreciation or deductions for salvaged building materials; (d) crops, based on current market prices; (e) trees and other perennials, based on current market prices.
Livelihood	Livelihoods refer to the full range of means that individuals, families and communities use to earn a living, such as wage-based income, agriculture, fishing, finding food, other natural resource-based livelihoods, petty trade and barter.

Rehabilitation Assistance	Providing assistance in addition to compensation like land preparation, training or employment to PAPs, improving their capacity in income generation and production levels or at least bringing their standard of living to pre-project levels.
Physical Displacement	Loss of shelter, structures permanently affixed to land, crops, and other assets resulting from the acquisition of land or restrictions on land use associated with a project that requires the affected person(s) to move to another location.
Economic Displacement	Loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, or forest) which results from the construction or operation of a project or its associated facilities.



## **C. Preamble**

The Resettlement Policy Framework provides guidance for developing appropriate mitigation measures and providing compensation, rehabilitation assistance for Project impacts in land acquisition, land use restrictions, and involuntary resettlement whose exact location is unknown.

The main Program development objective is to assist the Kyrgyz Republic to ensure universal access to improved water supply and sanitation services in the Chui, Issyk-Kul and Osh oblasts of the Kyrgyz Republic.

This Resettlement Policy Framework includes the procedures and mechanisms that the project will implement to ensure compliance with the World Bank's Environmental and Social Framework, Environmental and Social Standard 5 (ESS5): "Land Acquisition, Restrictions on Land Use and Involuntary Resettlement", and legislative and regulatory legal acts of the Kyrgyz Republic.

### **1. INTRODUCTION**

The Kyrgyz Republic closely cooperates with international financial institutions on a long-term basis for alleviation of poverty and facilitation of the sustainable development and economic growth in the Kyrgyz Republic.

Ensuring the population's access to safe drinking water and sanitation services is one of the priority areas of state policy of the Kyrgyz Republic.

The Cabinet of Ministers of the Kyrgyz Republic strives to ensure universal access to at least basic water supply and sanitation services by 2030 in accordance with the country's National Sustainable Development Strategy for the years 2018–2040. To achieve this goal, the Cabinet of Ministers of the Kyrgyz Republic receives investments from the World Bank according to the new Partnership Framework Program with the Kyrgyz Republic for fiscal years 2024–2028.

Achieving universal access to water supply and sanitation (hereinafter-WSS) will have transformational effects on the country, given that reliable and affordable access to safe water is an essential precondition for a healthy population and productive economy. These WSS investments will particularly benefit the country's rural population, which relies on unimproved water sources and is exposed to a high risk of contamination and recurrent water, sanitation, and hygiene (hereinafter - WASH) related diseases.

The proposed "Universal Access to Water Supply and Sanitation" Program is aimed at accelerating the achievement of universal access to improved water supply and sanitation services in seven oblasts of the country and is an integral part of the program structure that supports the vision of the Cabinet of Ministers of the Kyrgyz Republic as set out in the "Program for the Development of Drinking Water Supply and Sanitation until 2026" and its planned follow-up program.

The proposed Program is expected to support the Cabinet of Ministers of the Kyrgyz Republic for a period of ten years or more in funding the necessary WSS infrastructure, technical assistance and service delivery models to progressively cover unserved communities with improved WSS services, modernize and expand to efficient, reliable and sustainable WSS services.

The MPA program is structured as a 10-year engagement through three IPF operations/phases to achieve the PrDO. The PDO for each phase and PrDO target the same topics, and the phases are progressive; each phase maintains a similar structure and builds towards the achievement of the overall program development objective. The structure of the MPA is uninterrupted to ensure that the Program's activities continue without a gap in the rollout of the key activities. The total Program's estimated cost is US\$400 million, with a proposed IDA financing envelope of US\$200 million. This includes: (i) a four-year Phase 1 (2024-2028) of focused investment covering unserved rural settlements while consolidating the service delivery structure into district water management departments (DWMD) on a pilot basis and enhancing the institutional capacity of service providers using a performance-based approach, few and simpler sanitation interventions, complemented by extensive analysis and design of more complex sanitation solutions, including paving the way for potential private sector engagement; (ii) a three-year Phase 2 (2028-2031) to scale-up the investments, with a shift to water supply infrastructure upgrade and expansion, priority sewerage investments and scale-up the service delivery models, with a focus on operational and financial efficiency, and climate adaptation; and (iii) a three-year Phase 3 (2030-2033) to scale-up sanitation investments, consolidate the water supply improvements and place a strong emphasis

on knowledge exchange and widespread appropriation of the policies, plans, and tools developed under the previous two phases.

Each stage includes targeted activities to strengthen the policy and institutional capacity of the sector such as: (i) a clear division of functions (policy, operation and regulation); (ii) autonomy, accountability and efficiency in service delivery; (iii) principles of cost recovery and financial sustainability; and (iv) environmental and climate change resilience.

It is important to note the importance of the Program and that it has a clear anti-poverty focus, including specific design elements aimed at providing benefits to the poorest and most vulnerable households, and contributes to reducing gender inequality in rural communities by improving access to safe drinking water, which allows women to participate in other economic activities.

In general, this Program includes the activities envisaged in the Program for the Development of Drinking Water Supply and Wastewater Disposal Systems of populated areas of the Kyrgyz Republic until 2026, approved by the Resolution of the Government of the Kyrgyz Republic No. 330 dated June 12, 2020.

There are 1,905 settlements in the republic, of which 32 are cities and 1,873 villages. According to the specified Program for the development of water supply and sanitation systems in populated areas of the Kyrgyz Republic until 2026, 715 villages have been identified where new construction of a water supply system is required and 448 villages in which it is necessary to rehabilitate water pipelines.

The State Institution for Development of Drinking Water Supply and Wastewater Disposal (hereinafter-SIDDWSWD) of the Water Resources Service under the Ministry of Water Resources, Agriculture and Processing Industry of the Cabinet of Ministers of the Kyrgyz Republic is a state executive body that implements the state policy in the sector of water supply and wastewater disposal.

SIDDWSWD under the WRS MWRAPI acts as the executing agency of the project, which has sufficient potential for its implementation. The implementation of the Program will be carried out by the Project Implementation Unit (hereinafter - PIU) under the SIDDWSWD, which employs qualified, experienced specialists and experts. WRS of the MWRAPI will be supported through the Project Implementation Unit, which will be entrusted with fiduciary functions (disbursement, financial management, procurement, environmental and social standards, monitoring and evaluation). Also, during the implementation of the Program, the necessary additional qualified specialists and consultants will be involved to the PIU team at the central and regional levels.

The implementation mechanism for each stage of this overall Program will be carried out in accordance with the requirements and environmental and social standards of the World Bank, which will be set out in the Financing Agreement.

## **1.1. PROJECT DESCRIPTION**

**Phase 1** (US\$155 million, of which US\$100 million IDA financing loan funds on a preferential basis and the Asian Infrastructure Investment Bank (hereinafter referred to as AIIB) provides - 50.0 million US dollars of loan funds and 5.0 million US dollars on a grant basis) will cover the first batch of the Program's WSS infrastructure investments in unserved settlements in the least served regions and districts within those regions without ongoing or planned investments. Under this phase, the project will finance the construction of new water supply schemes and priority household and social institutions' sanitation infrastructure (containment). The WSS interventions will build on experience and lessons learned under the ongoing World-Bank financed SRWSSDP (P154778) and the Climate Resilient Water Services Project (CRWSP, P173734) by putting a stronger emphasis on incentivizing service improvements in parallel with infrastructure development, to ensure the sustainability of these investments. Thus, Phase 1 will include a PBG-structured capacity-building program for the central sector agencies and four DWMDs (on a pilot basis) to incentivize and enable them to independently expand and enhance the quality of services within their rayon (district) centers and surrounding rural settlements. The project will also finance improvements to existing fecal sludge management (FSM) services led by both private and municipal operators, as well as the assessment and design of more complex sanitation interventions, requiring centralized treatment solutions to be implemented in the subsequent

phases. Further, Phase 1 envisages the establishment of a learning program to document lessons and inform the program implementation, including research and extensive data monitoring and analysis, development of field learning, and policy notes by both the implementing entities and the World Bank.

**Phase 2 (US\$145 million, of which US\$50 million IDA financing)** will scale up the support to the district SOEs with a focus on infrastructure upgrade and expansion of existing water supply systems in both rural and urban settlements and performance-based financing to improve service quality, and the operational and financial sustainability. Under this phase, FSM and household sanitation will be scaled up and complemented by priority sewerage investments, using the designs and knowledge developed in phase I, particularly on infrastructure models for multi-store buildings in rural and small towns. Further, private sector engagement for wastewater treatment and re-use will be pursued in partnership with the International Finance Corporation (IFC), targeting the settlements around Issyk-Kul Lake, a vital region for the country's tourism industry currently threatened by untreated wastewater discharges. By the end of this phase, it is expected that all the settlements in the country will have access to (at least) improved water services. The PBG will be expanded, considering the lessons learned from Phase 1, including adjustments to enhance the implementation efficiency of the grants and their impacts on institutional capacity and service delivery. The second Phase is planned to begin implementation in 2028, four years after Phase 1 starts, to allow sufficient time to incorporate lessons learned during Phase 1 and attract additional co-financiers.

**Phase 3 (US\$100 million, of which US\$50 million IDA financing)** will prioritize scaling up sanitation improvements across the country and developing a large-scale investment package to promote safely managed sanitation, targeting the full-service chain and potential waste-to-resource opportunities. Under this phase, the program will support additional last-mile water supply infrastructure with targeted upgrades and expansion. In addition, this Phase will include consolidating the service delivery model, with a greater focus on research and development, innovation, and further efficiency improvement. Further, under this Phase, priority will be given to knowledge exchange within regional and district-level SOEs to ensure widespread appropriation of the policies, plans, and tools developed under the Program. Phase 3 is expected to start implementation in 2030.

The proposed Project for Phase 1 of the MPA consists of the following four components. The expected total number of beneficiaries is estimated at around 350 000 people living in 111 villages of Chui, Issyk-Kul, and Osh oblasts. In addition, the Project will indirectly benefit existing customers from utility management activities. Below is a brief description of the activities that will be funded under each component.

## **1.2. PROJECT COMPONENTS**

**Component 1 – Water Supply Investments** will finance the construction of new water supply systems in unserved rural villages in priority regions. World Bank and AIIB co-financing for this component will focus on priority investments in Chui, Issyk-Kul, and Osh regions. The project will prioritize the use of gravity systems, energy-efficient pumping equipment, and solar energy, where feasible, to minimize GHG emissions. Water source development will target groundwater exploitation to minimize the impacts of climate change, and network construction will utilize materials resistant to high-temperature variations. The scheme design will follow a participatory approach, with consultations involving disabled people, building on local knowledge and historical data. Complementary institutional support activities are defined under Component 3. These activities, together with the infrastructure investments, will support water system operations to enable sustainable service delivery. Component 1 also includes an allocation for DEDs and supervision, as well as contingencies to address potential unanticipated technical challenges that would hinder the achievement of water supply objectives in the project areas. Specifically, the project will finance:

***Subcomponent 1.1. – Water Supply Access to the Unserved.*** This sub-component will finance the design and construction of climate-resilient water supply schemes in 35 currently unserved

settlements in the target regions. The first phase will prioritize settlements with a population of at least 1,000 people to ensure the economic viability of the water supply services. Specifically, the project will finance resilient water source development, water treatment infrastructure to ensure high drinking water quality, robust transmission and distribution networks capable of withstanding extreme weather conditions and metered household connections to ensure sustainable water use, targeting 70,000 people in Chui, Osh, and Issyk-Kul regions.

**Subcomponent 1.2. – Water Supply Upgrades.** This sub-component will finance the engineering design and construction of targeted water supply scheme upgrades of district center water supply schemes in Aravan, Aksu, Panfilov, and Sokuluk districts (350,000 beneficiaries). The upgrades will prioritize investments with demonstrated impacts on service reliability, financial viability, and climate resilience, in (i) settlements with low access and dilapidated infrastructure, (ii) economically important settlements (including secondary cities and district centers) with poor performing infrastructure and low service quality, and (iii) other settlements requiring service upgrades. Specifically, the project will finance investments focused on source and storage increase, network hydraulic improvements, and expansion to secure water supply in the face of climate variability, ensure efficient water management, and reduce vulnerability to climate impacts. These water supply upgrades are aligned with the country's climate resilience goals, ensuring communities have reliable access to water services amidst changing climate conditions.

**Component 2 – Sanitation Development** will finance priority sanitation improvements focused on the containment element of the service chain, and FSM services, and the technical assistance (TA) to design more complex sewerage improvements.

**Sub-component 2.1. - Onsite sanitation improvements.** The project will finance the construction and/or rehabilitation/retrofitting of a decentralized sanitation system, including toilet upgrades for vulnerable households and selected public institutions (schools, kindergartens, and health centers) thereby enhancing community resilience to climate-related health risks. It will also finance TA and equipment to develop FSM services, including market assessment and development of guidelines for fecal sludge collection, transport, treatment, and re-use which contributes to climate mitigation by preventing the release of methane, from untreated waste and supports climate adaptation through the reuse of treated waste as a resource, such as fertilizer, reducing reliance on synthetic alternatives and improving soil health. Further, the Project will finance the development and implementation of a sanitation marketing and behavioral change strategy to incentivize the adoption and use of improved WASH at the household level and public institutions and behaviors that are essential for climate resilience and mitigating the pressures on water resources.

**Sub-component 2.2. - TA for the design of sewerage improvements.** This sub-component will support TA for the assessment and engineering design of centralized and decentralized sewerage infrastructure in priority settlements where technically, financially, and environmentally feasible, aiming to improve water quality and public health while reducing environmental pollution and enhancing ecosystem resilience against climate impacts. The project will prioritize the development of solutions for settlements with multi-story buildings, whose sanitation systems are currently a source of environmental pollution, including groundwater contamination. Under this sub-component, the project will also finance the technical assessments required to attract private sector engagement in wastewater treatment along the Issyk-Kul Lake and help mitigate the environmental impact on a significant freshwater resource. This TA is also expected to leverage innovative and sustainable private sector solutions for waste treatment and contribute to climate mitigation through improved wastewater management practices and adaptation by preserving the lake's ecosystem and the livelihoods dependent on it.

**Component 3 - Performance-based Service Improvement Program** aims to enhance institutional and service delivery capacity at the central, regional, district, and scheme levels. The project will finance PBGs to selected water sector institutions to implement their institutional and WSS services development plans and improve the sustainability of WSS services.

Planned investments under this component will focus on increasing DWMDs planning and management capacity and operations, including innovative solutions for service expansion, enhancing climate resilience, asset management and operations, customer services, tariff-setting procedures, financial management, and sector monitoring and reporting. It will also support the preparation of service contract agreements between the operator and asset owner.

**Sub-component 3.1. – Service Delivery Improvements.** Under this sub-component, the project will finance a PBG managed centrally by the SIDDWSWD to support four DWMDs (out of the ten planned for Phase I), including the start-up activities, expansion, and service improvement investments in DWMDs (including the embedded rural providers) to enable operational and financial efficiency which will contribute to the sustainable management of water resources, reducing losses and inefficiencies, and promoting resilience in water supply systems against climate variability. The PBG will be structured in two parts: (i) a fixed part linked to the achievement of certain institutional prerequisites (strengthening the institutional capacity of the DWMDs, development, approval, and adoption of a service improvement plan, a gender improvement plan and, an approved tariff review framework and an auditable financial management system) to encourage the adoption of sustainable and equitable water management practices that are crucial for ensuring water services access to all, including vulnerable populations, thus contributing to climate adaptation. To incentivize efficiency in the establishment process, the fixed grant will only be available during the first 18 months after project effectiveness. (ii) A variable part linked to service delivery performance, including coverage, hours of supply, customer satisfaction, cost recovery, and non-revenue water reduction aiming to improve water use efficiency, thus supporting climate mitigation efforts by optimizing resource use. The exact set of performance indicators will be defined in the performance agreement between the SIDDWSWD and the DWMDs.

