RESETTLEMENT ACTION PLAN

CONSTRUCTION OF THE NEW SUBSTATION
110/35/6-10kV “BISHKEK”

ELECTRICITY SUPPLY ACCOUNTABILITY AND RELIABILITY IMPROVEMENT PROJECT (ESARIP)

SUBMITTED FOR CONSIDERATION:

To Mr. Marat Abdykasymov
Director of PIU ESARIP
3, Chkalova street Lebedinovka vil.
720000, Kyrgyz Republic

DISTRIBUTION:

PIU ESARIP-1 copy (word, pdf)
WB 1 copy (word, pdf)

November 2015 Version 1
# FORM OF REPORT SUBMISSION

<table>
<thead>
<tr>
<th>Version</th>
<th>I</th>
<th>Date of submission</th>
<th>November 2015</th>
</tr>
</thead>
</table>

| Name of document | RESETTLEMENT ACTION PLAN CONSTRUCTION OF NEW SUBSTATION 110/35/6-10kV “BISHKEK” ELECTRICITY SUPPLY ACCOUNTABILITY AND RELIABILITY IMPROVEMENT PROJECT (ESARIP) (P133446) |

| Creator | Consultant Elena Kutmanova Certificate IIP-8.1 № 015872, valid until October 24, 2016 Tel: +996 709 57-39-30 E-mail: ekutmanova@mail.ru (signature) |

| Customer | JSC “Severelectro” Director of PIU ESARIP Marat Abdykasymov (signature) |
# TABLE OF CONTENTS

I. ABBREVIATIONS AND DEFINITIONS 4  
II. INTRODUCTION 6  
   BACKGROUND 6  
   PROJECT IMPACTS 7  
   ESTIMATED COST OF RAP 8  
1. JUSTIFICATION OF NECESSITY FOR CONSTRUCTION OF SS "BISHKEK" 8  
2. SUMMARY OF THE PROJECT 8  
3. LEGAL FRAMEWORK 9  
   3.1 LAND PURCHASING AND RESETTLEMENT IN THE KR 9  
   3.2 WORLD BANK POLICY ON INVOLUNTARY RESETTLEMENT 12  
   3.3 COMPARISON MATRIX OF NATIONAL LEGISLATION OF THE KR AND WORLD BANK POLICY ON RESETTLEMENT AND ACTIONS FOR IMPLEMENTATION DUE TO NON-COMPLIANCE OF REQUIREMENTS 13  
4. ACTION EVALUATION 15  
   4.1. CATEGORY OF PERSONS ENTITLED TO COMPENSATIONS IN RESETTLEMENT 15  
   4.2. IMPACTS DURING CONSTRUCTION OF SS "BISHKEK" 15  
   4.3.1. CENSUS 15  
   4.3.2. EVALUATION OF COMPENSATION MEASURES 16  
5. CONSULTATION AND INFORMATION COVERAGE 16  
6. COMPLAINT HANDLING MECHANISMS 17  
7. ORGANIZATION FUNCTIONS 19  
8. MONITORING AND EVALUATION MECHANISMS 19  
9. ANNEXES 21  
   ANNEX 1. ALLOCATION SCHEME OF SS “BISHKEK” 21  
   ANNEX 2 CONTRACT FOR PURCHASE AND SALE OF ASSETS 22
I. ABBREVIATIONS AND DEFINITIONS

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

**Assistance in resettlement**

Measures on rendering assistance to PAP, who will be probably physically resettled, for example, allowances for resettlement, house building or rental fee, depending on possibility and on necessity with the aim of relief of the resettlement process.

**Census**

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

**Compensation**

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

**Cutoff date**

The date of PAP census start within the project (including undetermined owners). After expiration of this term, any person not included into the census and who claims rights for land or property, concerning the project, will not have rights to get compensation.

**Economic assistance in rehabilitation**

Rendering assistance in addition to compensation as preparation of land, education or employment of PAP, potential raising in getting incomes and level of output or at least bringing their standard of living to pre project level.

**Involuntary resettlement**

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

a) Loss of profit from the usage of these lands;
b) Resettlement because of forfeit of accommodation;
c) Loss of assets or the access to assets;
d) Loss of income sources or the livelihood independently of decision if the PAP will be resettled to another place or not.
<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operation policy</td>
<td>It is a document, which determines aims and principles of resettlement, organizational measures and financing mechanisms. RAP is worked out in accordance with OP provisions.</td>
</tr>
<tr>
<td>Project affected people</td>
<td>Person or household, which is affected by the direct negative economic or social impact in the result of forced expropriation (confiscation) of lands or other property within the Project, independently of the decision, if the mentioned PAP will be physically resettled or not.</td>
</tr>
<tr>
<td>Resettlement action plan</td>
<td>A resettlement document, which contains specific and legally binding requirements to be abided by to resettle and compensate the affected side before implementation of the project activities causing adverse impacts</td>
</tr>
<tr>
<td>Resettlement</td>
<td>Physical resettlement of PAP from their place of residence or their business activity prior to launching of the project</td>
</tr>
<tr>
<td>Reinstatement</td>
<td>Assistance to PAP who lost their assets, livelihood means that should be compensated to improve their living standards or at least reinstate their pre-project standard of living. Reinstatement assistance can be provided in cash or in kind equivalent, or combination of both to improve or reinstate the pre-project standard of life.</td>
</tr>
</tbody>
</table>
II. INTRODUCTION

Background

The project “Construction of new substation 110/35/6-10kV "Bishkek" will be implemented within the framework of Component 1 of ESARIP, the objectives of which is reliability improvement electricity supply in the sphere of service of JSC “Severelectro” and strengthening of company’s work management.

Substation (SS) "Bishkek" provides additional capacity 2x40 MW and reduce congestion of substations 35/6 kV "Penko-Jutovaya"≈10 MW, substation 35/6 kV "Central-4" and 35/6 kV "Central-6"≈8 MW, substation 35/6 kV "Central-1" and 35/6 kV "Central-2"≈8 MW. The substation construction will create a reserve capacity of 10-15 MW, and will lead to more supply≈62,0 mln. KW/h of electric power per year.

SS "Bishkek" with the area of 0.16 hectares, will be located on the municipal territory of Bishkek, in Aitmatov street, bordering on the north side with the territory of the existing car park, on the east side Aitmatov street, on the south side - the territory of the pump station "Bishkekteploset" and the west - the river Alamedin.

Situational layout of SS "Bishkek" is presented in Annex 1.

This municipal territory shown in the layout is administered by the Directorate of municipal markets and car parks of Bishkek mayor's office (hereinafter Directorate), on which the parking for trucks is situated. Part of the territory of 0.16 hectares, south side of the parking lot to be removed from the jurisdiction of the Directorate and to be turned over to SE for the construction of SS "Bishkek".

Illustrations 1-2. Territory for placement of SS "Bishkek"

During the reconnaissance of the construction site on November 3, 2015, the fact of assets placing owned by the right of private property of PAP is revealed. Ownership of assets is confirmed by the contract of purchase and sale from 24.12.20121 and accounting procedures, as per the contract terms, which belong to the owner of the former car park of CJSC "Kyrgyzavtoservis".

54 reinforced concrete panel fence of the existing parking lot have been on the construction site of the SS "Bishkek". In this connection, it is necessary to dismantle the fence panels and storage on the remaining territory of the parking lot.

1 See annex 2
Illustration 3. Assets-54 reinforced concrete panel fence, belonging to PAP

Proceeding from the requirements of WB OP 4.12 “Involuntary resettlement”, the necessity of procedures execution arise, which are foreseen by protection mechanisms of this policy, that is of development and execution of abbreviated RAP as the project impacts are insignificant.\(^2\)

**Project impacts**

For preparation of RAP in November 3 and 13, 2015 the screening and scaling of the project for the subject of determination of potential impact, selection of implement for resettlement organization and inventory of assets of PAP №1, got to the construction site of SS "Bishkek" has been done. This project will involve only one (1) PAP (hereinafter indicated as PAP № 1).