**Sub-Component 3.2. - Professional and Vocational Development Program<sup>1</sup>.** The project will finance the implementation of a certificate-oriented, long-term capacity development program in response to the need to create a pipeline of professional staff and bolster the resilience and adaptive capacity in the water sector with the required skills to plan and manage efficient and sustainable water services. Training institutions will be selected on a competitive basis, taking into account the technical robustness of the proposed training program, demonstrated training methods, and effectiveness of the monitoring and evaluation (M&E) systems.

**Component 4 – MPA Program Structuring and Management** will support the establishment of a program management framework and WSS infrastructure development capacity. Specifically, the component will finance (i) TA and training for the development of the program management tools, including standard E&S instruments, implementation manuals and protocols, to enhance coordination and Program implantation efficiency, and a monitoring and evaluation (M&E) program that in addition to access and service quality monitoring, will integrate the assessment of climate resilience and sustainability of project results, including the project effectiveness in mitigating adverse impacts and enhancing adaptation capabilities; (ii) TA for the preparation of investment packages, engineering design, and safeguards instruments for future interventions planned for the subsequent phases of the MPA; (iii) Incremental operating costs, TA and equipment for program management; and (iv) TA, equipment and services to support a knowledge development program and communications strategy for the MPA aiming to build awareness and understanding among stakeholders about the importance of accelerated WSS access, service delivery sustainability and climate resilience..

### 1.1. Geographical scope of the project

Currently, according to the SIDDWWD data, there are 346 villages that require investments for capital construction and rehabilitation of water supply systems (which have not yet been included in any project), of which 18 villages are the administrative centers of districts that are not yet covered by projects and are priorities for financing. Based on the allocated funding from the WB for

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<sup>1</sup> Introduced through the SRWSSDP-AF1. This activity will be coordinated with the proposed “Water Research Center of Excellence” to be established under the Higher Education Quality and Innovation Project (HEQIP, P178592).

the proposed Project, the SIDDWWD includes 111 villages in Chui, Issyk-Kul and Osh oblasts according to the following selection criteria:

1. Lack of access to safe drinking water:

- lack of a water supply system; the population receives water from ditches, springs and canals;
- the water supply system was built before 1980 and fell into disrepair, rehabilitation has not been carried out in recent years, water is supplied for less than 3 hours;
- there is a centralized water supply system, but not the entire population receives water; it is supplied less than 24 hours a day or less frequently.

2. Willingness and consent of the population:

- willingness to connect to a new water supply system and pay for connection;
- willingness to pay for drinking water supply services according to the established tariff.

3. Economic feasibility (the cost of constructing a water supply system should be about \$350 per capita).

4. Availability of potential to ensure further sustainability of the water supply system.

The proposed list of villages, which includes 111 villages in Chui, Issyk-Kul and Osh oblasts, is formed based on the following factors:

- compliance with village selection criteria;
- the possibility of combining several villages for the purpose of bundling during design and construction, as well as creating a single operator of water services or transferring them to regional branches of the state-owned enterprise to ensure their further sustainability.

Below the planned project zones for Phase 1:

- Chui oblast – Panfilov and Sokuluk raions;
- Osh oblast – Aravan raion;
- Issyk-Kul oblast – Ak-Suu raion.

## 1.2. Project beneficiaries

Within the framework of this Project, the necessary activities will be carried out for the construction of new and/or rehabilitation of existing water supply systems in selected villages of the Kyrgyz Republic. Recipients of benefits from the implementation of this Project, according to the level of benefit received, are divided into the following categories, as direct and indirect:

### Direct beneficiaries:

- about 350 000 residents living in 111 villages of Chui, Issyk-Kul and Osh oblasts will be provided with access to piped and safe drinking water with connection through water meters;
- around 350 social institutions will be connected to the water supply system;
- around 70 000 people (especially children) will directly benefit from investments aimed at the construction and modernization of sanitation facilities, as well as related information and educational activities to improve health hygiene and change behavioral skills in educational institutions;
- about 40 local service providers such as village water enterprises (MWE) will strengthen the material and technical base for further sustainable operation of the water supply system. In addition, relevant capacity-building activities will be organized in the field of management and development of WSS services at the local level;
- about 4 state-owned enterprises “Kyrgyz-Suu” will be created at the rayon level. The Project's investments will focus on improving SOEs planning and management capabilities and operations, including innovative solutions to improve climate resilience, asset and operational management, customer service, tariff setting procedures, financial management, monitoring and reporting.

It should be noted that direct beneficiaries living in the target areas include low-income households, women, persons with various disabilities and youth. Improved water service delivery is expected to bring a range of benefits to these social groups. These include: realizing the human

rights to water and sanitation, reducing waterborne illnesses and public health risks, and improving environmental quality (including reducing odors from unsafely managed toilets and untreated wastewater).

**Indirect beneficiaries:**

Beneficiaries of the Project will also be government bodies at the republican and local levels, namely:

- The State Institution for Development of Drinking Water Supply and Wastewater Disposal of the Water Resources Service under the Ministry of Water Resources, Agriculture and Processing Industry of the Kyrgyz Republic;
- Local authorities (Aiyi Okmotu) in the participating project areas. Ultimately, consumers in the Project areas will benefit from quality service delivery that will benefit from institutional support and capacity building activities;
- The Department of Disease Prevention and State Sanitary and Epidemiological Surveillance under the Ministry of Health of the Kyrgyz Republic and its district divisions will benefit from the Project in the form of laboratory equipment necessary for conducting laboratory research/analysis and monitoring the quality of drinking water. Also, the Department's database for monitoring water quality and diseases associated with drinking water quality is expected to be updated.

## **2. RATIONALE BASIS OF RESETTLEMENT POLICY. OBJECTIVES AND PRINCIPLES**

The Resettlement Policy Framework (RPF) identifies key areas for appropriate mitigation measures, including compensation for mitigation and compensation for the impacts of land acquisition and resettlement resulting from planned project activities, the exact locations of which are not yet known.

The RPF is applicable to all sub-projects of the Project, which are likely to have involuntary resettlement impacts in the form of

- physical displacement (relocation, loss of residential land or loss of shelter);
- economic displacement (loss of land, assets or access to assets, including those that lead to loss of income sources or other means of livelihood)

This document describes in detail the legal basis for land acquisition, land use restrictions, involuntary resettlement, and defines compensation or assistance mechanisms, as well as resettlement procedures.

Subproject designs have not yet been prepared and the exact areas for construction and/or rehabilitation work have not been determined. Possible impacts associated with involuntary resettlement and land acquisition will be determined in detail at the stage of development of design estimates (DDE). In case of identification of involuntary resettlement (IR) impacts, which will be determined at the stage of subproject implementation (projects sites have been finalized, the scope of work has been determined and detailed designs have been prepared) based on the RPF, a Resettlement Action Plan (RAP) will be prepared for specific subprojects.

Any project activity will be carried out only after full implementation of the relevant Resettlement Action Plan (RAP) and preparation of implementation report. Until such documents are developed, disclosed and approved by the World Bank, the SIDDWWD PIU will not begin to implement specific subprojects for which impacts have been identified. At this stage, the possibility of land acquisition, restrictions on land use, or loss of assets of Project-affected communities or business structures cannot be excluded.

In this regard, it is necessary to develop RPF that defines:

- the scope of potential impacts (temporary or permanent) on the project's potential use of land, access to land, structures and sources of income;
- the description in detail the legislative basis for land acquisition;
- determine the mechanisms for providing compensation or assistance, resettlement procedures, eligibility criteria for receiving compensation for the resettled population, valuation methods;
- including entitlements matrix, describe the processes of implementation, disclosure, information disclosure and consultation procedures;
- determine the Grievance Redress Mechanism and monitoring.

The RPF is intended as a practical tool to guide the preparation of Resettlement Action Plans (RAPs) for activities during implementation of sub-projects of this Project.

### **Key tasks of the RPF:**

- identifying, compensation and livelihoods restoration of project affected people;
- determination of requirements for preparation, updating, implementation and monitoring of RAPs of subprojects.

### **The RPF contains measures to ensure that Project Affected Persons (PAPs):**

- aware of their options and rights related to resettlement;
- participated in consultations on possible compensation options, were given the right to choose and were provided with technically and economically feasible resettlement alternatives;
- were provided a prompt and effective compensation at full replacement cost has been provided for loss of assets associated with the implementation of this Project.

### **The RPF is developed based on the following principles:**

- avoid or at least minimize involuntary resettlement;



- PAPs should, at a minimum, be provided with adequate assistance to improve or at least restore their pre-project living conditions;
- PAPs should be fully informed and advised on replacement and compensation options;
- the lack of legal right to land is not an obstacle to obtaining compensation or alternative forms of assistance;
- during the resettlement process, special attention should be paid to socially vulnerable segments of the population, such as ethnic minorities, female-headed households, the elderly, etc., providing them with adequate assistance to improve their standard of living;
- compensation must be paid to PAPs before land acquisition at full replacement cost, without any deduction for other purposes.

### **3. JUSTIFICATION OF ENVIRONMENTAL AND SOCIAL STANDARDS, SCOPE OF RESETTLEMENT POLICY FRAMEWORK**

The Environmental and Social Framework with Environmental and Social Standards adopted by the World Bank in 2018 set requirements for Borrowers to identify and assess environmental and social risks and impacts associated with projects supported by the Bank through financing investment projects. The Standards will:

- support Borrowers in achieving good international practice related to environmental and social sustainability;
- assist Borrowers in meeting their national and international environmental and social commitments;
- enhance non-discrimination, transparency, participation, accountability and governance;
- improve the results of sustainable development projects through ongoing engagement with stakeholders.

The ten environmental and social standards set the objectives that the Borrower and the project will meet during the project life cycle. In ESS 5 “Land acquisition, land use restrictions and involuntary resettlement” it is recognized that project-related land acquisitions and land-use restrictions can have adverse impacts on communities and people. It is assumed that the proposed activities under the project will not have a serious negative impact on human health and social environment. However, project-related land acquisitions or restrictions on land use may result in physical and economic displacement. To prevent, avoid, mitigate and reduce these risks and meet ESS 5 requirements, this RPF has been developed since at this stage the final list of sites and their exact location have not yet been determined.

The RPF outlines the next steps for preparing and implementing resettlement action plan (RAP). This framework clarifies the resettlement principles, organizational arrangements and design criteria to be applied to subprojects or project components that will be prepared during project implementation. Once a subproject or individual project components have been identified and the required information is available, this framework / policy will be expanded within the specific resettlement action plan. Project activities that will result in physical and/or economic displacement will not commence until such specific plans are completed and approved by the SIDDWWD and World Bank.

#### **Potential impact on people's assets and livelihoods**

The SIDDWWD will avoid or at least minimize involuntary resettlement and land acquisition on a temporary and/or permanent basis.

In general, no physical/economic displacement is expected under the Project as a result of project activities and construction activities, however, temporary restrictions on land use in the area around public utilities and land acquisition are possible as the nature and extent of project activities, and their impacts, are currently unknown.

Considering the planned activities within the Project components, the component 2 “Water Supply Investments”, may have a potential impact on land acquisition and temporary restrictions on land use in the area around public utilities. The component 3 “Sanitation development” may have a potential impact on temporary restrictions on land use in the area around utility facilities and temporary restrictions on sanitary facilities.

Physical displacement, as well as economic displacement of households, is not expected. It is expected that construction work will be carried out within the existing infrastructure or on accessible land owned by the state and/or municipality. The scope of potential Land Acquisition and Resettlement (LAR) impacts expected under the Project is reflected in Table 1.

**Table 1. Potential type of impact**

<b>Component</b>	<b>Planned activities</b>	<b>Potential type of impact</b>
Component 1 “Water Supply Investments”	Construction and/or reconstruction of water supply systems in rural areas to ensure access to water supply and sanitation services in unserved settlements of priority areas of the country.	Potential IR impacts, including land acquisition, temporary restriction on land use and livelihood impacts in the area around the utility facilities if new facilities or additional land for infrastructure improvements are required for Project activities.
Component 2 “Sanitation development”	Construction and/or rehabilitation/modernization of sanitation facilities, including modernization of toilets for vulnerable households and selected public social institutions (schools, kindergartens, medical centers), transportation, treatment and reuse of wastewater, where technically, financially and environmentally feasible.	Potential IR impacts, including land acquisition, temporary restriction on land use and livelihood impacts in the area around the utility facilities if new facilities or additional land for infrastructure improvements are required for Project activities and for SPZ.

Source: SSDSWD

After the final identification of project sites, design and estimate documentation drafting, it will be determined in which specific areas the impacts related to ESS 5 may arise. Further, if any impacts under ESS5 are confirmed, Resettlement Action Plans (RAP) for each specific site will be prepared, following the instructions of the RPF.

It is expected that civil works will be carried out within the existing infrastructure and on available government-owned land.

The presence of informal users or structures, and the associated economic consequences covered by ESS 5, also cannot be excluded. While public land is expected to be provided if new infrastructure is expanded, the project permits voluntary donations of land by the community or individuals, and this process will be closely monitored during implementation in accordance with the protocols included in this RPF. Individual land donations will be carefully reviewed and approved by the World Bank before accepting a donation. The land donation cannot leave a person or household worse off than before pre-project levels and must receive benefits from the project.

The RPF identifies potential impacts from project activities, describes the range of potential impacts (temporary and permanent) on land use/access and structures, and describes how compensation rates and procedures for them will be determined. Where a gap exists between national procedures and World Bank procedures, the latter will prevail for all activities financed under the project.

The RPF will serve as a screening tool to determine whether any impacts will arise from project activities. RPFs serve as a practical tool to guide the preparation of safeguards instruments such as RAPs and the necessary due diligence of activities during the implementation of an overarching project. If any impacts are identified, the PIU will develop ESF instruments/documents for each sub-project based on the guidelines and procedures specified in the RPF document.

The commitment to adopt and comply with the RPF during the Project implementation will be included into the Project's Environmental and Social Commitment Plan (ESCP) which will be part of the Financing Agreement. This RPF will be reviewed/approved by the World Bank. Once the RPF is approved, it will be disclosed on websites of the WB and the Executing Agency in accordance with the WB policy. The RPF will be translated into the official and/or state languages for further dissemination so that the document is accessible to central and local authorities and potential PAPs. The implementation of planned investments in the project will be carried out only after these approvals and exchange of information/consultations.

#### **4. OBJECTIVES AND PRINCIPLES OF PLANNING AND IMPLEMENTATION OF THE RESETTLEMENT POLICY FRAMEWORK**

The RPF aims to describe principles and procedures to ensure that people who are likely to be negatively affected by the Project receive adequate advice and information on project activities, as well as compensation or assistance that at a minimum will restore living standards to pre-project levels.

The RPF provides principles and procedures for defining the requirements under ESS 5, for assessing potential anticipated risks and impacts, for identifying detailed steps to develop appropriate mitigation measures, including mitigation and compensation for any negative impacts caused by the project, some which are given below:

- land acquisition (temporary or permanent);
- protocols on voluntary donations of land and property;
- loss of assets or restricted access to assets;
- loss of permanent crops, tree, income or livelihoods, whether PAPs will be resettled or not;
- limited access to natural resources, public places and services;
- legal framework, eligibility criteria for displaced populations, assessment methodology, compensation provision, entitlement matrix, implementation process, consultation procedures;
- due diligence procedures for project interventions related to other development activities supported by the government and other funding agencies;
- grievance mechanisms;
- payment procedures;
- monitoring and evaluation procedures for land acquisition and resettlement under this project.

The main tasks of the RPF are to:

- guide the PIU SIDDWWD, as well as the national, oblast and local governments (rayon, local) in the proper identification of PAPs, compensation and rehabilitation of the livelihoods of PAPs;
- serves as a mandatory document to ensure payment of compensation and assistance to PAPs;
- provide guidance in the preparation, updating, implementation and monitoring of the subproject.