In the course of information consultations PAP №1 clarified the situation on the causes of asset allocation, that is of concrete fencing panels, which are located on the territory of SS construction and owned on the right of private property.

When transferring the territory of the parking lot from the Closed Corporation (CC) Kyrgyzavtoservis” to the Directorate in 2012, PAP №1 purchased these concrete panel fence at CC "Kyrgyzavtoservis." The land has not been purchased by PAP №1. The land is the municipal property under the jurisdiction of the Directorate. But PAP №1 has not given these panels for rent to the Directorate and not dismantled, as PAP №1 is still working in the Directorate in the same parking. Therefore, PAP №1 will not lose income from the upcoming dismantling of assets. In this connection, the issue of monetary compensation for PAP №1 is not considered.

\(^2\) Paragraph 25 and footnote 25 of OP 4.12 "Involuntary Resettlement" - "... if at least 200 people are liable to resettlement, but the population, which is in the project area, is not the subject to physical relocation to a new place, a brief RAP can be submitted"
Illustration 4. Conduct of information consultation with PAP (on the left of photo) and representative of Directorate (on the right of photo)

The costs of the project involve only the dismantling of concrete fencing panels and storage on the remaining territory of the parking lot. These costs will be carried out by means of SE.

**Estimated cost of RAP**

RAP at the expense of SE will be 162,972 soms, including the costs of dismantling 54 concrete fencing panels and storage on the remaining territory of the parking lot.

**1. JUSTIFICATION OF NECESSITY FOR CONSTRUCTION OF SS “BISHKEK”**

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

In this connection on the terms of increase of residential electric power customers the necessity of improvement the electricity supply reliability and strengthening of the operational work management of the company raised on the project site. Therefore, construction of SS "Bishkek" will create power reserve of 10-15 MW and leads to more supply ≈ 62,0 mln. kW*h of electricity per year.

**2. SUMMARY OF THE PROJECT**

The project comprises of the following three components:

**Component 1.** Strengthening of the distribution infrastructure;
**Component 2.** Improvement of the customer service and enterprise resource planning;
**Component 3.** Institutional strengthening and project realization support.

Implementation of projects under **Component 1** "Strengthening of the distribution infrastructure" (the approximate amount is 16 million US dollars) will help to improve the reliability of electricity supply and reduce losses in the distribution network due to the priority investments in strengthening of distribution infrastructure of SE. Objects implemented under this component (construction of new medium-voltage substations in Bishkek and replacement of
electricity meters for the customers with the highest consumption in Chui region), will reduce losses and improve the reliability of power supply in the service area of SE by the way of supporting investments to strengthen the company's distribution infrastructure. The amount of this component is based on a five-year investment plan of SE, which defines a comprehensive framework of investments in (i) the cables of high, medium and low voltage, (ii) air lines, (iii) sub-stations, (iv) power transformers, (v) circuit breakers, (vi) meters and other assets of the distribution infrastructure of SE. The plan includes investments in new assets to eliminate congestion, as well as reconstruction and modernization of existing infrastructure with a total estimated cost of about 40 million US dollars.

Component 2 "Improving customer service and enterprise resource planning" (the estimated amount is 7 million US dollars) will provide SE management information tools to improve the quality of customer service (electricity and commercial matters) and increase the overall effectiveness of the company in all areas of work. With this aim, the component will finance the delivery, installation and start-up of the Information Management System (IMS) and training of SE staff on use of applications, as well as, a limited investment in hardware for the functioning of the IMS. IMS will be established throughout the company, and will cover all three main areas of operations: commercial functions, management of enterprise resources, planning of electric net operating regime and operational activities. Implementation of IMS will be accompanied by re-engineering the relevant business processes of SE in all key areas in order to maximize the functionality of the new management tools, to make the company's operations more client-oriented and efficient, and the execution of the processes more transparent and accountable, both within the company and to foreign stockholders.

Component 3 "Institutional strengthening and support of the project" (the estimated amount: is 2.47 million US dollars, including 0.47 million US dollars from the Trust Fund of ECA Capacity Development Trust Fund) will support the implementation of the project and the sustainability of its results. This component will support two key activities for smooth implementation of the project and sustainability of the project results: (i) support of implementation for the project management, including monitoring and evaluation of the additional operating costs of Project Implementation Unit (PIU) in SE; and (ii) technical assistance to SE on improvement of business processes, improving management and create greater focus on customer service. Technical assistance will be provided to rationalize procurement, financial reporting and accountability mechanisms, as well as improving SE business processes.

3. LEGAL FRAMEWORK

3.1. Land acquisition and resettlement in the Kyrgyz Republic


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

1. KR recognizes the variety of forms of ownership and guarantees equal protection of those.

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

3. Land, sub-soil resources, air space, waters and forests are an exclusive property of the Kyrgyz Republic; those are used for protection of the unified environmental system being a basis of life and livelihood of KR people and protected by the government.
4. The extent and procedures used by owners to exercise their rights and ensure protection of those regulated by Law.

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

**Article 4. The ownership of land**

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

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

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

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

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

   Management and disposal of lands in communal ownership shall be exercised:
   - within the borders of rural councils - by the executive body of aïyl or village council;
   - within the borders of cities - by local state administrations and bodies of local self-government;

   Management and disposal of lands within the borders of rural councils and cities being in state ownership shall be exercised by the bodies of local government in cases provided by this Code.

4. Pastures cannot be transferred in private ownership or leased out.

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

1. The use of a land plot may be unlimited (without indication of term) or fixed-term (temporary).

2. The fixed-term (temporary) use of the land plot including the use right on the conditions of the lease agreement shall be recognized the use of land limited in term up to 50 years. After expiration of this period, the period of use of the land plot may be prolonged subject to the agreement of parties.

3. Land plots shall be provided to foreign individuals for fixed-term (temporary) use only.

4. Agricultural land of reallocation fund shall be leased out as a rule for the period of not less than 5 years.

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

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

**Article 53. Creation of Servitude**

1. Servitude may be created by the agreement of the parties (voluntary easement) or in case of necessity, by the decision of the authorized agency (coercive easement).

2. Encumbrance of land with an easement shall not deprive the land owner/user of the right to use and dispose of its right to land plot.

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

1. In cases provided by this Code and other legislation, an authorized agency may establish coercive easement upon demand of an interested party.

2. A coercive easement shall be established to secure:
   1) access to a land plot if another access is impossible, extremely difficult, or requires incommensurate expenses;
   2) laying and operation of electric transmission lines, communications, water supply, heat supply, reclamation, and other needs that may not be secured without establishment of a coercive easement.

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

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

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

The rights to land shall terminate in the event of:

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

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

Withdrawal of the land plot shall be allowed in the event of:

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

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

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

3.2 World Bank policy on involuntary resettlement

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

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

(b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

(c) Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

This policy covers direct economic and social impacts that both result from Bank-assisted investment projects, and are caused by (a) the involuntary taking of land resulting in (b) relocation or loss of shelter; (c) lost of assets or access to assets; (d) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; (e) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

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

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

3 Footnote 25 of OP 4.12 - "The consequences will be minor, if PAP will lose less than 10% of their productive assets."
1. Displaced persons and their communities, and any host communities receiving them, are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement. Appropriate and accessible grievance mechanisms are established for these groups.

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

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

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

### 3.3 Comparison of national legislation of the KR and WB Policy

Main differences between Kyrgyz Republic Land Law and WB policy are outlined in the table 3.3.1.