#### **Abbreviated and full RAPs**

RPF include measures to ensure that PAPs are (i) informed of their options and rights regarding resettlement; (ii) are consulted and able to select and be provided with technically and economically feasible resettlement alternatives and (iii) secured with a prompt and efficient compensation at full replacement cost for asset losses directly related to the Project. The RPF is based on the following principles:

- involuntary resettlement should be avoided or at least minimized;
- PAPs should receive appropriate assistance in their efforts to improve or at least restore income and living standards;
- PAPs are fully informed and consulted about compensation options;
- lack of formal legal title/right to land is not an obstacle to compensation or alternative forms of rehabilitation assistance;
- special attention is paid to socially vulnerable groups such as ethnic minorities, female-headed households, the elderly, the disabled people, etc. They are provided with appropriate assistance to help them adapt to the changes associated with the project;
- land acquisition and resettlement are understood and performed as part of the project where the full compensation cost is included in the total costs and benefits of the local authorities;
- compensatory/rehabilitation assistance will be paid prior to resettlement and prior to vertical planning, demolition and, in any case, before impact occurs;

- compensation must be paid to PAPs at full replacement cost without deductions for depreciation or any other purposes;
- "Voluntary land donation" will only be authorized subject to the protocols set out in this RPF document. The person concerned will have full right to say no to land donation.

It should also be noted that no changes to the RPF eligibility matrix, eligibility criteria, compensation rates or other assistance eligibility can be made without the prior approval of the World Bank. Any RAP prepared on the basis of the RPF is also subject to prior approval by the World Bank.

## **5. LEGAL FRAMEWORK AND POLICIES RELATING TO LAND ACQUISITION AND RESETTLEMENT**

This section of the RPF provides an overview of the principles/legal framework and procedures for assessing the land acquisition and resettlement in the Kyrgyz Republic, as well as the relevant social and environmental standards of the World Bank, applicable to the project activities. Each activity selected within the framework of the project will be checked, classified and assessed in accordance with the ESF and the legislation of the Kyrgyz Republic, and, if necessary, will be reviewed and approved by the WB.

The legal and policy principles of the project are based on ESS 5 "Land Acquisition, Land Use Restrictions and Involuntary Resettlement".

### **5.1. Legislation of the Kyrgyz Republic in the sphere of land acquisition**

Land relations in the Kyrgyz Republic are regulated by the Constitution of the Kyrgyz Republic, the Civil Code of the Kyrgyz Republic, the Land Code of the Kyrgyz Republic, the laws of the Kyrgyz Republic, as well as decrees of the President of the Kyrgyz Republic issued in accordance with them, resolutions of the Jogorku Kenesh of the Kyrgyz Republic, resolutions of the Cabinet of Ministers of the Kyrgyz Republic.

Below are the key articles of laws and regulations of the Kyrgyz Republic regulating ownership of land/real estate, as well as rules and procedures for obtaining state ownership rights to privately owned land plots, based on the necessary public needs caused by the activities of the Project.

The main legal document regulating the rights of citizens to land is the **Constitution of the Kyrgyz Republic**, adopted by referendum (popular vote) on May 5, 2021.

**Article 15, item 1.** In the Kyrgyz Republic, private, state, municipal and other forms of property are equally recognized and protected;

**Article 15, item 2.** Property is inviolable. No one may be arbitrarily deprived of his property. The right of inheritance is guaranteed. Seizure of property against the will of the owner is permitted only by a court decision in the manner prescribed by law. The seizure of property for public and state needs, determined by law, is carried out by a court decision by providing fair and preliminary security for compensation for the value of this property and losses caused as a result of the alienation of property;

**Article 16, item 3.** Land, with the exception of pastures and forests, may be in private and municipal forms of ownership.

**Civil Code** of the Kyrgyz Republic (May 8, 1996, No. 15, with the latest amendments dated September 15, 2021, No. 120).

**Article 14, item 1.** A person whose right has been violated may demand full compensation for the losses caused to him, unless otherwise provided by law or an agreement corresponding to the law.

**Article 14, item 2.** Losses mean:

- expenses that the person whose right has been violated has made or will have to make to restore the violated right, loss or damage to his property (real damage);
- lost income that this person would have received under normal conditions of civil transactions if his right had not been violated (lost profits);
- if the person who violated the right received income as a result, the person whose right was violated has the right to demand compensation, along with other losses, for lost profits in an amount not less than such income.

**Article 15.** Compensation for losses caused by state bodies and local governments.

Losses caused to a citizen or legal entity as a result of illegal actions (inaction) of state bodies, local self-government bodies or officials of these bodies, including the issuance of an act of a state body that does not comply with the legislation, are subject to compensation by the state, as well as local government bodies in the cases provided for by law.

**Article 23, item 4.** Land plots may be alienated or transferred from one person to another to the extent that their circulation is permitted by the land legislation of the Kyrgyz Republic.

Articles of the **Land Code** of the Kyrgyz Republic containing issues of land use and land acquisition (with amendments and additions as of 08/05/2022).

#### **Article 5. Ownership of land**

In accordance with the Constitution of the Kyrgyz Republic, land is the exclusive property of the Kyrgyz Republic.

#### **Article 6. Ownership of land plots:**

1. land plots of the Kyrgyz Republic can be in state, private and other forms of ownership. All forms of ownership of a land plot are equal in rights and are protected by the state. Land plots that are in private or other forms of ownership can be transferred from one form of ownership to another;
2. state-owned land plots cannot be transferred to other forms of ownership. Changing the form of ownership of land plots with state ownership is not allowed;
3. the subjects of ownership of land plots are:
  - for land plots owned by the state – the Kyrgyz Republic;
  - for land plots that are privately owned and in other forms of ownership - citizens and legal entities of the Kyrgyz Republic.
4. the object of ownership of a land plot is the right to a land plot;
5. ownership of a land plot consists of the owner's rights to sole or joint ownership, use and disposal of the land plot. The right of ownership gives the right to individuals and legal entities to legally dispose of these land plots for their intended purpose;
6. land plots, regardless of the form of ownership, are an integral part of the land fund and can only be used for their intended purpose;
7. owners of private and other forms of land plots have the right to:
  - possession, disposal and use of them on the basis of a state act on the right of private ownership of land plots;
  - use for the intended purpose;
  - rental, sale, inheritance;
  - for civil transactions on the land market.
8. State-owned land plots may be:
  - used for the intended purpose;
  - handed over for fixed-term or indefinite use on a paid or gratuitous basis.
9. Pastures cannot be transferred to private ownership.

#### **Article 9. Terms of use of the land plot by land users:**

- use of a land plot can be indefinite (without specifying a period) or fixed-term (temporary);
- fixed-term (temporary) use of a land plot, including under the terms of a lease agreement, is the use of land limited for a period of up to fifty years;
- state-owned land plot is provided for the capital construction of hydraulic structures, housing, buildings for social, industrial, defense and other purposes for a period of up to fifty years, with the exception of one-story retail facilities, light construction structures in populated areas and recreational areas, which are provided for a period of five years;
- land plots are provided to foreigners only for fixed-term (temporary) use for a period of no more than five years;
- state-owned agricultural land plots are leased for five years;
- land plots of perennial plantings, rainfed arable land that are in state ownership for seed production, breeding, experimental farming, research, experimental selection, and variety testing work are provided for a period of ten years;
- agricultural land plots that are state-owned for the management of a collective, production agricultural cooperative is provided for a period of twenty years;

- upon expiration of these periods, by agreement of the parties, the terms of use of the land plot may be extended for the next period.

**Article 42.** Transfer of land. Fee for transfer of land:

1. the owner of a land plot or land user has the right to transfer his right to a land plot in whole or in part to another individual or legal entity without any permission from state bodies, unless otherwise provided by this Code, other legislative acts of the Kyrgyz Republic, and the conditions for the provision of a land plot;
2. when transferring the right to a land plot by the owner or land user to another individual or legal entity, the amount of payment for the land plot is determined by agreement of the parties.

**Article 49.**

The owner or user of a land plot has the right to demand compensation in accordance with the legislation of the Kyrgyz Republic (Article 49, paragraph 1, subparagraph 5).

**Article 61.** Establishment of an easement

1. An easement may be established by agreement of the parties (voluntary easement) or, if necessary, on the basis of a decision of an authorized body (compulsory easement).
2. Encumbrance of a land plot with an easement does not deprive the owner of the land plot or land user from using and disposing of his right to the land plot.

**Article 64.** Purposes of establishing a compulsory easement

1. in cases provided for by this Code and other legislation, the authorized body has the right, at the request of an interested person, to establish a compulsory easement.
2. a compulsory easement may be established to ensure:
  - access to a land plot if other access is impossible, extremely difficult or requires disproportionate costs;
  - laying and operating power lines, communications, water supply, heat supply, land reclamation and other needs that cannot be provided without the establishment of a compulsory easement.

**Article 65.** Compensation for losses associated with the establishment of a forced easement. Payment for compulsory easement.

1. losses caused to the owner of a land plot or land user by the establishment of a compulsory easement are subject to compensation by the person in whose interests the easement is established.

**Article 66** The Land Code establishes that:

- The right to land and associated structures may be terminated, including when the land is needed for government or public purposes. (Article 66, paragraph 1).
- The acquisition of land for state and public needs can be influenced only after payment of the cost of the right to the land plot and compensation for losses (Article 66, paragraph 4).

**Article 68** The Land Code defines the seizure of a land plot for state and public needs and provides that:

1. The seizure (purchase) of a land plot for state and public needs can be carried out on the basis of an agreement between the authorized body and the owner of the land plot or land user. If the owner of a land plot or land user disagrees with the seizure (buyout) or its terms, the authorized body has the right to apply to the court within two months with a claim for a paid seizure (buyout) of the land plot from the moment of receipt of the refusal.
2. When determining the redemption price of a land plot, it shall include the market value of the right to the land plot and the buildings and structures located on it, as well as losses caused to the owner or land user in connection with the termination of the right to the land plot, including losses associated with the early termination of obligations to third parties;
3. When a land plot is withdrawn for state or public needs, with the consent of the owner of the land plot or land user, he may be provided with another land plot with the value of the right to it offset against the redemption price.

**Article 78, item 2.** Regime of use in relation to public lands. In particular, this indicates that public lands in settlements, cities and villages (for example, roads, streets, squares, sidewalks, driveways, park strips, boulevards, mini-parks, ponds, etc.) cannot be privately owned and only in exceptional

cases can they be leased by an authorized government body to legal entities and individuals for a period of no more than 5 years.

**Article 78, item 3.** The authorized state body may authorize the construction of light structures on public lands.

**The Law of the Kyrgyz Republic “On the transfer (transformation) of land plots”** (dated July 15, 2013 No. 145) defines the legal basis, conditions and procedure for the transfer (transformation) of land from one category to another or from one type to another.

**Law of the Kyrgyz Republic “On state registration of real estate rights and related transactions”** (December 22, 1998 No. 153, with the latest amendments dated February 25, 2021 No. 21). This law states that state registration of rights to real estate and related transactions is a legal act of recognition and confirmation of rights to real estate and their encumbrances (restrictions), as well as real estate transactions that ensure the protection of rights and encumbrances (restrictions), with the exception of cases provided for by this Law (Article 1). Any other document or rights and their restrictions are subject to mandatory registration in accordance with Article 4 of this Law, submitted to the registration authority no later than thirty days from the date (drafting) of the above document (Article 7).

Property rights that are not subject to registration, but are recognized and protected by the state, include (Article 6):

- Rights of access to communication lines, pipelines, geodetic sites and other parts of the infrastructure intended for public use;
- Rights of spouses, children and other persons;
- Temporary rights, lease or sublease for up to 3 years;
- Rights of actual use for the principal or primary use of the property;
- Rights arising from tax requirements;
- Burdens arising from general regulations of health, public safety, environmental protection, etc.

#### **Regulations on assets valuation**

Asset valuation is carried out on the basis of the Temporary Rules for Appraisers and Appraisal Companies (Government Decree No. 537 of August 21, 2003), Valuation Standards for Appraisers (Government Decree No. 217 of April 3, 2006) and other provisions of national legislation.

**Law of the Kyrgyz Republic “On the procedure for considering citizens’ appeals”** (May 4, 2007, No. 67 with the latest amendments dated July 27, 2016, No. 151). The Law on the Procedure for Consideration of Citizens' Complaints stipulates that complaints from citizens of the Kyrgyz Republic must be registered, properly considered and dealt with in a fair, timely and accountable manner (Articles 2 and 4). Every citizen has the right to appeal personally or through his representative to state authorities, local government bodies and their officials, who are obliged to provide a reasoned response within the period established by law (Article 4). A complaint registered with a state body or local government must be considered within 14 working days, it can only be extended for a maximum of 30 days (Article 8).

#### **5.2. The World Bank social and environmental standard for land acquisition, land use restrictions and involuntary resettlement (ESS 5)**

ESS 5 recognizes that project-related land acquisitions and land-use restrictions may have adverse impacts on communities and people. Land acquisition associated with a project or restrictions on land use can result in physical displacement (relocation, loss of residential land, or loss of housing), economic displacement (loss of land, assets, or access to assets, leading to loss of sources of income or other means to existence), or both. The term “involuntary resettlement” refers to these impacts. Resettlement is considered involuntary when affected individuals or communities are not allowed to refuse land acquisition or land use restrictions that result in displacement.



## **ESS5 REQUIREMENTS**

### *Project design*

The Borrower will demonstrate that compulsory land acquisition or restrictions on land use are limited to the express requirements of the project for clearly defined project purposes for a clearly defined period of time.

The Borrower will consider possible alternative projects to avoid or minimize land acquisition or restrictions on land use, particularly where it may result in physical or economic displacement, while balancing environmental, social and financial costs and benefits, with particular attention to gender impacts, and impacts on the poor and vulnerable.

### *Compensation and benefits for victims*

When it is not possible to avoid the acquisition of land or restrictions on the use of land (whether permanent or temporary), the Borrower will offer to affected person's compensation at replacement cost and such other assistance as may be required to help them improve or at least restore their standard of living or means to existence.

Compensation standards for land and fixed assets categories will be disclosed and applied consistently. Compensation rates may be subject to upward adjustments if negotiation strategies are used. In all cases, a clear basis for calculating compensation will be documented and compensation will be distributed according to transparent procedures.

### *Community participation*

The Borrower will engage with affected communities, including host communities, through the stakeholder engagement process described in ESS10 on Stakeholder Engagement and Disclosure. Decision-making processes related to resettlement and livelihood restoration will include options and alternatives from which affected individuals can choose. Disclosure of relevant information and meaningful participation of affected communities and people will occur during the consideration of alternative projects and subsequently throughout the planning, implementation, monitoring and evaluation of the compensation process, livelihood restoration activities and resettlement process

### *Grievance Redress Mechanism*

The Borrower will ensure that a project grievance mechanism is established in accordance with ESS10 as early as possible in project development to address in a timely manner specific concerns related to compensation, resettlement, or livelihood restoration measures raised by displaced persons (or other persons). Where possible, such grievance mechanisms will make use of existing formal or informal grievance mechanisms appropriate to the project's objectives, complemented where necessary by sub-project-specific agreements designed to resolve disputes in an impartial manner.

### *Planning and implementation*

If land acquisition or restrictions on land use are unavoidable, the Borrower, as part of the environmental and social assessment, will conduct a census to identify persons who will be affected by the project, to compile an inventory of affected land and assets, to determine who will be eligible for compensation and assistance, and deter unjust persons, such as opportunistic settlers, from claiming benefits. The social assessment will also take into account the requirements of communities or groups that, for good reasons, may not be present in the project area at the time of the census, such as seasonal resource users. In connection with the census, the Borrower will set a deadline for eligibility to participate. Information regarding the completion date will be duly documented and disseminated throughout the project area at regular intervals in written and (if necessary) non-written form and in appropriate local languages. This will include posted warnings that persons settling in the project area after the cut-off date may be removed.

To mitigate the impact of resettlement, the ESS5 requires the preparation of a RAP for the land acquisition process as soon as the extent of the direct impact is known. If the impact is minor (less than 200 people, there are no physically displaced persons and less than 10 percent of their productive assets are lost), an abbreviated RAP can be prepared. For projects with significant impact, a full RAP is required. ESS5 requires that particular attention should be paid to the needs of vulnerable populations affected, especially those living below the poverty line, residents without

land rights, the elderly people, female headed households, people with disabilities and ethnic minorities. If no private land or non-land assets are expected to be lost, but voluntary land donations are expected, a voluntary land donation form will be prepared as part of the sub-project proposal in accordance with the criteria and form given in Annex 7.