In case of contradiction between the laws of KR and requirements of WB OP 4.12 “Involuntary resettlement” the principles and procedures of OP 4.12 should be used. This priority of the WB norms over state legislation is the requirement for projects, financed by WB.
<table>
<thead>
<tr>
<th>Provisions of Land code of the KR</th>
<th>Requirements of OP 4.12 &quot;Involuntary resettlement&quot;</th>
<th>Implementation actions⁴</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation for acquired land only for titled landowners, i.e. the PAPs with formal documents permitting the use of land, or holders of customary rights.</td>
<td>Lack of formal title to land will not bar PAPs from entitlements, those people without legal title to land and/or structures occupied or used by them are entitled to various options of resettlement assistance as per the entitlement matrix, provided they cultivated/occupied the land before the eligibility cut-off date.</td>
<td>Within the project “Bishkek” diversion of land is not required.</td>
</tr>
<tr>
<td>Consultations with PAP or communities in respect of land or asset confiscation, are not required.</td>
<td>PAPs are to be fully informed and consulted on compensation, entitlements and resettlement options incl. relocation sites. Includes consultation, participation, information dissemination campaigns and opportunities to participate in monitoring based on the nature and scale of impacts. Resettlement plans to be developed and prepared in consultation with PAPs and other interested parties. Grievance redress mechanisms are to be established. The obligatory requirement is information disclosure.</td>
<td>During realization of the Project obligatory consultations are foreseen concerning the variants of PAP resettlement.</td>
</tr>
<tr>
<td>Compensation for other assets (structures, crops, trees, and business income) is provided by formal user at market value.</td>
<td>Compensation for other assets is paid on substitution price of housing and buildings⁵. At the same time amortization of objects and the cost of good for usage materials is not taken into account, as well as advantage price from project realization</td>
<td>PAP is entitled to assistance in the form of carrying out dismantling works of concrete fencing panels and storage in the specified by PAP place, on the territory of car park. This assistance will be implemented at the expense of SE.</td>
</tr>
<tr>
<td>Payments for transportation expenses and settlements are not provided.</td>
<td>The substitution price includes delivery costs of building materials and the expenses for resettlement.</td>
<td>If necessary the transportation expenses of assets with the aim of storage will be included into the budget of RAP.</td>
</tr>
</tbody>
</table>

⁴ Implementation of the execution of projects of international legal norms.  
⁵ The replacement cost of buildings and facilities equal to the market value of the materials that will be needed for the construction of the replacement structure, which at the place and quality similar to or better got under impact or repair partially affected facilities, plus the cost of shipping building materials to the construction site plus the cost of contractors, plus taxes for the registration and re-registration of property rights.
4. ACTION EVALUATION

4.1 Categories of persons, who have right for compensation during resettlement

The resettling people can refer to one of the following three categories:6:

a) People who have official juridical rights for lands in accordance with legislation of the Kyrgyz Republic;

b) People who do not have official juridical rights for land areas for the moment of beginning census, but claiming about their rights for such areas or property on the term that such pretences are recognized by country legislation or they win the recognition in order determined by the Plan of resettlement conduct;

c) People who do not have official rights for lands or concerned property or making business or other activity on this land, which provide means for living illegally or informally. It includes persons occupying the land area without permission and also of persons engaging in farming for sale or for private needs and others.

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

In this case, PAP refers to the category (c), and for him the priority is to assist in carrying out dismantling works of concrete fencing panels and storage in the specified location on the remaining territory of the car park.

4.2 Impacts during the construction of SS “Bishkek”

4.2.1 Census

Census of PAP with making inventory of concerned assets, determining ownership for land and the presence of the lease between the PAP and the Directorate, carried out during information consultations held on October 13 2015.

The following concerned assets are included into the census:

Table 4.2.1.1

<table>
<thead>
<tr>
<th>№</th>
<th>Name of PAP</th>
<th>Status of PAP</th>
<th>Concerned assets, which are subject to demounting</th>
</tr>
</thead>
</table>
| 1  | PAP         | 1. In 2012, PAP№1 has purchased concrete panel fence from the former car park owner of CC "Kyrgyzavtoservis." These panels are the property of PAP №1. The panels remain on the territory of the parking lot, and require dismantling during the construction of the SS.  
2. Land for parking has not been purchased by PAP №1. It is the municipal property under the |
|    |             |              | 54 concrete panel fences of the existing car park. |

6 See paragraph 15 of OP 4.12
jurisdiction of Directorate. Because of it, PAP №1 has no legal ownership for this land.
3. There are no lease relations (agreement) between PAP №1 and Directorate.

4.2.2. Evaluation of compensation measures

SE charges for rendering assistance to PAP will consist of the cost of dismantling of 54 concrete fencing panels and storage on the remaining territory of the parking lot.

The calculation of costs is shown below:

Table 4.2.2.1

<table>
<thead>
<tr>
<th>Number of panels (units)</th>
<th>Price for dismantling of concrete fencing panels up to 5m2 (A, som)</th>
<th>Cost B=NxA, (som)</th>
</tr>
</thead>
<tbody>
<tr>
<td>54</td>
<td>3018</td>
<td>162 972</td>
</tr>
</tbody>
</table>

Total budget of RAP at the expense of SE is 162 972 soms.

5. CONSULTATIONS AND INFORMATION COVERAGE

Before starting the building of SS “Bishkek” all necessary procedures are implemented, which are connected with working out of present document, including measures on getting involved into the activity on resettlement of the settler himself, conduct of consultations and providing his participation in preparation and implementation of measures on resettlement together with the representatives of SE.

During the consultations and census of PAP questions about the choice of assistance in connection with the construction of substation on the territory where his assets are located, were explained. The problems on resettlement have been explained taking into account that they do not have juridical right of land ownership, on which the construction of SS should be planned. There is no right to lease the territory and not to use the assets of PAP by the Directorate.

In consultations with PAP the assets which are falling under the impact of the project and feedback from PAP to assist in dismantling and storage of concrete fencing panels on the remaining territory of the parking lot are determined.

After preparation, the RAP will be submitted for approval to the head of PIU.

After making adjustments, the RAP will be submitted to WB for review and approval in order to comply with the requirements of OP 4.12 "Involuntary Resettlement".

Then, using the principles of informing the public, that is the disclosure of information in the prescribed manner, the RAP will be published on the website of JSC "Severelectro" and the website of the World Bank in the info-shop, as well as sent to the mayor of Bishkek and PAP.
In the website of JSC "Severelectro" RAP will be available in Russian and English languages.

In the table the coherence of information coverage is shown in the following way:

<table>
<thead>
<tr>
<th>№ п/п</th>
<th>Procedure of information</th>
<th>To whom RAP is submitted</th>
<th>The result of information</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>After preparation of RAP</td>
<td>To PIU</td>
<td>Approval of RAP</td>
</tr>
<tr>
<td>2</td>
<td>Adjustment of RAP based on the comments and proposals</td>
<td>Again to PIU</td>
<td>Recurrent approval of RAP</td>
</tr>
<tr>
<td>3</td>
<td>RAP agreed with PIU</td>
<td>To the WB for review and approval</td>
<td>After agreement - publishing on the web-site of JSC &quot;Severelectro&quot; and the website of the World Bank in the info-shop. Distribution to PAP and the mayor's office of Bishkek</td>
</tr>
</tbody>
</table>

6. Complaint Handling Mechanisms

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

a) Compliance of the grievances redress mechanisms to the scale of project impact;

b) Efficiency of problems settlement, utilization of understandable and open process, of culturally acceptable and available for all segments of the relevant persons, free and non-repayable;

c) Foreseeing of access to judicial or administrative measures, that is inclusion of right into the judicial appeal;

d) Awareness of the relevant community about these mechanisms duly.
The order of submission, consideration and redress of grievances.