In principle, the Land Code of the Kyrgyz Republic and ESS5 adhere to the objective of reimbursement at recoverable amount. Under RAP, if any, all PAPs will be entitled to a combination of compensation and necessary allocations, and reflect the type of property or assets lost, the magnitude of losses, impact on livelihoods, as well as reflect the degree of socio-economic vulnerability of PAPs. PAPs who do not own land or other property, but have economic interests and suffering loss of income or livelihoods will be assisted.

To clarify these issues and address possible gaps between Kyrgyz legislation and World Bank policy, this RPF is compiled for the Project, providing compensation at the replacement cost of all items, rehabilitating people without title to property and informal settlers, and providing subsidies or allowances for PAPs that could be displaced, suffered commercial losses, or could be seriously affected. Key provisions that provide reconciliation of the differences between the legislation of the Kyrgyz Republic and World Bank policies include:

- any PAPs, whether the PAP has legal title to the land or not, will be eligible for compensation (for structures, crops and trees) and rehabilitation activities under the project. These include landless people using land and squatters (settlers on unoccupied or government land);
- PAPs and affected communities will receive advice on options and any consequences of land acquisition and resettlement;
- social screening will be conducted to determine the level of potential impact and appropriate mitigation measures;
- if land compensation is not technically or socially feasible, compensation will be made in cash at full replacement cost at current market value;
- compensation for any other affected assets (structures, crops and trees, and loss of business/income) will be made in cash or in kind at full replacement cost based on current market value;
- vulnerable and poor PAPs will be eligible for additional measures accordingly and gender issues will also be addressed;
- maintenance work will avoid or minimize, to the extent possible, the need for land acquisition and resettlement;
- Compensation will be provided for temporary loss of land or property, or temporary disruption of income.

It should be especially noted that under ESS 5, the status of those who do not have legal title is clearly defined. Under this policy, those people who do not have formal legal / title or judicial rights to use land, but still use state land, are entitled to receive compensation based on the investments they have made in state land, their labor and assets lost. Instead of this, the alternative plots or other forms of assistance are allocated for their use instead of compensation for land, which is provided to those who informally use or occupy land before the deadline of the project.

In case of non-compliance of the laws of the Kyrgyz Republic with the requirements of the ESS 5, the principles and procedures of the ESS 5 should be applied. This priority of the WB standards over national legislation is necessary for projects financed by the World Bank.

## **6. PROCESS OF PREPARATION, APPROVAL AND PUBLICATION OF RAP**

The first step in the RAP preparation process is to conduct social screening, which is a mandatory procedure under ESS 5. The PIU SIDDWWD will conduct a social screening of each proposed subproject. Social screening is necessary to identify social risks and impacts, including those associated with temporary or permanent restrictions on land use, land acquisition and involuntary resettlement. Screening will be carried out in accordance with the established RAP process detailed in Annexes 1 and 2 and will be documented in the form of a screening report on expected social impacts after major technical decisions or detailed sub-projects have been adopted. Screening may also identify other social risks and impacts, related to labor and public health and safety. Social screening will be carried out by a PIU SIDDWWD together with representatives of

local government bodies. Screening will be used to determine the types and nature of potential impacts associated with the activities proposed for implementation under the Project in order to take appropriate measures to mitigate these impacts. This assessment also shows that preventing or minimizing resettlement is a key criterion in preparing the RAP prior to Project implementation. Design will not be completed until it is clearly established that all attempts have been made to minimize the impact of involuntary resettlement. If the screening indicates the need/inevitability of physical displacement, land acquisition, impact on assets or negative impact on economic resources, regardless of whether physical displacement occurs or not, the next step will be a socio-economic survey, census and inventory and valuation of land resources and assets in order to determine the extent of resettlement. This will be followed by the development of a RAP for the Project in accordance with the steps described below.

### **6.1. Census, socio-economic surveys, inventory of losses and valuation**

A census and socio-economic survey should be conducted using a structured questionnaire to record details of residents living on land to be acquired for project needs, their tenure status (primary land user or secondary land user), the amount of land required for the proposed improvements, in order to: (i) assess the magnitude of impact to private assets; and (ii) assess the extent of physical and/or economic displacement, as well as the standard of living, assets inventory, sources of income, level of indebtedness, profile of household members, health and sanitation, expected benefits and impacts of the subproject, and resettlement preferences of those required to relocate. This information will facilitate the preparation of a RAP to mitigate adverse impacts.

The purpose of a baseline socio-economic survey of affected persons is to collect socio-economic characteristics of those affected and to establish parameters for monitoring and evaluation. Key socio-economic indicators will be used as a guide to monitor the socio-economic status of project affected persons. The survey should cover all PAPs and also collect sex-disaggregated data to address gender issues in resettlement. The census of PAPs and inventory of the land fund, inventory of forms of land assets of PAPs are given in Annexes 3 and 4.

The socio-economic study will undertake a wide range of consultations with various affected groups, as well as other stakeholders, to understand their views and preferences. Based on the results of these consultations, the design and mitigation measures will be modified as necessary. Consultations will also be held for women and will cover their concerns and responses, particularly regarding land tenure, impacts on livelihoods, compensation and resettlement planning - these issues will be addressed through appropriate mitigation measures.

Detailed Measurement Survey (DMS) using an approved detailed technical design includes finalization and / or verification of the results of the inventory of losses, the severity of the impacts and the list of PAPs. The final cost of resettlement can be determined after the completion of the DMS and Valuation Survey.

The results of the DMS will provide: (a) the number, ownership and type of affected land plots; (b) the type and area of crops affected (c) the quantity, type of property of the structures that will be affected, (d) the type of building materials used, and (e) other assets such as utility connections, etc.

A cut-off date will be set, according to this date, PAPs and their affected assets will be identified, as appropriate, while new residents to the site will not be able to claim compensation or resettlement assistance. Individuals whose ownership / use of residence prior to the cut-off date can be identified are eligible for assistance, regardless of their identification in the census.

Valuation Survey will involve a specialized valuation company or valuator in conjunction with the PIU SIDDWWD to conduct an inventory and valuation of losses, a socio-economic survey of displaced persons (DPs), which will include, inter alia: (a) household data by age, education, employment, gender; (b) family income and its sources; (c) inventory of assets, including land, crops, trees; (d) access to social services such as schools, hospitals, mosques, etc.; (e) household vulnerability status. Particular attention will be paid to identifying vulnerable households. The results of the impacts valuation, inventory of losses will form the basis for compensation measures and livelihood rehabilitation for DPs.

The RAP is based on: (i) engineering surveys and designs of the Project; (ii) the results of Inventory of Losses (IOL) and Valuation of property and assets; (iii) socio-economic surveys of PAPs; (iv) discussions with local government representatives and public consultations with PAPs.

## **6.2. Preparation of Resettlement Action Plans**

The RAP will be prepared after conducting a socio-economic survey, census of PAPs, inventory and valuation of losses, detailed measurement survey and public consultations. The RAP will be prepared in consultation with project stakeholders. In particular, consultations will be held on the entitlements to compensation, as well as on emerging barriers to economic activity and livelihoods, valuation methods, resettlement assistance, incentives for PAPs, grievance redress mechanisms, as well as time frames for implementation. The final version of RAP will include comments, suggestions from PAPs. The key elements of the RAP identified in ESS 5 are listed below. The contents of the RAP are also set out in Annex 6. If number of people affected by subproject is expected to be less than 200 people, in such cases, abbreviated RAP may be prepared. If the number of affected people exceeds 200, a full RAP will be developed. However, given that construction/rehabilitation works for water supply and sanitation are expected to be carried out on existing facilities, it is not expected that any intervention will result in the physical or economic displacement of 200 or more people. The abbreviated RAP will include several standard sections, such as:

- description of the project impact assessment of the affected assets;
- description of the affected people and their basic socio-economic and demographic characteristics;
- institutional set-up and implementation procedures;
- compensation and assistance that will be provided to the affected people;
- results of consultations;
- monitoring and evaluation procedures;
- timelines and budget.

## **6.3. Disclosure and approval of RAP**

The following steps must be completed after full/reduced preparation of the RAP:

- The draft RAP is subject to discussion with PAPs, who will receive a copy of the RAP one week before the public consultation. Public consultations should involve PAPs, representatives of local self-government units/local self-government units/local self-government units and representatives of the PIU SIDDWWD.
- After discussion, comments and suggestions should be incorporated in RAP.
- The RAP should include a consultation process section with a matrix of comments and suggestions for inclusion and implementation.
- The Social Development Specialist of the PIU SIDDWWD must submit the RAP for approval (the Executing Agency appoints an authorized person responsible for approving the RAP).
- Following the inclusion of comments received as a result of the publication of the RAP and their approval (the Executing Agency designates an authorized person responsible for approving the RAP), the RAP must be formally submitted to the World Bank for review and confirmation of compliance with ESS 5 and other applicable policies/procedures.
- Once the World Bank has approved RAP for sub-projects, it will be disclosed on the WB website, disclosed as the final RAP on the project website and shared with other stakeholders. Private information about PAPs should not be publicly available.

Without the prior approval of the World Bank, there should be no changes to the matrix of rights to receive compensation, eligibility criteria, compensation rates, or provision of assistance.

## **7. ELIGIBILITY CRITERIA AND PROCEDURES FOR DIFFERENT CATEGORIES OF PEOPLE AFFECTED BY THE PROJECT**

This section sets out the eligibility criteria that are necessary to determine who will be eligible for resettlement and compensation, and to prevent claims by ineligible people.

## 7.1. Principles

Land acquisition can lead to displacement and loss of housing and/or loss of assets or access to assets or loss of sources of income or livelihood, regardless of whether PAPs must relocate elsewhere. Therefore, meaningful consultation with affected persons, local authorities and community leaders will establish the criteria by which displaced persons will be considered eligible for compensation and other resettlement assistance.

Classification of Eligibility according to ESS 5. Affected persons can be classified as persons:

- a. who have formal legal rights to land or property;
- b. who do not have formal legal rights to land or assets, but have claims to land or assets that are or can be recognized in accordance with national law;
- c. who do not have an acceptable legal right or title to the land or assets they occupy or use.

The persons referred to in sub-paragraphs (a) and (b) above shall be provided with compensation for the land they have lost and other assistance in accordance with this RPF. Persons covered by subparagraph (c) above are provided with resettlement assistance in lieu of compensation for the land they occupy and other assistance as necessary to achieve the objectives set forth in the RPF if they occupied the project area before the deadline set by the project managers in close consultation with potential PAPs, local community leaders and relevant local authorities acceptable to the World Bank.

Persons encroaching on the area after the deadline date are not entitled to compensation or any other relocation assistance. All persons included in (a), (b) or (c) above must be compensated for the loss of assets other than land. In this regard, it is clear that all persons affected by the project, regardless of their status or whether they have formal ownership/title, legal rights or not, are squatters (settlers on vacant or government land) or are otherwise illegally trespassing land are entitled to some relief if they occupied or used the land before the cut-off date for entitlement to compensation. Eligibility for assistance under the World Bank's ESS 5 also applies to PAPs even if the legal provisions of the Kyrgyz Republic are deemed to provide for the temporary or permanent acquisition of private lands immediately adjacent to existing public roads without compensation.

## 7.2. Eligibility criteria and establishment of rights

The RPF provides the right and conditions for compensation of all types of losses (land, crops/trees, buildings, business/employment and working days/wages). All PAPs, including those without formal ownership/title or informal occupants, will receive compensation for lost assets (crops, buildings, trees and/or business losses) and will receive (i) compensation (to the extent necessary to match replacement cost replacement), and/or (ii) replacement of land, buildings, seedlings, other resettlement assistance such as relocation allowance, assistance in the restoration of structures, compensation for loss of working days/income.

Eligibility criteria are based on the PAP's membership in one of three groups:

- those who have title/ownership or formal legal rights to land;
- those who do not have formal legal rights to land at the time of the Inventory of Loss (IOL)/Detailed Indicator Survey (DMS) or Census, but have claims to such land or assets - provided that such claims are recognized in accordance with the laws of the country or will be recognized through the process specified in the RAP;
- those who do not have a recognized legal right or claim to the land they occupy (i.e. freehold/title users or informal settlers).

PAPs who are eligible for compensation under the Project include:

- persons whose buildings are partially or fully affected by the Project, temporarily or permanently;
- persons whose residential or commercial premises and/or agricultural land (or other fertile land) are partially or fully affected (permanently or temporarily) by the Project;
- persons whose business is affected in part or in whole (temporarily or permanently) by loss of land in connection with the Project;
- persons whose employment or employment or share agreement is temporarily affected or permanently affected by the loss of land in connection with the Project;

- persons whose crops (annual and perennial) and/or trees are affected in part or in whole by loss of land in connection with the Project;
- persons whose access to public resources or property has been partially or wholly affected by loss of land in connection with the Project.

In case of land acquisition, PAPs having legal title/ownership rights or eligible for legalization will receive compensation for the land acquired by the Project at the reimbursable cost. This will be cash at replacement cost or land in lieu of land, combined with productive potential, locational advantages and other factors that are at least equivalent to the advantages of land taken to the satisfaction of the PAP (of equal size and/or equal productive value and to the satisfaction of the PAP). PAPs without title/title are not entitled to compensation for land but will receive compensation for assets attached to land and other assistance as required in lieu of compensation for land. In Annex 5 given the form to complete on the rights of PAP for compensation.

Single female headed households with dependents and other vulnerable households will be eligible for further assistance to fully mitigate the impact of the project. The table below provides a matrix of entitlements to Project payments due based on potential losses.

The right to compensation will be limited to the cut-off date that will be set for each sub-project and PAPs who settle in the affected areas after the cut-off date will not be entitled to compensation. They will, however, be given sufficient advance notice to vacate the premises and dismantle the affected structures prior to the commencement of the project. Their dismantled buildings will not be confiscated and they will not have to pay a fine or penalty. Forced eviction will only be considered after all other efforts have been exhausted.

### **7.3. Eligibility matrix: eligible PAPs, Assets and Compensation**

A rights matrix has been developed in Table 2 below, which summarizes the types of losses and the corresponding nature and scope of rights, and is consistent with National Laws and ESS5.

**Table 2. Entitlements matrix**

Project Impacts	PAP category	Affected asset	Compensation Guidelines
Temporary acquisition of land for works, or construction	Landowner	Land	Rent for land based on market rates, considering current period rates and the restoration of the land and all assets on it to their previous condition.
	Unofficial user	Land	Restoration, replacement or compensation of all damaged or removed assets at replacement cost. In the event of loss of earnings, compensation will be paid in the amount of verified actual lost earnings.
Land acquisition for works, construction or as part of the sanitary protection zone.	Landowner	Land	As a priority option, a replacement land plot of equivalent market value, acceptable for PAPs and should match the area and fertility of the withdrawn plot, shall be provided. In the absence of available land, cash compensation at replacement cost will be paid, as well as the costs of fees for registration and re-registration of rights and the costs of preparing the land to a condition similar to that of the land affected by the project. If the remainder of the plot is no longer usable - then the entire plot of land must be purchased at the landowner's request.
	Unofficial user	Land	There is no compensation for land. However, if the land served as a source of livelihood, livelihood restoration should be made.
		Assets	Cash reimbursement for related assets at replacement cost.
Withdrawal of the legal house/building/structure/construction	Owner of the structure/building	Any building including house, buildings, structures - fence, fencing, etc.	Replacement with an equivalent building/structure or cash compensation at replacement cost and the right to suitable materials.
Withdrawal of an illegal house/building/buildings/structures	Owner of the structure	Any building including a house, buildings, structures	Replacement with an equivalent building/structure or cash compensation at replacement cost, and the right to usable materials.
Restricting access to houses.	Tenant or homeowner	A part of the living unit temporarily impacted or access to the home is impacted by the work in progress.	After the work is completed, restoring the land to its original condition. In-kind compensation for temporarily impacted Project needs, such as providing an alternative parking space Inconvenience benefit is established for each week (7 days) of inconvenience caused, calculated on a pro-rata basis from the minimum wage (a more specific calculation of the allowance will be determined in each individual RAP).
Vendors or entrepreneur.	Business Owner.	Temporary loss of business due to works.	Cash compensation for approximate damages based on records for the 3 preceding months of this or equivalent business (if no records are available). A monetary allowance for inconvenience equal to the amount of one week's (7-day) income.
A farmer with a land title.	Owner	Harvest	In addition to land compensation, there will be an opportunity to harvest and receive cash compensation at the highest market value for the agricultural season or according to the rates of the Ministry of Agriculture and Land Reclamation of the Kyrgyz Republic, whichever is higher. For temporary land use where the planting season is lost, compensation will be provided for the lost growing season based on the market value of the previous crop grown.
Official tenant farmer and unofficial tenant farmer	Tenant	Harvest	It is allowed to harvest or receive compensation in cash at the highest market value for the agricultural season or according to the rates of the Ministry of Agriculture and Land Reclamation of the Kyrgyz Republic, whichever is higher.

Project Impacts	PAP category	Affected asset	Compensation Guidelines
			For temporary land use where the planting season is lost, compensation will be provided for the lost growing season based on the market value of the previous crop grown.
Fruit tree owner	Owner	Fruit tree	The cost of the seedling and cash compensation for the value of the crop multiplied by the number of years it takes for the young tree to reach maturity.
		Not fruit trees	Wood or cash equal to the value of the wood.
Benefits for vulnerable people	Determined both on the basis of social benefits (disability benefits, pensioners, widows, female-headed households and poor households) and through counseling.	Residential and commercial assets	<ol style="list-style-type: none"> <li>1. In addition to compensation for lost assets, an additional social benefit will be paid for one year.</li> <li>2. Support was provided in relocation and, if necessary, transportation of materials.</li> <li>3. Special attention will be paid to income recovery.</li> </ol>
Loss of income	Business owner Unofficial user	Assets	Cash reimbursement for related assets at replacement cost. In case of loss of income, compensation will be paid based on six months' minimum wage and the right to suitable materials.
Loss of common property resources	Asset communities/ public asset	Community / Local governments	Compensate for lost resources/assets as agreed with the community and restore their function.
Unforeseen impacts during construction, including temporary impacts and impacts on livelihoods not included in other evaluations.	Impacts on all assets during construction outside the impact corridor	All PAPs	Appropriate compensation shall be assessed and paid when impacts have been determined based on the above provisions and the requirements of the WB ESS5

All PAPs are exempt from paying taxes and possible operating fees, as these costs will be covered by project funds. In addition, the amount of compensation will include banking fees. The compensation package also provides for the cost of re-registration/registration/of official ownership documents and transport costs if any.



#### **7.4. Voluntary land donation**

If only small areas of private land need to be acquired with negligible impact, the project has the right to acquire such land without compensation for replacement costs, through voluntary donations. Community members have the right to contribute their lands or other assets without requesting or receiving compensation at full replacement cost.

Voluntary contribution is an act of informed consent. Local authorities should ensure that voluntary contributions are made only after affected persons have been fully informed in advance of the availability of other options (including resettlement cost compensation) and that these contributions are obtained without coercion or pressure. In addition, voluntary donations are only allowed if the affected people are direct beneficiaries of the investment that caused the impact.

Proposals involving voluntary contributions will not be submitted for approval if they are likely to cause significant harm to the income or standard of living of individual owners or users (the amount of land contributed on a voluntary basis should not exceed 5% of that person's total land holding). In particular, the following protocol will govern voluntary contributions under the Project:

- voluntary contributions represent an act of informed consent, where the affected people have not been coerced, pressured, misled, or deceived into giving up land or other assets, regardless of the legal status of their land ownership;
- land acquisition must not result in physical or economic displacement;
- impacts should be minor. Households providing land or other assets are the direct beneficiaries of the subproject; The impact is less than 5% of all productive assets owned by the specified household;
- objects requiring land plots should not depend on local conditions;
- on the land in question must be free of squatters (settlers on vacant or government land), encroachers or other claims or encumbrances;
- the land must be identified by the municipality and not by the PIU SIDDWWD or other line agencies or project managers. However, project technical managers must ensure that the land is suitable for the purposes of the subproject and that the subproject does not have any adverse health or environmental hazards;
- voluntariness will be confirmed by the RAP of the PIU SIDDWWD with the signature of a higher-level official. The process in this regard will be formulated by the PIU SIDDWWD and submitted to the World Bank for approval;
- confirmation of the voluntary nature of land donations must be obtained from each person/household donating land. This must be in the form of signed statements;
- the PIU SIDDWWD will also raise awareness among communities to develop mechanisms to express gratitude to those households who donate land. They will find their place in statements.
- other things being equal, land donations will not be accepted from households headed by women and older people;
- affected people are fully informed that they have the right to refuse the donation of land or other private property and will instead receive compensation at replacement cost, and that a grievance mechanism is available to them through which they can express their reluctance to donate. In addition, people are encouraged to use the grievance redressal mechanism if they have questions or requests, both written and verbal.

#### **7.5. Methods to determine cut-off date**

Once the project design has been developed, and if any impacts discussed in ESS5 are confirmed, site-specific RAPs will be prepared following the instructions in the RPF.

As part of the RAP, a census will be conducted to identify all PAPs and their corresponding exposure levels. The date on which the census begins is the deadline for eligibility for resettlement and compensation. It is therefore important that this date is fully communicated to all potential PAPs, including through local and national media in the project affected area, so that these people have sufficient time to ensure their presence for the census. Any person who encroaches project area after the cut-off date will not be eligible for compensation or assistance.

This issue will be addressed through the PIU SIDDWWD and in accordance with the consultation procedures outlined in document. Potential PAPs will be informed both through official notification, including through local and national media, and in writing, as well as through verbal notification presented in the presence of community leaders or their representatives.

## **8. VALUATION METHODS OF AFFECTED ASSETS**

This section sets out guidelines for determining the value of affected assets.

### **8.1. Type of compensation payments**

Compensation for all land use and assets in kind or cash, in accordance with the Entitlement Matrix, will be required for the following:

- land;
- residential buildings, structures and auxiliary facilities;
- fertile crops (both cash and food crops) and trees;
- commercial facilities (stores, restaurants, pavilions, etc.).

In addition, benefits will be made for inconvenience, storage of goods, replacement of lost services and other assistance as outlined in the Entitlement matrix above. However, it is important that during the detailed preparation of the RAP, current market values and replacement values are used to establish actual compensation according to the Entitlement Matrix. All monetary amounts will be adjusted for any economic changes and currency purchasing power since the preparation of the RAP data. The PIU SIDDWWD will assess the compensation amounts recommended in the RAP and ensure that they reflect market realities and are consistent with the laws of the Kyrgyz Republic if they meet the requirements of the WB ESS5 and this RPF.

### **8.2. Preparation of asset inventory**

During the survey, each asset will be numbered and entered into an inventory and asset valuation conducted by a valuation company using RPF principles and guidelines. A full list of the affected assets and the values assigned to them, including any additional compensatory measures, will be recorded in a register and submitted to the affected person for agreement. The register will be signed and a copy given locally to the affected person. The document will indicate when the affected person will be notified and that the inventory will not be official until a second signed copy, verified by project management staff, is returned to the affected person. At that time, a copy of the grievance procedure will also be provided to the affected person as outlined in the grievance mechanism.

### **8.3. Valuation Method**

#### **8.3.1. Compensation for land**

Where there is no alternative land within a reasonable distance, for example, to minimize disruption to other aspects of socio-economic life, monetary compensation should be provided at full replacement value. This should be assessed based on the prevailing market value in the locality to buy an equally productive piece of land in the same locality. In addition, the compensation should include any associated costs of land purchase, i.e. taxes, registration fees.

In cases where only part of the land owned by the PAPs is to be acquired but the remaining land has become economically unviable, the compensation to be provided should be calculated based on the total area of land affected (i.e. the actual land loss plus the remaining unsuitable land).

Where land is temporarily acquired and where damage to the permanent crop is necessary, losses will be compensated at the fully developed market or government rate, whichever is higher. Compensation will be paid to the farmer and not to the owner if the farmer is not the owner (e.g. tenant or sharecropper). Thus, the terms of the tenant farming agreement would remain unchanged. In addition to payment for the standing crop, the project will ensure that the land is returned to its original form so that its former use can be resumed.

#### **8.3.2. Calculation of crop and fruit tree compensation rate**

Current prices for crops will be determined by considering the rate recommended by the Cabinet of Ministers of the KR and the highest market price, whichever is higher. In case of land lease, 2 seasons or annualized crop valuation, depending on the crop, will be compensated. In case of land ownership, except for land replacement or cash compensation for land, the owner will also

be compensated for 2 seasons or annualized crop estimate, depending on the crop. The crops used will be those currently or very recently grown on the land. In addition, PAPs will be encouraged to harvest their produce before the land is lost. In order for this to be possible, and for appropriate market prices to be obtained for the crop, detailed consultation should be carried out in advance so that harvesting can be properly planned. The cost of labor invested in preparing farmland will be compensated by the average wage in the community for the same period of time. The rate used for land compensation should be updated to reflect values at the time of compensation.

Fruit trees will be compensated to the owner based on the price of the replacement seedling along with the annual value of the fruit produced by that tree for the number of years it will take the seedling to reach full maturity using the government or the highest market price, whichever is higher.

### **8.3.3. Compensation for structures**

The preferred option is to provide alternative facilities (latrines, storage/warehouses, fences, etc.) of at least equal quality and improved quality where possible. The second option is to provide cash compensation at full replacement cost.

Replacement costs will be based on:

8.3.3.1 Measurement of structures and details of materials used;

8.3.3.2 Average replacement costs for different types of outbuildings;

8.3.3.3 Structures based on the collection of information on the quantities and types of materials used to build different types of structures (e.g., poles, bricks, rafters, straw bundles, corrugated iron sheets, doors, etc.);

8.3.3.4. Prices for these items are collected from different local markets.

8.3.3.5 Costs of transportation and delivery of these items to the purchased/replaced land or construction site.

8.3.3.6 Estimates of new building construction, including labor costs.

8.3.3.7 Compensation will be made for structures that are (i) abandoned due to resettlement or relocation of an individual or household, or (ii) directly damaged as a result of subproject activities.

### **8.3.4. Compensation for public assets**

Compensation will be provided for community assets identified in the socio-economic survey. In all cases they will be provided in kind and new services will be provided, even if there are already facilities at the new location.

### **8.3.5. Compensation for sacred sites**

This policy does not authorize the use of land that is designated as cultural property under the World Bank's ESS 8 "Cultural Heritage". Sacred and genocidal war memorial sites include, but are not limited to, only museums, altars, ritual centers, initiation centers, tombs and cemeteries. It includes other places/ features that are accepted by Kyrgyz Republic law (including legal custom), practice, tradition and culture as sacred. To avoid any possible conflicts between people and/or communities, the use of sacred sites for any project activities is not allowed under this project. Relevant clauses will also be included in the construction contracts.

### **8.3.6. Compensation for loss of business**

Any structures will be replaced at the appropriate location as indicated above. In addition, compensation will be paid for lost income and production during the transition period (the time interval between loss of business and recovery). This will be assessed based on the daily or monthly income of the affected parties.

## **9. ACTIVITIES AND PROCEDURES FOR THE IMPLEMENTATION OF RPF AND RAP**

### **9.1. Process overview**

In general, the project activities will be based on the principles of transparency, inclusiveness and citizen engagement in the Work Cycle. Citizen participation values the right of citizens to have an informed opinion in decisions that affect their lives. It is based on two-way interaction and dialogue with the government and emphasizes the importance of power sharing, information sharing and mutual respect between government and citizens.

Regarding the implementation of the RPF, the SIDDWWD PIU will organize a joint activities with the Municipal water supply enterprise/Rural public association of drinking water consumers/Local authorities level as (i) conducting social screening and assessing the compliance of the subproject in terms of guarantees; (ii) supporting communication and coordination with relevant government agencies (State Land Agency and its branches); (iii) ensuring proper implementation of the RAP, its requirements, and social screening tasks during subproject implementation; and (iv) in addressing grievances and feedback from project stakeholders and the public, including grievances related to environmental/social impacts of subprojects; (v) monitoring of mitigation measures foreseen in the implementation of the RAP; (vi) social impact monitoring as part of the overall monitoring of subproject implementation; and (vii) reporting on social impacts encountered during subproject implementation and analysis of the effectiveness of mitigation measures applied to minimize negative impacts. Together with the sub-project implementers and beneficiaries, the SIDDWWD PIU is responsible for implementing the above security measures/ safeguards activities. Successful implementation of the RPF will require the following project personnel:

The PIU SIDDWWD: 1 engineer, 1 social development specialist, 1 environmental specialist and construction supervision specialists in subprojects.

At the local level - Local authorities and members of the grievance committee.

To implement the RPF, the SIDDWWD PIU team will follow the work cycles described below by component and at the subproject level:

- STEP 1: Defining a subproject
- STEP 2: Screening and matching of ESF instruments.
- STEP 3: ESF instruments are developed, reviewed and approved.
- STEP 4. Implementation, oversight, and M&E.

## **9.2. Screening of project activities**

### **9.2.1. List of inappropriate activities for the subproject**

The initial screening for subproject compliance/eligibility will be based on a list of excluded activities that will not be allowed by the WB. Therefore, Project component proposals that include these activities will not be considered for financing. The ineligible activities for the Components are listed below:

1. The use of any kind of forced eviction of people;
2. Not meet the required technical and quality specifications;
3. Have negative environmental or social impacts that are irreversible and create cumulative impacts and/or cannot be adequately mitigated;
4. Exclude poor/marginalized populations or other vulnerable groups;
5. Fail to ensure equal pay for equal work for women and men;
6. Funded or planned for funding by the government or other development partners;
7. Inclusion of compensation for loss of land or assets from proceeds of World Bank financing or other public sources;
8. Funding for private goods, public institutions, or religious buildings;
9. Involvement of activities that use forced/child labor;
10. Engaging in acts that cause or lead to child abuse, exploitation of child labor, or human trafficking;
11. Children under 18 years of age should not be involved in the construction, rehabilitation or maintenance of the subproject;
12. Involving the purchase or use of drugs, military equipment, or other potentially dangerous materials and equipment, including chain saws; pesticides; insecticides; herbicides; asbestos (including asbestos-containing materials); or other investments that damage livelihoods, including cultural resources;
13. Involve development of new settlements or expansion of existing settlements in critical habitats, protected areas, or areas proposed for certain levels of national protection (e.g., protected forests).

The first step in the preparation of RAPs is a screening process to identify lands/territories that may result in resettlement impacts. This screening is used to identify the types and nature of potential

impacts associated with the activities proposed under this project and to ensure that adequate measures are in place to address them. It also ensures that avoidance or minimization of resettlement is a key criterion in the design of project activities.

Screening will be conducted in accordance with the established selection criteria and procedures by the SIDDWWD PIU, which will be responsible for managing and supervising the construction process under both sub-components. Completed screening forms will be verified by the Social Development Specialist of the SIDDWWD PIU. No project will be finalized unless it is clearly established that every effort has been made to minimize resettlement impacts.

Selection steps for investment projects in the field of drinking water supply.

1. The PIU SIDDWWD or the project field representative (construction supervision engineers and social specialists), with the participation of the Contractor and representatives of Rural public association of drinking water consumers/Local authorities, shall conduct subproject verification of prohibited/excluded activities;
2. If a subproject is screened against a list of prohibited/excluded activities, a social screening table will be completed by the PIU SIDDWWD specialists assisted by subproject construction supervision engineers, contractors, and Rural public association of drinking water consumers/Local authorities' representatives;
3. Based on the social checklist, the risk category of the subproject and the type of social assessment to be carried out according to the RAP or shortened RAP is determined;
4. Screening results, including potential adverse impacts and possible mitigation measures, are made available to community representatives during subproject priority meetings held at the local/district level by project representatives.

If the screening process indicates that land acquisition will be required, the next step is socio-economic identification and profiling of project-affected persons (e.g., their age, asset dependency, income, marital status, etc.). This is equivalent to a census conducted for large-scale resettlement. As with the census, 100% of the PAPs will be profiled. This step should occur simultaneously with the inventory and valuation of all affected assets for each individual PAP. If it is determined that land or non-land assets will be acquired through voluntary donations, the procedures in Section 6.4 on Voluntary Donations will be followed and a Voluntary Land Donation Form will be prepared using a standardized form and in accordance with the serving criteria presented in Annex 7.

Once these steps have been completed and there is evidence of existing resettlement issues, a Resettlement Action Plan (RAP) will be developed based on the data collected. The RPF provides the basis for preparation of the RAP to address resettlement issues related to the activities of this project.

The verification process will include direct consultation with PAPs, who will work with the PIU SIDDWWD and the field representatives of the Rural public association of drinking water consumers/Local authorities to verify the affected assets and discuss their socio-economic situation. Prior to the start of the process, PAPs will be informed in writing and verbally of their rights and will be counseled throughout the resettlement process. This will include provision of a copy of the grievance procedure and the matrix of rights.

### **9.3. Socio-economic profiling and inventory of losses**

If the screening process indicates that land acquisition and involuntary resettlement is required, the next step is socio-economic profiling of project-affected persons (e.g., their age, asset dependency, income, marital status, etc.). This is equivalent to a census conducted for large-scale resettlement.

As with the census, 100% of PAPs will be profiled. This step should occur simultaneously with the inventory and valuation of all affected assets for each individual PAP. Once these steps are completed and there is evidence of resettlement issues, a Resettlement Action Plan (RAP) will be developed based on the data collected. This resettlement policy framework provides the basis for preparation of the RAP to address resettlement issues related to the activities of this project.

The verification process will include direct consultation with PAPs, who will work with the PIU SIDDWWD representatives and Municipal water enterprise\ Rural public association of drinking

water consumers/Local authorities' representatives in the field to verify the affected assets and discuss their socio-economic situation. PAPs will be informed in writing and verbally of their rights prior to the start of the process and will be consulted throughout the resettlement process. This will include providing a copy of the grievance procedure and the matrix of rights.

#### **9.4. Due diligence of related activities**

Local community activities and socio-economic infrastructures supported by the project may or may not be part of the Government and local government activities. An initial review of some of the proposed activities has indicated that some other development activities may be planned or ongoing in the river basins where the project will be implemented, and which may be considered to be associated with the project, as defined as an "Associated Facility" in ESS1. Consequently, in addition to the mitigation measures mentioned above, some protocol should be established to verify any infrastructure activities planned and/or implemented by other donors and/or government agencies that may be associated with the subprojects and to be supported under the Project. These activities will be reviewed by the PIU SIDDWWD and members of the WB social security/social safeguards team. A due diligence report will be prepared to assess whether such activities involve social and reputational risks and propose mitigation measures.

#### **9.5. An estimate of number of affected population and assets in the project areas**

Temporary or permanent acquisition of land parcels may not always be avoided; as suitable public land may not be available for the construction of infrastructure projects identified through the community engagement approach. The extent to which any temporary or permanent land acquisition will be required, or whether access and use of land will be restricted on a temporary or permanent basis, is not yet known. This can only be fully determined after each subproject design (design and estimate documentation) is finalized.

#### **9.6. Valuation of assets/losses**

The evaluation process will involve a specialized evaluation company or independent valuator together with the PIU SIDDWWD to conduct a socio-economic survey of the Displaced Persons. The assessment of assets and losses should consider the following:

- applicable current regional land value figures from municipal land commissions, if available;
- applicable current figures for assessing structures, crops and trees from local municipalities, if available;
- applicable current market prices.

The calculation of the unit value will be based on the current market rate to match the replacement value of the land and lost assets, etc. An independent appraiser must be hired to appraise the land, structures, buildings, trees and crops. The PAP has the option to select an independent appraiser at its own expense if it disagrees with the outcome of the property and asset valuation conducted by the independent appraiser hired during the RAP preparation period. The valuer's approach will consider the valuation for each type of land and asset by location. The valuation should be carried out when the census and DIS (Detailed Indicator Survey) is conducted by the company that is preparing the map of the affected areas with delineation of the cut-off parcels/zones. The appraisal company/appraiser will engage experts for the respective project sites who will visit the sites for physical verification, inventory and assessment of each category of loss. The appraiser will also consider the recommendations of the previous appraisal, if available, and will utilize the latest version of the market study.

#### **9.7. Roles and responsibilities**

This section describes the roles and responsibilities for implementing resettlement plans aimed at physical and/or economic relocation as described in ESS 5. The scope of requirements and level of detail of the resettlement plan varies depending on the magnitude and complexity of the resettlement. The plan is based on up-to-date and reliable information on (a) the proposed project and its potential impacts on displaced persons and other affected groups, (b) appropriate and feasible mitigation measures, and (c) legal and institutional arrangements necessary for effective implementation of resettlement measures. Outline resettlement plans are contained in Annex 5.

A site-specific assessment will be carried out in accordance with ESS 5 of the WB and a site-specific resettlement plan will be prepared as a result of this assessment. These will be the responsibility of the SIDDWWD PIU, but will be supported by the district and municipal structures. Table 3 shows the sequence of processes for developing resettlement plan:

**Table 3. Sequence of processes for developing Resettlement Action Plan**

STEPS	Activities
STEP 1.	a) PIU SIDDWWD will screen the subproject for prohibited/excluded activities; b) If the subproject passes the list check prohibited/excluded activities, PIU specialists will be responsible for completing the checklist for social verification jointly with participation of local authorities; With assistance from Local Authorities, PIU specialists will complete the Checklist. c) Based on a social checklist to determine the risk category; d) Screening results, including potential adverse impacts and possible mitigation measures, are provided to community representatives during meetings on subproject priorities conducted by districts and municipalities at their level.
STEP 2.	a) If a subproject requires full socio-economic profiling of Project affected persons (PAPs) and an inventory of losses, it should be referred to the PIU or for further action. b) For moderate risk subprojects, the PIU specialist will note potential social risks and indicate how they can be prevented/mitigated in the social screening table.
STEP 3.	If a subproject is selected for financing, a RAP will be prepared by the PIU specialist with the support of the relevant local authorities. It will be prepared in consultation with the affected parties, especially with regard to the cut-off date, disruption of living conditions and income generating activities, assessment methods, compensation payments, potential assistance and timing.
STEP 4	The implementing agency publishes draft RAP(s) on its official website, after approval by the WB, and organizes the public consultations involving NGOs, community representatives, affected groups, etc. Official minutes will be prepared to record the inputs provided by the participants.
STEP 5	PIU will proceed with implementation of RAP(s) after RAP(s) will be finalized, updated based on community consultations, approved by the WB and published prior to approval of subprojects.
STEP 6	RAP implementation report approved by WB WB NO objection to start civil works

Implementation of the RAP is based on the mechanisms of resettlement implementation and compensation activities in accordance with the WB ESS 5 described in this document. The distribution of responsibilities of all parties involved in the implementation of RAP(s) is summarized in Table 4.

**Table 4. Roles and responsibilities in implementing Resettlement Action Plans**

Responsible party	Responsibilities
PIU SIDDWWD	<ul style="list-style-type: none"> <li>• Approve resettlement plans prepared by PIU with the WB and publish them on the project website;</li> <li>• Organize approval of financing from the local budget of local self-government and/or the Project and payments for the implementation of RAPs;</li> <li>• Implement resettlement plans in the field and regularly report on implementation to the WB;</li> <li>• Summarize issues related to resettlement in relation to project implementation to be sent to the WB in the form of regular progress reports;</li> <li>• Be open to comments from affected groups and local authorities regarding resettlement issues of project implementation. Meet with these groups during site visits, if necessary;</li> <li>• Provide guidance to the construction contractor and construction supervision firm on compliance with RAP(s) in conjunction with district and municipal structures;</li> <li>• Coordinate and liaise with WB supervision missions regarding environmental and social safeguard aspects of project implementation;</li> <li>• Conduct regular monitoring activities to implement specific resettlement plans;</li> <li>• Address grievances at central level</li> <li>• Manage the GRM database and provide regular reports on the number and content of complaints.</li> </ul>
Consulting companies for preparing RAPs.	<ul style="list-style-type: none"> <li>• Conduct social impact screenings in the subprojects with involvement of local authorities;</li> <li>• Prepare RAPs in consultation with relevant stakeholders and PAPs.</li> </ul>
Rayon administrations and Local authorities	<ul style="list-style-type: none"> <li>• Organize the publication of final plans resettlement on their official websites and organize public meetings with NGOs, community representatives, affected groups, etc.;</li> <li>• Official minutes will be prepared to record materials provided by participants;</li> <li>• Management of grievance redressal mechanism at district and local levels;</li> <li>• Facilitate community monitoring.</li> </ul>
Contracting companies	<ul style="list-style-type: none"> <li>• Comply with the requirements of RAP(s), ESMPs;</li> <li>• Compensate or repair all damages incurred during construction (e.g., crop damage, infrastructure) as indicated in the RAP(s)/RPF and agreed to by the PIU or Project representatives;</li> <li>• GRM management of the Contractor level.</li> </ul>



World Bank	<ul style="list-style-type: none"> <li>• Review site/site specific RAP(s) and provide approval to the PIU SIDDWWD;</li> <li>• Publish final RAP(s) on the official WB website;</li> <li>• Conduct implementation support and supervision missions to ensure that the Project complies with the WB ESS5.</li> </ul>
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The table above describes the optimal arrangements, based on existing responsibilities, to ensure that the requirements of these RPF are met for each project. These are based on the institutional structures at the time the RPF is written. If these institutional structures change, this should be reflected in the arrangements outlined.

### **9.8. Monitoring and reporting responsibilities**

The project will support monitoring and evaluation (M&E) activities to track, document and report on project progress and results. The M&E specialists in the PIU SIDDWWD will be responsible for the overall summary of progress and results. The responsible component will be financed by the Project to prepare project reporting - semi-annual reports and quarterly unaudited interim financial reports to be submitted to the World Bank.

The SIDDWWD PIU's M&E team will assess the quality of community mobilization, while other community engagement, voting and community interaction activities of the PIU will be measured/evaluated through community scorecards, which will be reviewed and verified, along with financial documentation and project implementation reports, at social audit meetings. Feedback and complaints received through the GRM will also be included in the semi-annual reporting. The PIU M&E team will collect and analyze these semi-annual outcome measures as well as perception-based results and include them in the semi-annual reports. Outcome measurements will focus primarily on the outputs defined in the results framework and a set of output indicators defined in the POM (Project Operational Manual). This component will also finance interim and final project monitoring studies to assess outcome indicators at the project development objective level. The PIU SIDDWWD will be responsible for the preparation of a completion report prior to the completion of the project.

#### **9.8.1. Monitoring plans**

The social issues included in the mitigation measures are monitored and controlled by the Project representatives appointed by the SIDDWWD PIU. Although social impacts are expected to be low, potential adverse social impacts are planned to be avoided or mitigated during the construction and operational phases.

The environmental and social monitoring system starts from the project implementation phase and will last through the operational phase to prevent negative project impacts and track the effectiveness of mitigation measures. This system helps the WB and the Borrower to assess the success of mitigation measures as part of project supervision and enables action to be taken when necessary. The monitoring system provides technical assistance and oversight as needed, provides early detection of conditions associated with mitigation measures, tracks mitigation results, and provides information on project progress. The environmental and social monitoring to be carried out by the PIU SIDDWWD shall provide information on key environmental and social aspects of the subprojects, in particular the environmental and social impacts of the project and the effectiveness of the mitigation measures taken. Such information allows the success of mitigation measures to be assessed as part of project supervision and enables corrective actions to be implemented as necessary. In this regard, the Monitoring Plan defines the monitoring objectives and identifies the type of monitoring and their relationship to impacts and mitigation measures. In particular, the monitoring section of the RAP contains: (a) a specific description and details of the monitoring measures, including parameters to be measured, methods to be used, frequency of measurements; and (b) monitoring and reporting procedures.

#### **9.8.2. Monitoring and reporting responsibilities**

With the participation of the safeguard's specialists of the, the PIU SIDDWWD will monitor all subprojects under the Project to ensure compliance with ESF requirements during construction, operation and maintenance. They will ensure full compliance of the contract terms and conditions with the RPF/RAP document. Final payment to the contractor should be subject to final inspection,

with particular attention to the requirement to restore the site to its original condition upon completion of rehabilitation works.

The security measures officers of the PIU SIDDWWD will visit the subproject sites as and when required. Based on the effectiveness of the safeguard measures of the various subprojects, the ESF officers will advise on further payments to be made to contractors contracted to implement subprojects under the Project. If it is determined that the RPF and/or ESSs requirements are also not being complied with, further payments will be discontinued until the ESSs requirements are met. In addition, in the project areas the PIU SIDDWWD will be responsible for the environmental and social monitoring activities identified above as part of the preventive and mitigation measures proposed to address potential adverse impacts. This monitoring will be included in the overall project monitoring plan required by the World Bank as part of project implementation.

As part of its environmental and social monitoring activities, the PIU SIDDWWD will conduct spot checks of project facilities to determine the effectiveness of measures taken and the impact of subproject activities on the environment. The PIU is also responsible for handling, resolving and monitoring grievances and other feedback, including those related to environmental and social issues.

The SIDDWWD PIU will be responsible for RPF/ RAP reporting and will:

- keep records and store the results of project supervision and monitoring throughout the project life cycle. It will submit consolidated progress reports on the implementation of the RPF/RAP and aspects of subproject safeguard mechanisms on a semi-annual basis to the World Bank;
- prepare semi-annual progress reports on the implementation of measures proposed in the RPF/RAP for individual subprojects, and as part of this reporting, provide updates on any RAP(s) related to grievances/feedback received, addressed, or pending;
- preparation of semi-annual reports on social impacts arising during subproject implementation and analysis of the effectiveness of mitigation measures applied to minimize negative impacts;
- prepare outlines and requirements for Contractors' reports on resettlement mitigation measures, and review the monitoring plan and Contractor's reports;
- provide information to the general public on the impact of mitigation measures as well as environmental and social protection measures through special publications or annual public workshops.

#### **9.9. Implementation schedule, linking resettlement implementation to construction works**

Prior to the start of construction activities for specific facilities under the subprojects, PAPs will be required to be compensated in accordance with the provisions of the published and approved RAP(s), which is based on the data of the RPF. For activities related to land acquisition or loss, restricted access, it is further required that these measures include the provision of compensation and other assistance necessary for displacement up to the time of resettlement. Land and related assets may be removed only after compensation has been paid and, if applicable, displaced persons are provided with resettlement sites and transportation costs. PAPs who are to be physically resettled shall be able to either complete the construction of their houses on the replacement land parcels or the rent for temporarily accommodating them in alternative housing/apartment will be covered by the compensation budget. A written agreement must be signed between the parties to regulate the specific terms and conditions. Measures to comply with these RPFs will be included in RAP(s) to be prepared for each activity, including resettlement or compensation. The implementation schedule of the activities shall be agreed with the PIU SIDDWWD, Municipal water enterprise \ Rural public association of drinking water consumers / Local authorities and PAPs.

These include target dates for the start and completion of construction works, schedules for handover of completed construction works to PAPs, and tenure of land/facilities/services used by PAPs. The dates should be later than the date of handover of the completed construction works to the PAPs and payment of all compensation. It should also be agreed between the parties how these activities relate to the implementation of the overall subproject. The verification process should ensure that the RAP contains acceptable measures that link resettlement activities to civil works in accordance with this policy.

The distribution mechanism of these measures will ensure that no individual or affected household will be displaced (economically or physically) due to general construction activities before compensation is paid and resettlement sites with adequate facilities/facilities are prepared and made available for the affected individual or household. Once the RAPs have been approved by the designated authority - Director of PIU, the RAP should be forwarded to the World Bank for final review and approval. Compensation will be paid to individual PAPs only after written consent of the PAPs including both husband and wife.

#### **9.10. Implementation budget**

At this stage it is not possible to estimate the exact number of people that may be affected as the technical designs and details have not yet been developed. Therefore, it is not possible to provide an approximate budget for the total cost of resettlement that may be associated with the implementation of this project. However, when these locations are known and after the site-specific socio-economic study is completed, information on specific impacts, individual and household incomes and the number of people affected, and other demographic data will be available. Detailed and accurate budgets for each RAP will be prepared by the PIU SIDDWWD. Each RAP will include a detailed budget that will contain costs for the following:

- compensation may include, for example, costs of land, structures, crops; structural rehabilitation; public structures and services;
- relocation costs may include, for example, PAPs relocation costs, administrative costs of PAPs relocation;
- revenue recovery costs may include, for example, temporary revenue support for PAPs.

The PIU SIDDWWD will be the responsible agency for the implementation of RAP, and administrative costs related to personnel costs, training and capacity building, monitoring and evaluation will be covered by the project funds. Compensation payments according to the RAP will be paid from the Project funds except acquisition of land plots.

### **10. PUBLIC CONSULTATION AND PUBLICATION OF INFORMATION**

#### **10.1. RPF publication**

The draft RPF will be published on the SIDDWWD website – [www.tunuksuu.kg](http://www.tunuksuu.kg). The details of the RPF such as principles of involuntary resettlement (IR) policy, compensation rights, GRM will be presented and discussed during public consultations. The final version of the RPF will be formally submitted to the World Bank for publication in English on the WB webpage. The final versions in English and Russian will also be posted on the Project webpage. The final version of this document will be used by relevant government agencies and other stakeholders during Project implementation.

#### **10.2. Mechanism for consultations with Project Affected Persons**

In order to attract attention of all stakeholders, namely, local authorities, state environmental protection and sanitary supervision bodies, design and operating organizations, to joint participation in solving social and environmental problems in the drinking water supply and wastewater disposal system facilities in the rural settlements of the Kyrgyz Republic, the PIU of the SIDDWWD will hold public hearings for residents of the subprojects.

Vulnerable groups of the population will be invited to public hearings in order to expand their participation in the discussion of the Project and who will actively participate in the discussion process. Also, taking into account local culture and mentality, separate meetings will be organized and held with women for consultations at a time convenient for them.

Participants of the consultations consist of representatives of ayl okmotu, deputies of local kenesh, representatives of architecture, environmental services, representatives of regional sanitary and epidemiological services and others, as well as non-governmental organizations and local residents.

PAPs will be consulted at all stages of the Project implementation process:

- consultations will be held to discuss the RPF with stakeholders prior to Project implementation;

- following identification of the construction site, the Project team will consult with PAPs to inform them about the project, its scope, impacts and obtain their feedback. this may result in a change in project scope to minimize the need for resettlement;
- upon completion of the asset inventory and valuation, the Project Social Development Specialist will discuss the details with the PAPs to ensure that the inventory is complete and the valuation is acceptable to them;
- upon completion of the RAP, project-affected persons will be provided with a copy of it in a language and form accessible to them;
- prior to subproject implementation, a proposed cash or in-kind compensation amount will be discussed with each PAP for their review and approval prior to asset transfer;
- PAP are entitled to the presence of a third party, in this case deputies of the aiyl kenesh, before the final transfer of assets. At any time, a PAP may file a complaint following the procedures described above.

Consultations will take into account socio-cultural factors such as literacy level of the population, cultural barriers to participation of groups, and necessary mitigating factors such as time allocation to ensure maximum participation taking into account household responsibility, geographical settlement, etc., and form that is culturally appropriate.

Appropriate pre-consultation materials will be provided in a timely manner and in a form and language that is understandable to the residents being consulted. Prior to the implementation of resettlement measures, the community will be given enough time to review and discuss the information provided. Community feedback will be incorporated into the design and implementation of the RAP and, if necessary, implementation of the project on a larger scale.

Consultations will be minuted with details of the consultation process: participants, issues addressed, nature of information presented, questions raised and responses. The consultation report should also include demographic data on participants (gender, age, interest groups, etc.).

## **11. GRIEVANCE REDRESS MECHANISM**

As required by the World Bank's Environmental Social Standard (ESS) 10, PIU of the DDWSWP will adapt the Grievance Redress Mechanism (GRM). The GRM will streamline the process of receiving, reviewing and resolving grievances that may arise as a result of the implementation of the Project activities.

The GRM process is necessary to enable direct and indirect beneficiaries, stakeholders and Project staff, at all stages of Project implementation:

- to access information about the Project;
- at all stages of the Project operations to submit their appeals for improvement of the Project activities;
- in increasing transparency and openness in the process of implementation of the Project activities;
- timely addressing issues/problems preferably at no cost and with a guarantee of timely resolution.

Citizens' appeals directly related to the Project implementation are subject to consideration. Appeals or complaints can be either individual or collective. The mechanism will also allow for anonymous complaints to be filed and addressed. In accordance with the Law of the Kyrgyz Republic "On the Procedure for Consideration of Citizens' Appeals" dated 4 May 2007 No.67, citizens/residents of subprojects can send any appeals on issues related to the scope of the Project at all stages of its implementation.

### **11.1. GRM key objectives**

- Register, verify, review, follow up and respond to complaints or appeals received related to social, environmental and any other issues related to Project activities;
- To reach mutually agreed solutions satisfactory to both the Project and Project-affected persons, and to resolve any grievances locally in consultation with the aggrieved party;
- To facilitate the development process at the local level while maintaining transparency, as well as to establish accountability to project affected persons;
- Establish feedback;
- Encourage vulnerable individuals and/or groups to express their views

## 11.2. Grievance review and resolution process

Grievance Redress Mechanism (GRM) is to provide avenues and express concerns or complaints voiced by project-affected persons and institutions; and other community stakeholders affected by activities resulting from the implementation of the Project. It will be implemented according to the following three levels, i.e. grievance commissions will be established at all levels.

It is important to note that the PIU of the DDWSWP will implement the following one of the approaches applied in the process of implementation of the existing Project, through the establishment of Water Committee (WC) of rural settlement consisting of representatives of aiyl okmotu, aiyl kenesh, council of aksakals, council of women, council of youth, vulnerable category of population, ethnic minorities, Municipal Water Supply Enterprise, Rural Public Associations of Drinking Water Consumers of drinking water consumers, as well as interested rural residents. The main purpose of forming and interacting with the WC is to facilitate the Project to broadly involve rural residents in the process of addressing the rural settlement water supply and sanitation issues, as well as in:

- dissemination among the rural residents of reliable information on the progress of the project on construction/rehabilitation of the WSS and modernization of sanitary facilities of social institutions;
- assistance in increasing transparency and openness in the process of implementation of the Project activities;
- conducting joint monitoring of activities of aiyl okmotu and RPADWC/MWSE on water supply system management and provision of safe drinking water to the population.

Establishment of VWC at the subproject level is carried out at the introductory meeting of the rural settlement, where information on the Project, agreement on the composition of the WC and the adopted Regulation on the WC are provided, which are all together recorded in the Minutes of the general introductory meeting of the rural settlement. At the first meeting of the WC, a chairperson, a secretary and a person responsible for promotion of the GRM in the subproject are elected.

Further, the Commission for consideration of citizens of the local level is established at the level of aiyl okmotu on the basis of the Order of Aiyl Okmotu consisting of the head of Aiyl Okmotu, who is the Chairman of the Commission, the Chairman of Aiyl Kenesh is appointed as the Co-Chairman of the Commission, representatives of the regional branch of the state institution "Cadastre", the territorial department of the Ministry of Natural Resources, Ecology and Technical Supervision of the Kyrgyz Republic, the Department of Disease Prevention and State Sanitary and Epidemiological Supervision of the Ministry of Health of the Kyrgyz Republic, director of RPADWC/MWSE, the Chairman of the WC subproject, rural resident and representative of the PIU of the DDWSWP in the subproject.

Regarding the Commission for consideration of citizens' appeals at the national level within the framework of the ongoing PIU of the DDWSWP Project, this Commission was established by the Order of the SAAACHCS with No. 27/p dated 09.11.2023. The Commission is composed of:

- The Director of the Department for Development of Drinking Water Supply and Wastewater Disposal (SIDDWWD) of the SAACHCS under the Cabinet of Ministers of the Kyrgyz Republic is the Chairman of the Commission for consideration of citizens' appeals;
- The head of the Department of Drinking Water and Wastewater Disposal is the co-chair of the Commission;
- A representative of the State Civil Service Agency and Local Government;
- Representative of the Department of the Ministry of Natural Resources, Ecology and Technical Supervision of the Kyrgyz Republic;
- Representative of the Department of Disease Prevention and state sanitary and epidemiological supervision of the Ministry of Health and Social Development of the Ministry of Health of the Kyrgyz Republic;
- The DDWSWP PIU Director;
- The DDWSWP PIU Environmental Specialist;
- The DDWSWP PIU Social Development Specialist;

Table 5 provides information on levels, timeframe and responsible persons for consideration of appeals and complaints of citizens and stakeholders.

**Table 5. Matrix for managing grievances/complaints from citizens affected by the Project**

Step	Impact level	Process	Timeframe
1	Decision at subproject level	At the initial stage, the Village Water Committee listens to the Applicant and proposes acceptable solutions. If the Applicant is not satisfied with the decision of the WC, he or she shall file a complaint in writing with the local Grievance Commission.	2-3 working days
2	Decision at the aiyi okmotu level	Upon receipt of a written request from the Applicant, the AO Commission at the local level will analyze the request and prepare a package of documents. The decision of a majority of the Commission members shall be considered final and the final MoM shall be signed. The decision shall be made within 14 working days with sending the conclusion of the commission's decision to the Applicant. If the Applicant is not satisfied with the decision of the Commission, he/she shall submit an appeal in writing to the Central Level Commission with the opinion and supporting documents received at the local level.	14 working days
3	Central level solution	Upon receipt of a written appeal from the Applicant, the Commission at the central level will review and prepare the appeal package. The formal hearing shall be held on a date agreed upon by the Commissioners. Members of the Commission will contact the Applicant by telephone and organize a visit to the Applicant's community to verify an objective assessment of the facts and verify their accuracy if necessary. Within 14 working days of the filing of the appeal, the Commission shall make a decision and sign the final minutes for further submission to the Applicant.	14 working days

The following communication channels have been established in the DDWSWP PIU through which residents/beneficiaries of the subprojects can send appeals at different stages of Project implementation:

- by mail - Bishkek, Baytik Baatyr str. 34.
- by phone – 0312 54-45-75
- WhatsApp is an instant text messaging system for mobile devices with voice and video support - the GRM numbers are + 996 555 544 575 и +996 707 544 575;
- verbal or written communications received during on-site working meetings and by Project field specialists in the subprojects;
- incoming correspondence on purpose to the DDWSWP PIU reception desk;
- incoming e-mail correspondence [PIU@tunuksuu.kg](mailto:PIU@tunuksuu.kg)
- journals of registrations of citizens' appeals.

### 11.3. Handling sensitive complaints

Given the Standards for the Prevention of Sexual Exploitation and Abuse/Sexual Harassment (SEA/SA=SEA/SH), which the World Bank requires all World Bank-financed projects to adhere to, these standards and responsibilities are also to be adhered to, whereby measures are taken to

raise awareness on prevention and mitigation of SEA/SH. At all stages of Project implementation, all the DDWSWP PIU staff and contractors will be informed on understanding the principles of control and prevention of the SEA/SH risks. The GRM will ensure access and confidentiality of the grievance mechanism, and will ensure that the applicant does not fear likely retaliation. These complaints will be investigated without any delay and all those responsible, will be held accountable. The SEA/SH issues will require certain additional measures:

- Gender sensitivity will be taken into account in the hiring of social work specialists to work in the DDWSWP PIU.
- ESF specialists will be informed of the SEA/SH issues.
- In addition to socio-cultural sensitivity and non-violent communication in employee training, the SEA/SH will be on the agenda as well. Training for employees will include the following information about the SEA/SH:
  - Definition of violence against women in national and international instruments;
  - Types of violence (physical, sexual, economic, emotional);
  - Legal Sanctions.
- The grievance mechanism will be accessible and will ensure the confidentiality of personal information.
- Awareness-raising activities will be conducted to inform women about the application of the mechanism. The following types of information will be provided in these activities:
  - women's rights;
  - self-defense in cases of violence and sexual assault. Emergency phone numbers;
  - contact information of institutions and organizations to which they can apply;
  - grievance mechanism and privacy policy.
- The principle of confidentiality of the grievance mechanism will be repeated in all information materials.

The Project will use additional mitigation measures proportional to the risk. The Contracting organization will be responsible for developing personnel management procedures, health and safety plans, and the SEA/SH protocols that will apply to its own employees and employees of (sub)contractors who are employed by the Project. These procedures and plans will be submitted to the PIU for review and approval before contractors are allowed to begin construction work. All contractors will be required by contract to commit against the use of child labor and forced labor, to take measures regarding the effects of the SEA/SH, and PIU personnel responsible for contractor oversight will monitor and report on the absence of forced labor and incidents of the SEA/SH. All personal data and complaints received by MRW will be treated confidentially unless the Applicant consents to the disclosure of their personal information. In particular, the confidentiality of sensitive issues and the SEA/SH complaints from communities will be respected.

#### **11.4. The WB Grievance Redress Service**

Communities and individuals who believe that they are adversely affected by a World Bank-supported Project may also file complaints directly with the Bank through the Bank's Grievance Redress Service (GRS) (<http://projects-beta.worldbank.org/en/projectsoperations/products-and-services/grievance-redress-service>). A complaint may be submitted in English, Kyrgyz or Russian, although complaints written in languages other than English will require additional time. You can file a complaint with the Bank's GRS through the following channels:

- by e-mail: [grievances@worldbank.org](mailto:grievances@worldbank.org)
- by fax: +1.202.614.7313
- by mail: The World Bank, Grievance Redress Service, MSN MC10-1018, 1818 H Street Northwest, Washington, DC 20433, USA

To the World Bank office in Kyrgyz Republic, at the address: 191, Abdrahmanov Str., Bishkek, Kyrgyz Republic, Hayatt Regency Bishkek, 720011, [bishkek@worldbank.org](mailto:bishkek@worldbank.org), and by phone: +996 312 625262

The complaint should clearly state the adverse impact allegedly caused or likely to be caused by the Bank-supported project. It should, where possible, be supported by available documentation and correspondence. The applicant may also indicate the desired outcome of the complaint. The complaint must include the name of the applicant or designated representatives and contact

information. Grievances filed through the GRS shall be addressed as soon as possible so that Project-related issues can be quickly resolved.

In addition, communities and individuals affected by the Project may file complaints with the World Bank's Independent Inspection Panel, which then determines whether harm has been or may have been caused as a result of the World Bank's failure to comply with its policies and procedures. Complaints may be filed with the Inspection Panel at any time after the matters have been brought to the attention of the World Bank and after bank management has had an opportunity to respond. For information on how to file a complaint with the World Bank Inspection Panel, please visit [www.inspectionpanel.org](http://www.inspectionpanel.org).

In order to obtain and facilitate resolution of concerns, applications and complaints of the affected people regarding the social and environmental performance of the project, a Social and Environmental GRM is proposed for the project. When and where the need arises, the mechanism will be used for addressing complaints that may arise during the implementation of project. The GRM promptly addresses the concerns and complaints of affected people using a clear and transparent process that is gender sensitive, culturally appropriate and easily accessible to all segments of affected people free of charge and without any encumbrances. The mechanism is not impeding access to the KR judicial or administrative remedies. The project initiator will duly inform the affected people about the mechanism before any construction work begins.

Stakeholders and project beneficiaries can send a complaint to through:

- Grievance Redress Mechanism of the Project,
- Grievance Redress Service (GRS) of the World Bank.



**ANNEXES**

**Annex 1. Report form on screening of expected social impacts  
(Report should be brief)**

Date « \_\_\_\_ » \_\_\_\_\_ 202\_\_\_\_

Composition:

№	Last Name, Name, Middle Name	organization	position
1			
2			
3			
4			
5			

---

**Subproject name:** \_\_\_\_\_

**Location of subproject implementation:**

\_\_\_\_\_  
\_\_\_\_\_  
(Specify the location of implementation with a map/layout with photos included)

**Type of activity:** \_\_\_\_\_

(New construction, reconstruction, rehabilitation, current repairs)

**Estimated cost:** \_\_\_\_\_

**Planned date of commencement:**

**Technical drawings/characteristics reviewed:**

\_\_\_\_\_  
\_\_\_\_\_

---

**Checklist:**

Possible impact factor	Availability (yes/no)	Notes
Does this subproject include rehabilitation of existing facilities or will new work be required?		
Is this subproject closely related to any other activity not financed under the Project?		
Is the ownership status and current use of the land/site to be used for construction known? Free of encumbrances?		
Will there be permanent or temporary loss of shelter and residential land due to land acquisition?		
Will there be permanent or temporary loss of agricultural and other productive assets due to land acquisition?		
Will there be losses of crops, trees, and fixed assets due to land acquisition?		
Will there be permanent or temporary loss of businesses or enterprises due to land acquisition?		
Will there be permanent or temporary loss of income sources and means of livelihoods due to land acquisition?		
If land or private property is purchased through negotiated settlement or willing buyer-willing seller, will it result in the permanent or temporary removal or displacement of renters, or leaseholders?		
If land or private property is purchased through negotiated settlement or willing buyer-willing seller, will it result in the permanent or temporary removal or displacement of informal land-users (people without legal rights on the land) or squatters?		
Will the project involve any permanent or temporary restrictions in land use or access to legally designated parks or protected areas and cause people or any community to lose access to natural resources, communal land or communal facilities?		
Is there any impact on illegal land use practices? Are there people ("spontaneous traders") who live / do business in the proposed sites / project locations to be used for construction works? If yes, provide details of any temporary or permanent impact on them in the "Notes" section?		
Is it necessary to determine the level of assessment of institutional resources required for protection measures?		
Are there any third-party assets at the subproject site?		
Are there any privately or commercially owned structures? If yes, indicate the type and number of structures.		
Are there disputed territories?		
Will access roads and pedestrian routes to residences and commercial structures be available during construction?		
Will temporary or permanent land acquisition be required for construction as part of the project?		
Will construction not lead to changes in the social environment, will not the income of commercial structures and the population be reduced?		
Are there any past involuntary resettlement impacts in the area that require remedial actions for unmitigated past resettlements?		

**Recommendations:**

*Based on the answers to the control questions, it will be determined whether or not further action is required to implement ESS 5 procedures.*

\_\_\_\_\_

\_\_\_\_\_

**Name of Social Development Specialist:**

**Signature:** \_\_\_\_\_ / **Date:** \_\_\_\_\_ /

**Annex 2. Screening of affected assets/facilities affected by the Project and their characterization**

Name of subproject: « \_\_\_\_\_ »

Date of Screening: « \_\_\_\_\_ » \_\_\_\_\_ 202\_\_\_\_

**Data of persons potentially affected by the project and characterization of the affected asset**

<b>Nº</b>	<b>PAP Name</b>	<b>Address</b>	<b>Location of the affected asset, parameters</b>	<b>PAP Status</b>	<b>Comments, actions taken</b>	<b>Composition of the commission</b>	<b>Photo</b>
1							
2							
3							
4							
5							
6							
7							

Enclosed: protocol of screening results and photographs.

**Annex 3. Forms of census of PAPs**

Name	Gender		Age	Marital status	Breadwinner		Employment		Employment		The level of education
	M	F			yes	no	yes	no	formal	informal	
1.											
2.											
3.											
4.											
5.											
6.											
7.											

Name of the Interviewer: \_\_\_\_\_

Signature: \_\_\_\_\_

AO representative: \_\_\_\_\_

Signature: \_\_\_\_\_

Name of the representative of the land management service:

\_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

### Annex 4. Inventory of land fund of PAP

Venue: \_\_\_\_\_

Date: \_\_\_\_\_

No. of interview	Full Name of Household Head	Number of households	Number of families in the household	Total land area owned by the family, (m <sup>2</sup> /ha)	Official land and lease documents	Area of land to be withdrawn, (m <sup>2</sup> /ha)	Total % loss	Loss of assets, (m <sup>2</sup> , m, pcs., etc.) (specify type and number of assets: structures, fences, wells, etc.)		Area of loss of housing stock, (m <sup>2</sup> )	Yield loss			Other losses, (specify type of loss: rented housing structure, etc.)	
								Permanent	Temporary		Fruit trees, type and quantity, (pcs.)	Crop loss	Others (specify)		

INTERVIEWER FULL NAME: \_\_\_\_\_

**Annex 5. The rights of PAP for compensation**

No. of interview	Full Name of Household Head	Land compensation			Compensation for construction			Compensation for crops and trees			Compensation for other assets and losses (wells/boreholes, business, etc.)		
		Quantity (m <sup>2</sup> or ha)	Unit price per (m <sup>2</sup> or ha)	Entitlement	Quantity (m <sup>2</sup> or ha)	Unit price per (m <sup>2</sup> or ha)	Entitlement	Quantity (m <sup>2</sup> or ha)	Unit price per (m <sup>2</sup> or ha)	Entitlement	Quantity (m <sup>2</sup> or ha)	Unit price per (m <sup>2</sup> or ha)	Entitlement

INTERVIEWER FULL NAME: \_\_\_\_\_

## Annex 6. Summary of RAP and abbreviated RAP

Content of the Resettlement Action Plan. The scope and level of detail of the resettlement plan depends on the scale and complexity of the resettlement. The plan is based on updated and reliable information on (a) the proposed resettlement and its impact on displaced persons and other disadvantaged groups, and (b) legal issues related to resettlement. The resettlement plan covers the elements below, as applicable. If any element is not relevant to the project conditions, this should be noted in the resettlement plan.

1. Project Description. General description of the project and definition of the project area.
2. Potential impacts. Identification
  - a project component or activity that results in resettlement;
  - area of impact of such component or activity;
  - alternatives considered to avoid/minimize resettlement;
  - mechanisms established to minimize resettlement to the extent possible during project implementation.
3. Purposes. Main objectives of the resettlement program.
4. Social and economic research. Results of socio-economic research to be conducted in the early stages of project preparation and with potentially displaced people, including
  - (a) census results, covering:
    - (i) current residents of the affected area to provide a basis for the developing a resettlement program and excluding the subsequent influx of people eligible for compensation and resettlement assistance;
    - (ii) standard characteristics of displaced households, including descriptions of production systems, work and household organization; and basic information on the livelihoods (including, as appropriate, levels of production and income derived from both formal and informal economic activities) and living standards (including health status) of displaced populations;
    - (iii) the amount of expected loss of assets, total or partial, and the degree of displacement, physical or economic;
    - (iv) information on vulnerable groups or persons for whom special provisions may be made; and
    - (v) provisions for regular updates on the livelihoods and living standards of displaced persons, so that the latest information is available during their displacement.
  - (b) Other studies describing the following:
    - (i) Land tenure and land transfer systems, including inventories of common property natural resources from which people derive their livelihoods and basic necessities, usufruct systems not based on ownership (including fishing, grazing or use of forested areas) are regulated by local land allocation mechanisms, including any issues arising from different tenure systems in the project area;
    - (ii) social interaction patterns in affected communities, including social networks and social support systems, and how these will be affected by the project;
    - (iii) public infrastructure and social services that will be affected;
    - (iv) social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., public organizations, ritual groups, nongovernmental organizations (NGOs) that may be relevant to the consultation strategy and to the development and implementation of resettlement activities.
5. Legal Framework. Results of the regulatory and legal framework analysis, covering:
  - (a) the scope of authority within the compulsory alienation of property and the nature of the compensation associated with it, in terms of assessment methodology and timing of payment;
  - (b) applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the legal process and the accepted timeframe for such procedures, as well as any available alternative dispute resolution mechanisms that may be relevant to resettlement under the project;
  - (c) relevant law (including customary and traditional law) regulating land use, valuation of assets and losses, compensation and rights to use natural resources; customary personal law related to displacement; and environmental and social security legislation;

- (d) laws and regulations relating to the agencies responsible for carrying out resettlement activities;
- (e) gaps, if any, between local laws related to compulsory alienation and resettlement and World Bank resettlement policies, and mechanisms to address such gaps; and
- (f) any legal steps necessary to ensure effective implementation of resettlement activities under the project, including, if necessary, the process of recognizing claims to legal rights to land, including claims arising from customary law and traditional use.
6. Institutional Framework. Results of the analysis of the institutional framework, covering:
- a) identification of institutions responsible for resettlement activities and NGOs that can play a role in project implementation;
  - b) assessing the institutional capacity of such institutions and NGOs; and
  - c) any steps that are proposed to improve the institutional capacity of agencies and NGOs responsible for implementing resettlement.
7. Eligibility. Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant deadlines before eligibility is terminated.
8. Valuation and indemnification. The methodology to be used in assessing losses to determine their replacement cost; and a description of the proposed types and levels of compensation in accordance with local law and such additional measures as are required to achieve the replacement value of the lost assets.
9. Resettlement Measures. Description of compensation packages and other resettlement measures that will help each category of eligible displaced persons achieve policy objectives (see ESS 5). In addition to being technically and economically feasible, resettlement packages must be compatible with and prepared in consultation with the cultural preferences of displaced persons.
10. Site selection, site preparation for moving. Alternative relocation sites and an explanation of the selected sites are considered, including:
- a) Institutional and technical measures to identify and prepare resettlement sites, whether rural or urban, for which the combination of productive capacity, location advantages, and other factors are at least comparable to those of older sites, with an estimate of the time required to acquire and transfer land and supporting resources;
  - b) any measures necessary to prevent land speculation or the influx of non-compliant persons on selected sites;
  - c) Project physical relocation procedures, including a schedule for site preparation and handover;
  - d) Legal mechanisms to regulate tenure and transfer rights to resettled persons.
11. Housing, infrastructure and social services. Plans to provide (or finance the provision of) housing, infrastructure (e.g., water, access roads), and social services (e.g., schools, health services) to resettled persons; plans to provide comparable services to the host population; and any necessary site development, engineering, and architectural designs for these facilities.
12. Environmental protection and management. A description of the boundaries of the resettlement area; and an assessment of the environmental impacts of the proposed resettlement and the measures to mitigate and manage these impacts (coordinated with the environmental assessment of major investments requiring resettlement, if necessary).
13. Community Involvement. Involvement of resettled persons and host communities:
- description of the strategy for consultation and participation of resettled persons and hosts in the design and implementation of resettlement activities;
  - summary of the views expressed and how these views have been taken into account in the preparation of the resettlement plan;
  - review of resettlement options provided and decisions made by displaced persons regarding the options available to them, including options related to: forms of compensation and resettlement assistance; moving as individual families or as part of pre-existing communities or kin groups; maintaining existing model of group organization; and maintaining access to cultural assets (e.g., cultural places of worship, pilgrimage centers, cemeteries);
  - institutionalized mechanisms through which displaced persons can communicate their concerns to project management during planning and implementation; and measures to ensure



adequate representation of vulnerable groups such as indigenous peoples, ethnic minorities, the landless and women.

14. Integration with the host population. Measures to mitigate resettlement impacts on any host communities, including:

- consultation with host communities and local authorities;
- measures for prompt tendering of any payments due to owners for land or other property provided to resettled persons;
- measures to resolve any conflict that may arise between resettled persons and host communities;
- any measures necessary to expand services (e.g. education, water, health and production services) in host communities to make them at least comparable to those available to resettled persons.

15. Grievance Procedures. Acceptable and accessible procedures for third-party resolution of disputes arising from resettlement; such grievance redress mechanisms should take into account the possibility for communities to go to court and traditional dispute resolution mechanisms.

16. Organizational Responsibilities. Organizational framework for resettlement implementation, including identification of agencies responsible for implementing resettlement measures and providing services; mechanisms to ensure proper coordination among agencies and jurisdictions involved in project implementation; and any measures (including technical assistance) needed to strengthen the capacity of executing agencies to design and implement resettlement activities; provisions for transferring to local authorities or the resettled persons themselves the responsibility for managing the facilities and services provided under the project, and for transferring other such responsibilities from the resettlement agencies, where appropriate.

17. Implementation Schedule. An implementation schedule covering all resettlement activities from preparation to implementation, including target dates for achieving the expected benefits to resettled persons and hosts and the termination of various forms of assistance. The schedule should indicate how the resettlement activities relate to the implementation of the overall project.

18. Expenditures and Budget. Tables showing detailed cost estimates for all resettlement activities, including adjustments for inflation, population growth, and other contingencies; cost schedules; sources of funds; and mechanisms for the timely flow of funds and financing for resettlement, if any, in areas outside the implementing agency's jurisdiction.

19. Monitoring and Evaluation. Measures to monitor resettlement activities by the implementing agency, supplemented by independent monitors, as deemed necessary by the Bank, to ensure complete and objective information; performance monitoring indicators to measure costs, services delivered and results of resettlement activities; involvement of displaced persons in the monitoring process; evaluation of resettlement impacts within a reasonable period of time after completion of all resettlement and development activities; using the results of resettlement monitoring to guide subsequent implementation.

The content for the abbreviated RAP covers the following minimum elements:

- displaced persons survey and asset valuation;
- description of compensation and other resettlement assistance to be provided;
- consultation with displaced persons on acceptable options;
- institutional responsibility for implementation and grievance procedures;
- monitoring and implementation mechanisms;
- schedule and budget.

## Annex 7. Voluntary land donation form

Oblast:				
Local authority:				
Rayon / City:				
Name of the Subproject:				
Date of public hearing				
The land plot owner name:	Law ownership:	Beneficiary of the subproject: Yes No		
Gender:	Age:	Occupation:		
Address:				
Description of the land, to be obtained under the subproject:	Affected Area:	Total land holding:	Ratio of affected and to total area of land in possession:	Map coding, if available:
Description of annual crops currently grown on the land and, description of project impacts:				
	Details		Quantity	
Trees that will be removed				
Fruit trees				
Trees used for other household purposes				
Mature forest trees				
Describe any other assets that will be lost or must be relocated to implement the project:				
Value of donated assets:				
Will the donated land/asset be less than 5% of the land / property?				
Acknowledgement from LA/MWSE				

By signing this form, a representative of the PIU SIDDWWD confirms that land donations are voluntary and in accordance with the protocol, agreed upon with the World Bank. By signing this form, MWE/RPADWC/LA (representative) hereby acknowledges that donations of land are recognized and agreed to with an expression of gratitude as described above.

By signing this form, the land user or owner agrees to contribute assets to the project. The contribution is voluntary. If a land user or owner does not want to contribute his or her assets to the project, he or she should refuse to sign or provide a thumbprint and instead ask for compensation.

Signature of the PIU representative: \_\_\_\_\_

Signatures of the affected persons (both husband and wife): \_\_\_\_\_

Signature of the local representative: \_\_\_\_\_

Date: \_\_\_\_\_ \ \_\_\_\_\_ \ \_\_\_\_\_



## Annex 9. Forms of Public Consultations documents

### PUBLIC CONSULTATIONS PROGRAM

**The event aims:** Public awareness on socio-environmental safety of the planned construction/rehabilitation of the water supply system in Chuy, Issyk-Kul and Osh oblasts under the “Water Supply and Sanitation Universal Access Project”.

**Venue:** \_\_\_\_\_

**Date and time:** \_\_\_\_\_

Activity	Responsible	Time
Participant registration		
Meeting opening		
Project Concept Presentation		
Presentation of the Environmental and Social Management Plan and Resettlement Policy Framework of the Project.		
Discussion of presentations, Q&A, free speeches, summarizing and closing the meeting.		

#### INVITATION

Dear \_\_\_\_\_

We invite you to participate in the public hearings on socio-environmental safety measures under the planned by the SIDDWWD PIU for construction and/or rehabilitation of water supply systems in \_\_\_\_\_ oblast under the Project «\_\_\_\_\_»

The public hearing will be conducted\_ \_\_\_\_\_ 202\_\_ in

in \_\_\_\_\_ (time), registration of participants in \_\_\_\_\_(time).

Please confirm your participation by tel. \_\_\_\_\_ or by e-mail  
\_\_\_\_\_