Table 6.1

<table>
<thead>
<tr>
<th>Claim procedure</th>
<th>To whom the grievance is addressed</th>
<th>Form of complaint</th>
<th>Procedure of grievance redress</th>
<th>Time to consider grievance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Instance I</td>
<td>To Project Implementation Unit (PIU) for Abdykasymov Marat Rakymbergenovich—Head of Innovation and organization support division (+996312 33-33-95) Adress: KR, Lebedinovka village, 3, Chkalova street. Email: <a href="mailto:severpiu@mail.ru">severpiu@mail.ru</a></td>
<td>In written, form with signature and date</td>
<td>1) Assistant of the head of the department registers a complaint in the log⁷ and assigns a reference number to each complaint; 2) Follows up the process of review and satisfaction of claims; 3) Monthly reports to the PIU management on the status of work with complaints. Kutmanova E., Safeguards consultant (tel. + 996 709 57 39 30): 1) Maintains direct liaison with the PAP; 2) Cooperates with the head of the PIU on issues of validity of a claim and in case of proven validity, arranges and holds consultations with a complainant and develops corrective measures.</td>
<td>20 days</td>
</tr>
<tr>
<td>Instance II</td>
<td>To mayor’s office of Bishkek city</td>
<td>In writing, if the complaint was not resolved at the 1st instance, it is directed from PIU to the mayor’s office</td>
<td>1) Agreement with all involved parties; 2) Adoption of legalized decision in the form of the mayor’s office decision</td>
<td>30 days</td>
</tr>
<tr>
<td>Instance III</td>
<td>Court of first instance</td>
<td>The complaint is sent to the court of first instance if the complainant is not satisfied with the decision of the mayor’s office</td>
<td>Following the court procedures</td>
<td>Following the court procedures</td>
</tr>
</tbody>
</table>

⁷ The form of the log is shown in the table 8.2 and 8.3
7. ORGANIZATION FUNCTIONS

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

The RAP will be implemented after the WB approval. Afterwards the RAP will be submitted to all interested parties, including PAP.

8. MONITORING AND EVALUATION MECHANISMS

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

   Monitoring mechanism of RAP implementation:

<table>
<thead>
<tr>
<th>№</th>
<th>Monitoring indicators</th>
<th>Number and record of information</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Complaints and proposals received from PAP</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Pending complaints</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Assisting PAP to the impact resulting from the project realization</td>
<td></td>
</tr>
</tbody>
</table>

For this RAP the separate file will be started, in which the document of RAP and the claims and proposals registration log, shown in the tables 8.2 and 8.3 will be included.
The log for complaints in the 1st instance of claim procedure

Table 8.2

<table>
<thead>
<tr>
<th>№</th>
<th>Name of PAP and contact data (address, telephone)</th>
<th>Content of complaint</th>
<th>Date of receiving the claim at PIU</th>
<th>Date of answer for received claim</th>
<th>If PAP is satisfied by the results of consideration (yes/no) and to mention the reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

The log for claims registration of the 2nd instance of claim procedure and judicial decisions

Table 8.3

<table>
<thead>
<tr>
<th>#</th>
<th>The content of the recurrent claim</th>
<th>Date of receiving the claim</th>
<th>Accepted decision</th>
<th>Date of receiving answer from PAP</th>
<th>If PAP is satisfied by the results of consideration in this instance (yes/no) and to mention the reason</th>
<th>Date of addressing to court and court’s decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

---

8 The log is filled in, if the complaint of PAP is not satisfied in the 1st instance
The logs will be filled in as far as the claims and proposals are received from PAP, and their control will be done in accordance with the order of hand in, grievances redress.(table 6.1).

The abovementioned documents will be formed in the accumulative file during all the period of building. When the project will be finished, the control examination of RAP requirements implementation will be executed.

9. ANNEXES

Annex 1. Scheme of “Bishkek” substation allocation in the Aitmatova-Salieva streets
ДОГОВОР
купли-продажи
от 24 декабря 2012 года
г. Бишкек
Закрытое акционерное общество «Кыргызавтосервис», в лице вице-президента Котенева В.М., действующего на основании доверенности Общества, именуемое в дальнейшем «Продавец», с одной стороны и Касиев Эркинбек Бекешович, паспорт АН2353183, выдан МВД 50-09 от 04.05.2011 года, проживающий по адресу: Чуйская область, Сокулукский район, ул.САЗ, ул.Б.Турдубаева, 108, именуемый в дальнейшем «Покупатель», с другой стороны, заключили настоящий договор о нижеследующем:

1. Предмет договора и основные условия.
1.1. Настоящий договор заключен с целью определения порядка взаимоотношений и взаиморасчетов сторон при купле-продаже имущества платной автостоянки № 12, расположенной по адресу: Кыргызская Республика, г. Бишкек, ул. Салиева – ул. Кашырская.

2. Права и обязанности сторон.
2.1. Продавец обязан передать Покупателю имущество платной стоянки по ул. Салиева – ул. Кашырская.
2.2. Покупатель несет все необходимые расходы по оформлению купли-продажи во всех инстанциях.

3. Порядок расчетов и ответственность сторон.
3.1. Покупатель выплачивает Продавцу денежные средства в размере: 86000 (восемьдесят шесть тысяч) сомов.
3.2. Расчеты с Покупателем производятся в национальной валюте.

4. Прочие условия.
4.1. За не выполнение или не надлежащее выполнение условий данного договора, виновная сторона несет ответственность в сумме причиненного материального ущерба.
4.2. Договор вступает в силу с момента его подписания и действует до полного выполнения сторонами своих обязательств.
4.3. Все спорные вопросы регулируются на основании действующего законодательства Кыргызской Республики.

5. Юридические адреса сторон:

Продавец
ЗАО «Кыргызавтосервис»
Сленинское, ул. Алина-Атинская, 2, 005
УТНС КР по Ала-Мундунскому р-ну,
p/c 1250200020019497, БИК 125008,
в ФАО «Халык Банк Кыргызстан- Бишкек» ИНН 0060199210033

Покупатель
Касиев Эркинбек Бекешович
паспорт АН2353183, выдан МВД 50-09 от 04.05.2011 года, проживающий по адресу:
Чуйская область, Сокулукский район, с. САЗ, ул. Б. Турдубаева, дом 108

[Подпись]
Касиев Э. Б.
АКТ
приема передачи основных средств автостоянки № 12
«Салиева – Каширская» г. Бишкек, ул. Салиева, 300 от ЗАО «Кыргызавтосервис» частному предпринимателю Каснему Э.Б.
г. Бишкек
5 декабря 2012 г.

| № п/п | Наименование | Кол-во | Цена (сом) | Стоимость (сом) | Примеч.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Сторожевое помещение</td>
<td>1</td>
<td>1 200</td>
<td>1 200</td>
<td></td>
</tr>
</tbody>
</table>
| 2.    | Ограждение:  
- сетка металл. б/у 2,5 x 1,5 м  
- плиты ж/б, б/у 2,5 x 2 м | 110  
98   | 100   
500   | 11 000  
49 000          |        |
| 3.    | Опоры осветительные | 6    | 500        | 3000           |        |
| 4.    | Прожектор | 6    | 150        | 900            |        |
| 5.    | Навес для легковых автомобилей | 22   | 300        | 6 600          |        |
| 6.    | Обогреватель стеночный | 2    | 920        | 1 840          |        |
| 7.    | Сейф металлический | 1    | 460        | 460            |        |
| 8.    | Водомер | 1    | 1 200      | 1 200          |        |
|       | Итого: | | | 86 000 | |

Основные средства сделал:
Начальник а/стоянок ЗАО «Кыргызавтосервис»
Г. Зайцев

Основные средства принял:
Частный предприниматель
Э. Каснем

(86 000 – 18 105) = 67 895

Доп.: