

COMMUNAL SERVICES DEVELOPMENT
FUND PROJECT
GOVERNMENT OF TAJIKISTAN

Resettlement Policy Framework

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Abbreviations

DP	Displaced Person
DPR	Detailed Project Report
FGD	Focused Group Discussion
GRC	Grievance Redress Committee
KMK	State Unitary Enterprise “Khojagii Manziliu Kommunalii” (Housing and Communal Services Enterprise)
SCISPM	State Committee on Investments and State Property Management
LC	Land Code of the Republic of Tajikistan
MIDP	Municipal Infrastructure Development Project
NGO	Non-Governmental Organisation
OP	Operational Policy
PAP	Project Affected Person
PAH	Project Affected Household
PMU	Project Management Unit
QPR	Quarterly Progress Report
RO	Resettlement Officer
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
RT	The Republic of Tajikistan
SIA	Social Impact Assessment
SR	Schedule of Rates
TJS	Tajikistani Somoni (Local Currency)
WB	World Bank
WHH	Women Headed Household

Definitions

In this Resettlement Policy Framework, unless the context otherwise requires, the following terms will have the following meanings:

“Project affected persons” (PAPs) means persons who, for reasons of the involuntary taking of their land or other assets as a result of the project.

“Involuntary resettlement” means the involuntary taking of land resulting in direct or indirect economic and social impacts caused by: a) Loss of benefits from use of such land; b) relocation or loss of shelter; c) loss of assets or access to assets; or d) loss of income sources or means of livelihood, whether or not the PAP has moved to another location.

“Cut-off date” is the date by which PAPs and their affected assets have been identified and new entrants to the site cannot make claims to compensation or resettlement assistance. Persons whose ownership, use of occupancy prior to the cut-off date can be demonstrated remain eligible for assistance, regardless of their identification in the census.

“Compensation” means the payment in kind, cash or other assets given in exchange for the taking of land, loss of other types of assets (including fixed assets) or loss of livelihoods resulting from project activities.

“Census” is a complete count of the population affected by a project activity including collation of demographic and property information. This will identify and determine the number of Project Affected Persons (PAP) and the nature and levels of impact.

“Resettlement Action Plan (RAP)” is a resettlement instrument (document) to be prepared when subproject locations are identified. RAPs contain specific and legally binding requirements to be abided by to resettle and compensate the affected party before implementation of the project activities causing adverse impacts.

“Resettlement Assistance” means the measures to ensure that project affected persons who may require to be physically relocated are provided with assistance such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement during relocation.

“Replacement cost for houses and other structures” means the prevailing open market cost of replacing affected structures, in an area and of the quality similar to or better than that of the affected structures. Such costs will include: (a) the cost of the materials, (b) transporting building materials to the construction site; (c) any labor and contractors’ fees; and (d) any registration costs.

“Land acquisition” means the compulsory taking of or alienation of land, buildings or other assets thereon for purposes of the Project. The landowner may be left with the right to negotiate the amount of compensation proposed. This includes land or assets for which the owner enjoys uncontested customary rights.

“Economic Rehabilitation Assistance” means the provision of development assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable PAPs to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-project levels.

“The Resettlement Policy Framework” (RPF) is an instrument to be used throughout project implementation. The RPF sets out the resettlement objectives and principles, organizational arrangements and funding mechanisms for any resettlement, that may be necessary during project implementation. The RPF guides the preparation of Resettlement Action Plans of individual sub projects in order to meet the needs of the people who may be affected by the project. The

Resettlement Action Plans (“RAPs”) for the Project will therefore be prepared in conformity with the provisions of this RPF.

“Replacement cost” means replacement of assets with an amount sufficient to cover full cost of lost assets and related transaction costs. The cost is to be based on **market rate (commercial rate)** according to Tajikistan law for sale of land or property. In terms of land, this may be categorized as follows; (a) Replacement cost for agricultural land means the pre- project program or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of: (b) preparing the land to levels similar to those of the affected land; and (c) any registration and transfer taxes;

“Squatter” means any person occupying land that belongs to the State (with no legal rights to occupy that parcel of land) for cultivation and/or residential and/or business purposes.

“Tenant” means any person by whom or on whose account lease/rent is payable for any property.

“Women Headed Household” (WHH) means a household that is headed by a woman and does not have an adult male earning member. This woman may be a widowed, separated or deserted person.

“Vulnerable Group” (VG) includes but is not limited to the following categories: (i) PAPs falling under ‘Below Poverty Line’ (BPL) category; (ii) landless people; (iii) Women Headed Households; (iv) Children and elderly people², including orphans and destitute; and (v) Physically and mentally challenged / disabled people.

² PAPs up to 14 years have been considered as children, while those over 60 years of age have been considered as elderly people in the project.

EXECUTIVE SUMMARY

The Republic of Tajikistan (RT) with support from the International Development Agency (IDA)/World Bank have decided to set up the Communal Services Development Fund (CSDF) to address the growing urban infrastructure needs (water, sanitation and solid waste management) and logistical infrastructure-city roads and transportation facilities. Establishment of CSDF will be carried out under the proposed Communal Services Development Fund Project (CSDFP). Hence, the CSDFP will consist of pre-CSDF set-up and post-CSDF set-up periods. CSDFP will start with implementation of subprojects, under the current PMU management, and upon finalization of CSDF establishment, all financing will be transferred under direct management of the Fund. CSDF will function under the office of the Deputy Prime Minister, and the investments of the CSDF will be approved by a Steering Committee (SC) constituted for this purpose. A secretariat functioning under the Deputy Prime Ministers Office (DPMO) would be responsible for project appraisals, investment recommendations, disbursements, monitoring and performance audit of the fund.

World Bank requires a Resettlement Policy Framework for projects involving multiple sub-projects wherein the nature and design of the sub-projects is not known. Communal Services Development Fund Project (CSDFP) proposes to finance sub-projects in identified project towns and as the detailed design for the sub-projects are yet to be finalised, the screening of sub-projects and the preparation of resettlement action plan for these sub-projects cannot be undertaken presently, necessitating a Resettlement Policy Framework (RPF) to guide in screening sub-projects, carrying out census and socio-economic surveys and the preparation of Resettlement Action Plan (RAP), wherever required.

All sub-projects proposed under CSDFP will be screened for social impacts and will comply with this policy framework irrespective of the source of finance or modality of finance. The RPF will be reviewed and updated from time to time, in consultation and agreement with the World Bank, to ensure relevance and consistency with applicable legislations, Land Code of the Republic of Tajikistan and the World Bank Operational Policy for Involuntary Resettlement (OP 4.12).

On completion of the detailed engineering designs, if the screening of the sub-project indicates involuntary resettlement impacts, a resettlement action plan shall be prepared based on a census of the Project Affected Persons (PAPs) and socio economic survey of PAPs requiring relocation. The census and socio-economic surveys of the project affected persons will be undertaken for every sub-project involving involuntary resettlement, so as to determine the magnitude of displacement and prospective losses, identify vulnerable groups for targeting, ascertain costs of resettlement, and prepare a resettlement and rehabilitation program for implementation. The screening of subprojects, preparation

of RAP and the implementation of the RAP will be undertaken by the Project Management Unit (PMU) of CSDFP.

This resettlement policy framework is based on the legislation of the Republic of Tajikistan viz. (i) Constitution of the Republic of Tajikistan, 1994 (as amended in 2003); (ii) Land Code of the Republic of Tajikistan, 1996 (as amended in 2004); and (iii) Civil Code of the Republic of Tajikistan, 1998 (as amended in 2007) and the World Bank Operational Policy for Involuntary Resettlement (OP 4.12). In cases of discrepancy the World Bank Policy will prevail.

An Entitlement Matrix has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements; and is in compliance with the Republic of Tajikistan Laws and World Bank OP.

The PMU of the CSDFP will be responsible for the implementation of the provisions of the sub-project RAPs. Grievance Redressal Committee (GRC) will be established at two-levels, sub-project level and CSDFP level, to receive, evaluate and facilitate the resolution of project affected persons concerns, complaints and grievances.

In order to engage with the community and enhance public understanding on the Project and address the issues pertaining to resettlement, various sections of PAPs and other stakeholders shall be consulted through focus group discussions (FGD), meetings and individual interviews during the RAP preparation of sub-projects and throughout project implementation.

Information will be disseminated to PAPs at various stages. A summary of a draft RPF was made available in local languages during public meetings at the community level, and was disclosed in public places. RPF consultations were undertaken in Dushanbe, Vose, Kulob, Dangara, Farkhor, and Hissar towns. Feedback from communities was requested during the consultations, prior to the finalization of the RPF. The full text of the RPF will be available on the website of the State Committee on Investments and State Property Management (SCISPM), which is a Government authorized unit for foreign aid coordination and management. Hard copies will be available at CSDFP PMU and KMK offices. Each sub-project resettlement action plan will be disclosed to the affected community and agreed with the World Bank. Each RAP will be translated and made available to the PAPs. A report of disclosure, giving detail of date and location, will be shared with World Bank along with the Quarterly Progress Report (QPR).

To monitor the effectiveness of the RAP implementation internal monitoring and evaluation mechanisms have been suggested. Internal monitoring will be taken up by the PMU of the CSDFP.

A. BACKGROUND

A.1 Introduction

1. The Government of the Republic of Tajikistan and the International Development Association (IDA)/World Bank are cooperating to alleviate poverty and to achieve a sustainable economic growth in the Republic of Tajikistan. To accomplish these tasks, World Bank is providing financing for development strategies, obtaining expert analysis and implementing specific projects and programs in the urban sector.

A.2 Sector Context

2. In Tajikistan, drinking water and sanitation services and infrastructure are inherited from the Soviet era and are plagued by fast deterioration, poor operation and maintenance, and weak institutional capacity. Tajikistan's municipal sector features substantial infrastructure gaps and degradation, as well as low institutional capacity, in particular in areas of urban water supply, sanitation and solid waste management. As of 2008, 94% of the urban population had access to an improved source of water supply, 83% to piped water supply. Although by official accounts 95% of urban residents have access to an improved form of sanitation, sanitary conditions in many small towns are dire. For a majority of towns such services fall under the responsibility of the KMK through its subsidiaries (branches) in the regions. Laws passed in 2009 and 2010 support the decentralization and transfer of public service responsibility from KMK to local governments. However, these are not being effectively enacted on the ground, due to various factors including the lack of capacity and sufficient funding. Most utilities are also ambiguously subordinated to both the central administration and the Mayor's office. The World Bank-financed improvements to urban services in provincial towns through the Municipal Infrastructure Development Project (MIDP) have mainly focused on water supply and solid waste management. The MIDP has had a visibly positive impact on the delivery of municipal services across 8 participating towns – *Dangara, Istaravshan, Kanibadam, Kulyab, Kurgan-Tube, Rasht, Vakhdat* and *Vose*, documented by the increase of number of people provided with access to improved water source, the increase of number of hours of service and reductions in unaccounted for water.

3. As follow-on to the MIDP, the Government of Tajikistan has requested support to setting up a Communal Services Development Fund (CSDF).

A.3 Project Brief / About CSDFP

4. The Republic of Tajikistan (RT) with support from the International Development Agency (IDA)/World Bank have decided to set up the CSDF to address the growing urban infrastructure needs (water, sanitation and solid waste management) and logistical infrastructure-city roads and transportation facilities. Establishment of CSDF will be carried out under the proposed CSDFP. Hence, the CSDFP will consist of pre-CSDF set-up and post-CSDF set-up periods. CSDFP will start with implementation of subprojects, under the current PMU management, and upon finalization of CSDF establishment, all financing will be transferred under direct management of the Fund. CSDF will function under the office of the Deputy Prime Minister, and the investments of the CSDF will be approved by a Steering Committee (SC) constituted for this purpose. A secretariat functioning under the Deputy Prime Ministers Office (DPMO) would be responsible for project appraisals, investment recommendations, disbursements, monitoring and performance audit of the fund.

5. The CSDFP will be implemented over five years. The national Housing and Communal Services Utility, i.e. State Unitary Enterprise “Khojagii Manziliu Kommunali” (KMK), will act as the Project Implementing Agency, and will mandate a Project Management Unit (PMU) for the Project. Prior to the establishment of CSDF, the existing PMU that was established within KMK for the management of MIDP and the on-going MIDP AF will be the mandated as PMU for CSDFP

A.4 Project Objective

6. The Project Development Objective (PDO) of the proposed project is to improve basic communal and municipal services in participating cities and towns (Chkalovsk, Dangara, Gissar, Kanibadam, Kurgan-Tyube, Sarband, Vose, and Farhor). This will be achieved through i) assistance in establishment of a Communal Services Development Fund (CSDF); ii) financing grants aimed at developing communal services and municipal infrastructure; and iii) enhancing the institutional capacity of local governments and local utilities.

7. The primary beneficiaries are the inhabitants of participating cities and towns in Tajikistan. Women and children (especially girls) will also be the primary beneficiaries, given that the project will: i) reduce the burden of fetching, storing and managing water for household use; ii) improve access to sanitation facilities in residential areas; iii) provide secure and better managed solid waste dumps; and iv) carry out a baseline and gender assessment survey that will enable project interventions to better address gender-specific issues.

8. Direct beneficiaries are participating municipalities and service providers that will qualify for financing and technical assistance under CSDF. The provision of targeted technical assistance to local utilities and municipalities aims to increase their planning, borrowing, and management capacities.

A.5 Project Components and Activities

9. The proposed project will consist of the following components:

Component A: Support for the Establishment of the Communal Services Development Fund and for Required Reforms

Sub-Component A1: Support for the Establishment of the Communal Services Development Fund and for Required Reforms

10. The Component will finance procurement of consultant services and goods (such as office equipment, computers etc.) to support activities required for the establishment of the Communal Services Development Fund (CSDF). Anticipated activities to be performed by a consulting firm hired for this sub-component include assistance to the Government for determining a) the structure and institutional arrangements for CSDF; b) grant financing policy; c) loan financing policy; d) Fund Capitalization Strategy; e) operational policies and procedures (including appraisal, financial management, procurement, audit, environment and social, monitoring and evaluation, disbursement); f) human resource policies and staffing plan; g) finalization of an operational manual which would incorporate all of the above

11. The World Bank will consider the fund as ‘established’ when the following conditions are met: a) decree establishing CSDF is passed by the Government; b) CSDF Supervisory Structure as per the decree is established; c) the established Supervisory Structure has approved all appropriate policies and procedure as described in the preceding paragraph (apart from loan policy); d) required staff including for management, appraisal, procurement, audit, disbursement, safeguards etc. are in place, as per approved staffing plan; e) operational manual for CSDF is adopted by the Government. The World Bank will conduct an assessment of the Fund, once established, to determine that the Bank is satisfied with its establishment. Only thereafter would the CSDF manage any World Bank financing.

Subcomponent A2: Technical Assistance to the National Government:

12. This sub-component will finance assistance to the national government entities in undertaking reforms identified in the Municipal and Communal Services Development Strategy (MCSDS), and in the Government’s emphasis on enactment of decentralization reforms in the

Housing and Communal Services sector¹. The Sub-component will also support feasibility studies for Solid Waste Management investments

Component B: Grants to Local Governments and Local Utilities for Communal Services Investments

13. The component will provide financing in the form of results based grants for investments for municipalities and utilities in participating cities and towns both prior and after the set-up of CSDF. It will also provide assistance to the participating cities and towns in developing feasibility studies for investments and in improving their results, as per the terms of the grant. The component will finance procurement of goods, works and consultants services and will consist of three sub-components.

14. Proposed participating cities and towns (i.e. eligible participating entities) for the World Bank financing include the 8 cities shortlisted from an original 17 defined as ‘cities’ by TajStats in their Annual demographics report for 2013, , excluding Dushanbe, Khujand, Nurek and Rogun due to their size. The 8 eligible cities, which include Chkalovsk, Gissar, Kanibadam, Kurgan-Tube, Sarband, Tursunzade, Vose, and Fakhor, have been identified based on each utilities’ financial standing and indicated Government priorities. Physical Investments will be limited to Gissar, Kanibadam, Sarband, Vose, and Fakhor. Chkalovsk, Kurgan-Tube and Tursunzade and all other towns will benefit from Technical Assistance to help improve performance and graduate towards credit worthiness.

15. Eligible sectors would comprise communal and municipal services including water supply and sanitation, solid waste management, local roads, street lighting and storm water drainage. However, with regards to water supply, the project will only support the rehabilitation, improvement or minor additions/expansions of the existing networks in the participating towns and cities. In addition, any new small scale water supply networks that may draw water from an ‘international waterway’ will not be eligible for the project financing.

Sub-Component B1: Grants to Local Governments and Local Utilities:

16. Grants will be financed both prior to and after the set-up of the CSDF. Prior to CSDF set up, allocation will be determined through a ² results-based Grant allocation for each city and town determined on the following proposed interim formula: Population (40%) + Water and Sanitation and Solid Waste Management Service Coverage (60%). To access financing, a city/town would have to

¹ Government Decree titled “Concept of Housing and Communal Services Sector Reform (2010-2015)

² Note that grants will be continued to be allocated in accordance with this formula and sub-projects will continue to be implemented until such time that the CSDF is set up. CSDF set up is expected to take 12-18 months.

present an Integrated Investment Plan (IIP) that identify priority investments and that is jointly agreed between the vodokanals (local service provider/utilities) and the Local Government and acceptable to KMK and the City Administration. For year 1 investments, the cities and towns will have to present the IIP within 6 months of project effectiveness in order to access any additional grants. Civil works on proposed sub-projects may not start until appropriate safeguards documents have been prepared, Based on the choice of the sub-project financed by the results based grant, a series of results will be agreed with the municipality and the utility (as per Subcomponent B3). Subsequent to the set-up of the CSDF, its grant financing policy will be followed; provided it is satisfactory to the Bank.

Sub-Component B2: Institutional Strengthening Support to Cities and Towns in Achieving Results as Stipulated by the Results Based Grant (under Sub-Component B1):

17. Assistance will be provided to the targeted cities and town to achieve results as stipulated by the Results-Based grant. As described above, expected results under each of the grants would be tailored for each participating city/town and its local government and its local utilities based on the chosen sub-project to be financed under the grant. However, there will a basic menu of the expected results. Expected results will include a) development of an integrated investment plan; b) improved financial management through improved billings and collections, asset management and strengthened internal controls; c) improving efficiency of local utilities through improved billing and collection, metering, pumping efficiencies etc.; d) improved citizens engagement in management and maintenance of investments; e) training and capacity building for improved capacity to manage infrastructure.

Component C: Implementation Support, Monitoring and Evaluation

18. The Component will finance project management costs for the Project Management Unit and the Communal Services Development Fund (CSDF) once it is established. In particular, the component will finance a) *operating costs of the Project Management Unit (PMU)*, including staff salaries both of current and planned to be hired staff, in-country travel costs, relevant social tax contributions, consumables, communications, trainings, vehicle insurance and maintenance, as well as rehabilitation of office equipment, and furniture; b) *audits* including annual financial as well as carry out regular technical audits every two years of sub-project design and implementation standards including environmental and social safeguards. c) Project Management Consultant (PMC) to secure additional support in successful project implementation. d) *Surveys*: to assess the potential success of both physical investments and pilot activities (such as provision of improved water supply connection e) *Communication and public awareness campaigns (IDA Grant USD\$0.08million)* in all project

participating towns as improvements in services delivery will require behavioral changes by the benefiting population.

19. Upon establishment of the CSDF to the satisfaction of the Bank the operating costs shall be transferred accordingly to support Fund's management. The PMU of the on-going Bank funded Municipal Infrastructure Development Project Additional Financing scheduled to close on August 3, 2014 will be retained as the PMU for CSDFP. This will require an amendment of its existing Charter.

A.6 Need for Resettlement Policy Framework (RPF)

20. World Bank requires a Resettlement Policy Framework for projects involving multiple sub-projects wherein the nature and design of the sub-projects is not known. Communal Services Development Fund Project (CSDFP) proposes to finance sub-projects in identified project towns and as the detailed design for the sub-projects are yet to be finalised, the screening of sub-projects and the preparation of resettlement action plan for these sub-projects cannot be undertaken presently, necessitating a Resettlement Policy Framework (RPF) to guide in screening sub-projects, carrying out census and socio-economic surveys and the preparation of Resettlement Action Plan (RAP), wherever required.

21. Recognising the social issues that can arise in infrastructure projects, Project Management Unit (PMU) of the Communal Services Development Fund Project (CSDFP) has prepared this Resettlement Policy Framework (RPF) conforming to the legislations of the Republic of Tajikistan and the World Bank Operational Policy for Involuntary Resettlement (OP 4.12). The policy framework describes the principles and approach in avoiding, minimizing and mitigating adverse social impacts that may arise in subprojects funded under Community Services Development Fund Project (CSDFP) that aims at improving the urban environment, economy, and living conditions of the people. The framework also provides process for consultations, impact assessment, census and socio-economic surveys and preparation and implementation of mitigation plans.

22. All sub-projects proposed under CSDFP will be screened for social impacts and will comply with this policy framework irrespective of the source of finance or modality of finance. The RPF will be reviewed and updated from time to time, in consultation and agreement with the World Bank, to ensure relevance and consistency with applicable legislations, Land Code of the Republic of Tajikistan and the World Bank Operational Policy for Involuntary Resettlement (OP 4.12) while the World Bank policy will prevail.

A.7 Justification for the Resettlement Policy Framework (RPF)

23. The Resettlement Policy Framework (RPF) provides guidelines for development of appropriate mitigation and compensation measures, for land acquisition impacts caused by project activities whose exact locations are not known.

24. OP 4.12 on Involuntary Resettlement has been triggered for the project, as there are some activities that may require temporary or permanent land acquisition.

25. Most of the sub-project activities will involve only strengthening and rehabilitation of existing facilities. However, as the detailed design for sub-projects are yet to be completed, there is a possibility that additional land may be required either permanently or temporarily for creating certain facilities like pumping stations, laying of network, treatment plants, landfill, etc. Further, the sub-projects may also involve temporary restriction to use of land. Since the water and sanitation schemes are not yet fully designed and the exact location of pumping stations and water pipe networks are not clearly known, these detailed impacts will only be known once project implementation commences, and the possibility of land acquisition and restrictions in access cannot be ruled out at this stage, the borrower has agreed to develop this Resettlement Policy Framework (RPF) which will inform all activities involving land acquisition, restriction of access to land or services and loss of assets.

26. The RPF identifies the possible impacts from project activities, describes the range of potential impacts (temporary and permanent) to land use/access and structures, and specifies the compensation and resettlement assistance/procedures for the same. Where there is a gap between national and World Bank procedures, the latter will prevail for all activities financed under this project. The RPF is intended as a practical tool to guide the preparation of Resettlement Action Plans (RAPs) for activities during implementation of the comprehensive program. If any impacts are identified, the Borrower will develop individual RAPs for each sub project based on the guidelines and procedures highlighted in the RPF document.

27. Once this RPF has been approved by the borrower, and endorsed by World Bank (WB), it will be disclosed through the World Bank's Infoshop, in compliance with the WB policy. The RPF will be translated into Tajik and Russian and further will be disclosed in to potential PAPs and the public. Implementation of the planned project investments will only take place following these approvals and information sharing.

A.8 Objectives of the Resettlement Policy Framework (RPF)

28. This Resettlement Policy Framework (RPF) outlines the principles and procedures to ensure that if resettlement needs are identified, then the CSDFP PMU in coordination with national (Government) or local self-government follows the procedures for involuntary resettlement in compliance with the legislation of the Republic of Tajikistan along with the WB's policy OP 4.12 on Involuntary Resettlement. The RPF sets out the legal framework, eligibility criteria of displaced population, valuation methodology, compensation provision, entitlement matrix, implementation process, consultation procedures, grievance redress mechanisms, entitlement payment procedures, and monitoring-evaluation procedures for land acquisition and resettlement under this project.

29. The basic objectives of the RPF are to: (i) guide CSDFP PMU, national and local self-government in properly identifying, compensating, and restoring the livelihoods of Project Affected Persons (PAPs), (ii) serve as a binding document to ensure payment of compensation and assistance to PAPs, and (iii) provide direction in preparing, updating, implementing and monitoring subproject RAPs. The RPF includes measures to ensure that PAPs are (i) informed about their options and rights pertaining to resettlement; (ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and (iii) provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.

A.9 Principles of Resettlement Policy Framework for CSDFP

30. The following resettlement principles will be adopted for this project:

- a) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a census and socio-economic survey of project affected persons, including a gender analysis, specifically related to resettlement impacts and risks. Explore measures to avoid and minimize involuntary resettlement impacts by: (i) carrying out all improvements within the available land; and (ii) ensuring that appropriate technology is used to reduce land requirements, and thereby avoid or minimize involuntary resettlement.
- b) Where displacement is unavoidable, improve, or at least restore, the livelihoods of all project affected persons through: (i) land-based resettlement strategies, where possible, when affected livelihoods are land based, and when loss of land is significant, or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, and (iii) prompt compensation at full replacement cost for assets that cannot be restored.
- c) Ensure that project affected persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets at replacement value.

- d) Improve the standards of living of the displaced poor and other vulnerable groups, including women.
- e) Carry out meaningful consultations with project affected persons, host communities, and concerned nongovernment organizations. Inform all project affected persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and those without legal title to land, and ensure their participation in consultations.
- f) Prepare a Social Impact Assessment (SIA) and Resettlement Action Plan (RAP) elaborating on the entitlements of project affected persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- g) Disclose a draft resettlement action plan, including documentation of the consultation process in a timely manner, in an accessible place and a form and language(s) understandable to project affected persons and other stakeholders. Disclose the final resettlement action plan and its updates to project affected persons and other stakeholders.
- h) Pay compensation and provide all resettlement entitlements before physical or economic displacement and before commencement of civil works. Implement the resettlement action plan under close supervision throughout project implementation.
- i) Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of project affected persons.
- j) Monitor and assess resettlement outcomes, their impacts on the standard of living of project affected persons, and whether the objectives of the resettlement action plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

31. It should be noted that according to World Bank's Policy OP 4.12, the term resettlement encompasses more than the physical relocation or resettlement of affected people. It is defined as the social and economic impacts of a project that are permanent or temporary and are caused by the involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or (iv) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

32. It should be further noted that no changes to the RPF entitlement matrix, eligibility criteria, compensation rates or other entitlements to assistance can be made without prior approval of the

World Bank. Any RAPs prepared on the basis of the RPF will also be subject to prior approval of the World Bank.

A.10 Screening and Preparation of RAP

33. On completion of the detailed engineering designs, if the screening of the sub-project indicates involuntary resettlement impacts, a resettlement action plan shall be prepared based on a census of the Project Affected Persons (PAPs) and socio economic survey of PAPs. The census and socio-economic surveys of the project affected persons will be undertaken for every sub-project involving involuntary resettlement, so as to determine the magnitude of displacement and prospective losses, identify vulnerable groups for targeting, ascertain costs of resettlement, and prepare a resettlement and rehabilitation program for implementation. The screening of subprojects, preparation of RAP and the implementation of the RAP will be undertaken by the Project Management Unit (PMU) of CSDFP. Within the PMU the Chief Engineer is tasked with managing issues related to involuntary resettlement. The census and socio economic surveys will comprise of the following tasks.

Screening of Sub-Projects

34. The sub-projects shall be screened by the PMU for social impacts based on the detailed design and sub-project components envisaged. Extent of land being acquired and impact to private and public structures will be identified during screening and accordingly suitable modifications/changes in design should be explored to minimise social impacts. Based on the screening, if it is evident that the sub-project will involve acquisition of land and cause impact to private structures, a census and socio-economic survey will have to be carried out.

Census Survey

35. The census survey shall be carried out using a structured questionnaire to record the details of the present occupants of land being acquired, their tenure status (primary land user or secondary land user) and the extent of land required for the proposed improvements, in order to: (i) assess the magnitude of impact to private assets; and (ii) to assess the extent of physical and/or economic displacement. The census survey will be a 100% inventory of all affected persons.

Socio Economic Survey

36. The purpose of the baseline socio-economic survey of affected persons is to capture the socio-economic characteristics of the affected persons and to establish monitoring and evaluation parameters. The key socio-economic indicators will be used as a benchmark for monitoring the socio-economic status of project affected persons. The survey shall cover all PAPs and the survey shall also collect gender-disaggregated data to address gender issues in resettlement.

37. The socio economic survey shall be carried out using a structured questionnaire, that would capture details of standard of living, inventory of assets, sources of income, level of indebtedness, profile of household members, health and sanitation, access to services and facilities, perceived benefits and impacts of the sub-project and resettlement preferences of those who require to relocate. This information along with the census survey data would facilitate the preparation of a resettlement action plan to mitigate adverse impact.

38. As part of socio-economic survey, wide range of consultations with different impacted groups as well as other stakeholders will be conducted to ascertain their views and preferences. Based on the outcome of these consultations the designs changes, if required, and mitigation measures will be incorporated. Consultations will include women and their concerns and reactions, in particular to land tenure, will be addressed through appropriate mitigation plan.

Resettlement Action Plan

39. The resettlement action plan will be prepared based on the findings of the census and socio economic survey and consultations. It will include the findings of the census of project affected persons, and their entitlements to restore losses, socio economic characteristics of the project affected persons, institutional mechanisms and implementation schedules, budgets, assessment of feasible income restoration mechanisms, allotment of land from land reserve and issue of land users' certificate, development of resettlement sites and relocation, grievance redress mechanism, coordination of implementation in conjunction with civil works procurement and construction schedules and monitoring mechanism. The resettlement action plan should be structured as per the outline in Appendix-I and will be detailed as needed depending upon the magnitude and nature of impacts.

40. The Resettlement Action Plans will comply with the principles outlined in this RPF adopted for the project. The RAP for sub-projects will be reviewed and endorsed by the World Bank and approved by Director, PMU, and CSDFP prior to invitation of bids for civil works. Allotment of land, disbursement of compensation payments and entitlements will be made prior to displacement and prior to handing over of the land parcels to contractors.

B. LEGAL FRAMEWORK

B.1 Applicable Laws and Policies

41. This resettlement policy framework is based on the legislation of the Republic of Tajikistan viz. (i) Constitution of the Republic of Tajikistan, 1994 (as amended in 2003); (ii) Land Code of the Republic of Tajikistan, 1996 (as amended in 2004); and (iii) Civil Code of the Republic of Tajikistan, 1998 (as amended in 2007) and the World Bank Operational Policy for Involuntary Resettlement (OP 4.12).

Constitution of the Republic of Tajikistan, 1994

42. The Constitution of Tajikistan is the main legal document guaranteeing citizen's rights. Article 13 states "land, bowels of the earth, water, airspace, animal and vegetable kingdoms, and other natural resources are owned by the state, and the state guarantees their effective use in the interests of the people." Further, Article 12 states "the economy of Tajikistan is based on various forms of ownership. The state will guarantee freedom of economic activity, entrepreneurship, equality of rights, and the protection of all forms of ownership, including private ownership." The legal basis for state acquisition of private property for public works is outlined in Article 32 which states "...the property of an individual is taken away only on the basis of the law, with the consent of the owner and to meet the requirements of the state and society, and with the state paying full compensation."

Land Code of the Republic of Tajikistan, 1996

43. The Land Code is the core legal document with regards to land acquisition. It has been updated a few times, most recently in 2004. Article 2 of LC states that there is no "private ownership of land, "land is an exclusive ownership of the State... [but]... guarantees its effective use in the interests of its citizens. However, in Articles 10-14, the LC outlines land title as being of long-term, short-term, and inherited land use entitlement.

44. Article 24 of LC describes the allocation of land for non-agricultural purposes, and provides that when choosing a suitable location for such land uses, land not suitable for agricultural should be favoured. The same principle is stressed by Article 29 LC, which discourages the use of high-yielding agricultural land for non-agricultural use. However, Article 29 also allows for allocation, and sequestering of agricultural land for "other very important State objects".

45. Compensation for land withdrawal and other impacts due to public interest projects are regulated also by other legislative acts governing land withdrawal, land allotment and impacts compensation to the citizens are the Land Code RT (LC), the Civil Code RT (CC), and various normative-legal acts. Based on these laws, the withdrawal/allotment of lands and resettlement is based on the following applicable principles: (i) land users have a right to be reimbursed for losses due to withdrawal of right of land use for state and public needs (Article 41,43 LC); (ii) at termination of the rights of property then property will be assessed on the basis of its market value (Article 265 CC); (iii) land user or user of other registered rights associated with land should be noticed in written about land withdrawal by local land management authority not later than one year before coming land withdrawal procedure (Article 40.LC); (iv) If according to International agreements which are recognized by Tajikistan other rules are established than those which are specified in the Land Code of Tajikistan, so the rules of international agreements will be accepted (Article 105, LC).

46. Article 31 of LC provides that land acquisition for non-agricultural public purposes is subject to the award of compensation: “terms of allocating land plots to new land users for non-agricultural needs must envisage compensation of all losses related to confiscation of land plots from former land users, as well as compensation of losses in agricultural production.” Article 19 of LC states the rights of land users, including clauses allowing a land use rights holder the “waiving voluntarily land plot” or “indemnifying for [compensating] for losses” as mentioned in Article 41 of LC. This article sets out the basis for compensation: “Fully reimbursed shall be losses, including loss of profit, caused by: (i) sequestration of land for non-agricultural purposes; (ii) restriction of land users' rights; and (iii) deterioration of land quality as the result of activities of other land users.

47. In the case of this project, this could be interpreted as compensation for permanent loss of land use and crops, and complying with (ii) and (iii) above, the need to compensate for temporary use of land and disturbance of cropping patterns for construction purposes.

48. The guarantee of land users’ rights is further emphasized in Article 48 which states “confiscation of land plots from natural persons for state and public needs can be made after: (i) having been assigned of another equivalent land plot; (ii) having been constructed on a new place of housing, industrial and other structures equivalent in their purpose instead of plots sequestrated, in the established order by enterprises, institutions and organizations for which the land plot was assigned; and (iii) having paid full compensation for all other losses, including profit loss (Article 41 & 42 of LC).

49. Calculation of the compensation due for land acquisition is contained in Articles 43 and 44, which state “actual prices of equipment and materials as well as prices of assets and other works

existing either at the moment of confiscation of a land plot or drafting of the confiscation report shall be applied. When calculating losses of agricultural production and forestry, the standard costs for bringing into cultivation virgin lands and improve them so that they reach the maximum level of production obtained on the sequestered lands shall be applied. Disputes about the amount of compensation for damages caused and losses of agricultural production and forestry shall be settled in court.”

50. The Land Code requires that the entity which is interested in the land acquisition should apply to the appropriate local authorities. The authority will consider social, economic, ecological, city planning and other conditions and forecast of use of the said land and its bowels before taking a decision on the request.

51. The order on compensation of the land users’ losses and losses of agricultural production, approved by the decree of the Republic of Tajikistan # 515, dated December 30, 2000, establishes a concrete and detailed order of reimbursement of the land users’ losses. The main provisions regarding involuntary resettlement indicated in the Land Code are:

- Acquisition of the land plots for the purposes of the state and public needs have to be done after provision of the equivalent land plots;
- New dwellings, commercial and other buildings, equivalent to confiscated objects have to be constructed on the new plot as per prescribed order;
- Losses occurred during the land plot acquisition have to be compensated to the full amount, including missed profit, and losses should be calculated at market cost;
- Construction of buildings and compensation for losses will be made by the institutions and organizations in who’s favor the land is being confiscated (project beneficiaries);
- Under normal circumstances, the process of land acquisition should take no longer than one calendar year.
- Provision of a new land plot, construction of buildings, compensation for all types of losses, including lost incomes, have to be done before the official land acquisition from the land users is carried out.

52. The amount of compensation is determined by an efficiently selected panel (commission), members of which will be appointed by the Mayor, and which will consist of the representatives of the relevant departments which have a claim/s for land and land users. Determination of losses of land users during the acquisition of agricultural lands should be established on the basis of corresponding documents, provided by the land user. In case of non-achievement of a consensus on the size of compensation of losses and amount of damage, the land user can apply to court with a request to fully compensate damage occurred during the land acquisition.

World Bank Operational Policy OP 4.12 on Involuntary Resettlement (July 2013)

53. The objectives of the World Bank's policy with regard to involuntary resettlement are: (i) involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs; (ii) 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 and project affected persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs; and (iii) project affected 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.

B.2 Comparison of Laws of the Republic of Tajikistan and World Bank Policy

54. The Land Code does not define the status of persons who possesses the right of servitude on confiscated land plots (they do not pay official rent). The Land Code establishes that in the absence of servitude rights, the land user does not possess any right in relation to this plot of land. Hence, the use of the land plot without the state registration of the servitude right itself does not establish any legal rights. This clause provides for the absence of obligations for the owner (the state) to compensate damage to persons who do not possess the servitude right for the land plot.

55. However, in the WB OP 4.12, this status is clearly defined. In accordance with this policy, those people who do not possess official legal title or judicial rights for the land use, but still use the state land are entitled to receive compensation, taking into account the investments they made into the state land, their labor and lost assets, but not for land ownership as in the case of a titled owner. For this purpose it is necessary to carry out a line of certain administrative and court procedures on acquisition of the property rights on unauthorized construction.

56. Since the World Bank OP 4.12 takes precedence over National law for the purposes of WB financed activities, as in this project, the following will apply: Any person who has built a structure on illegal land, prior to the stated cut-off date, will not be compensated for the land, but will be compensated for the structure (i.e. investment into and on the land) at replacement cost.

1. Acclimatization Period of the Involuntary Resettled to the New Conditions and Environment

57. The policy of the WB considers for the whole acclimatization period of the involuntary resettled to the new conditions and environment, and legislation of the Republic of Tajikistan, whereas the normative terms of the Government are limited by the moment of their actual transfer to the new place of residence. Hence as per this RPF, the project has to budget in the estimate of losses.

58. Further, Tajikistan law does not provide for restoration of livelihoods and in practice this has been left to ad hoc arrangements taken by project proponents in order to meet international donor requirements. To clarify these issues and reconcile eventual gaps between Tajikistan law and World Bank Policy, this RPF has been prepared for the given Project, ensuring compensation at replacement cost of all items, the rehabilitation of people not holding land use rights and informal settlers, and the provision of rehabilitation and substance allowances for PAPs who may require to be relocated, suffer business losses, or qualify as vulnerable.

59. The main provisions affording reconciliation of the differences between Tajikistan legislation and World Bank Policy includes:

- Any PAPs, regardless of title (land user or not), will be entitled to compensation (for structures, crops and trees) and rehabilitation measures under the project. This includes landless people using land and squatters;
- PAPs and affected communities will be consulted on options and any impacts of land acquisition and resettlement;
- If land for land compensation is not technically or socially feasible, compensation will be in cash at full replacement cost at current market value;
- Compensation for any other assets affected (structures, crops and trees, as well as business/income loss) will be in cash or kind at full replacement cost at current market value. Vulnerable PAPs will be entitled to additional measures as relevant, and gender issues will be addressed;
- Rehabilitation assistances will be provided for temporary loss of / restriction to land / assets or temporary disruption to income sources;
- Rehabilitation of existing facilities will avoid or minimize, as far as possible, the need for land acquisition and resettlement; and
- The RPF includes measures for PAPs and requires that any RAP prepared for the subprojects include all costs related to rehabilitation and/or livelihood restoration.

60. In case of disparity between the laws of the Republic of Tajikistan and the requirements of the World Bank's Policy on Involuntary Resettlement (OP 4.12), the principles and policy of World Bank will prevail.

C. ELIGIBILITY CRITERIA AND PROCEDURES FOR VARIOUS CATEGORIES OF AFFECTED PEOPLE

61. This section sets out eligibility criteria, which are necessary to determine who will be eligible for resettlement and benefits, and to discourage claims of ineligible people.

C.1 Principles

62. The involuntary taking of land results in relocation or loss of shelter; and loss of assets or access to assets or loss of income sources or means of livelihood, whether or not the PAPs must move to another location or not. Meaningful consultations with the affected persons, local authorities and community leaders will therefore allow for establishment of criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. OP 4.12 suggests the following three criteria for eligibility:

- a) Those who have formal rights to land including customary/communal land, traditional and religious rights recognized under Republic of Tajikistan Law.
- b) Those who do not have formal legal rights to land at the time the project or census commences but have a claim to such land or assets provided that such claims are recognized under the laws of the Republic of Tajikistan or become recognized through a process identified in the RPF / RAP.
- c) Those having no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from before the cut-off date, but are recognized under World Bank OP 4.12.

63. Those covered under (a) and (b) above are to be provided compensation for the land they lose, and other assistance in accordance with this RPF.

64. Persons covered under (c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this RPF, if they occupy the project area prior to a cut-off date established by the project authorities in close consultation with the potential PAPs, local community leaders and the respective local authorities and acceptable to the World Bank.

65. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in (a), (b) or (c) above are to be provided with compensation for loss of assets other than land. It is therefore clear that all project affected persons irrespective of their status or whether they have formal titles, legal rights or not,

squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the land or had use of it, before the entitlement cut-off date.

66. Eligibility for assistance under World Bank OP 4.12 also applies for project affected persons even if it is deemed that Kyrgyz legal provisions provide for temporary or permanent acquisition of private land immediately adjacent to existing public roads without compensation.

C.2. Eligibility Criteria and Entitlements

67. The RPF stipulates eligibility and provisions for compensating all types of losses (land, crops/trees, structures, business/employment, and workdays/wages). All PAPs including non-titled or informal dwellers, will be compensated for lost assets (crops, structures, trees and/or business losses) will receive (i) compensation (as required, to match replacement value), and / or (ii) replacement land, structures, seedlings, other resettlement assistance such as shifting allowance, assistance with rebuilding structures, compensation for loss of workdays/income.

68. The criteria for eligibility is based on PAPs belonging to one of three groups: (a) those who have title or formal legal rights to land; (b) those who do not have formal legal rights to land at the time of the Inventory of Losses (IOL)/Detailed Measurement Survey (DMS) or census begins but have a claim to such land or assets—provided that such claims are recognized under the laws of the country or become recognized through a process identified in the RAP³; and, (c) those who have no recognizable legal right or claim to the land they are occupying (i.e. non-titled users or informal settlers).

69. The PAPs who are entitled to compensation under the Project include:

- Persons whose structures are in part, or in total, affected temporarily or permanently by the Project;
- Persons whose residential or commercial premises and/or agricultural land (or other productive land) is in part, or in total, affected (permanently or temporarily) by the Project;
- Persons whose businesses are affected in part, or in total, (temporarily or permanently) by the Project;
- Persons whose employment or hired labor or share-cropping agreement is affected, temporarily or permanently, by the Project;
- Persons whose crops (annual and perennial) and/or trees are affected in part, or in total, by the Project;

³ This includes people who have not yet completed registration and who are considered as "legalizable" users (this will be identified as a form of land tenure in the IOL), they will be entitled to compensation as if they are legal/titled owners of land. The RAPs prepared will establish that continued facilitation of the registration process will be undertaken as part of livelihoods/wellbeing restoration under the Project's resettlement process

- Persons whose access to community resources or property is affected in part, or in total, by the Project.

70. Where land is to be acquired outside of owners (titled or legalizable PAPs) will receive compensation for land acquired by the Project at replacement cost, this will be in cash at replacement value or land-for-land (of equal size and/or productive value and be satisfactory to the PAP). Non-titled PAPs are not eligible for compensation for land but will receive compensation for assets attached to land and other assistance as required, in lieu of land compensation.

71. Households headed by single women with dependents and other vulnerable households will be eligible for further assistance to fully mitigate project impacts. Table C-1 below presents the Project's entitlement matrix, based on potential losses.

72. Compensation eligibility will be limited by a cut-off date to be set for each subproject and PAPs who settle in the affected areas after the cut-off date will not be eligible for compensation. They, however will be given sufficient advance notice, requested to vacate premises and dismantle affected structures prior to project implementation. Their dismantled structures will not be confiscated and they will not pay any fine or sanction. Forced eviction will only be considered after all other efforts are exhausted

Table C- 1: Table Showing Entitlement Matrix: Eligible PAPs, Assets and Compensation Estimates/Guidelines

Project Impact	PAP Category	Asset Affected	Compensation Guide
Permanent acquisition of land for works	Land occupier	Land	Replacement land of equivalent market value as priority option within 3 km radius.
Permanent acquisition of legal structure.	Owner of structure	Any structure including house, fence, sanitation structure etc.	Replacement structure or Cash compensation at replacement value of a new structure plus full compensation for all fees needed to make replacement new structure legal.
Permanent acquisition of illegal structure	Owner of structure	Any structure including house, fence, sanitation structure etc.	Replacement structure or Cash compensation at replacement cost
Tenant or House owner		Section of residential compound temporarily	Restoration of land to original condition after

		affected or access to house affected by works	works. In kind compensation for other effects such as alternative car parking facility. Disturbance allowance for each week (7 days) of disturbance calculated on a pro rata basis.
Vendors or business entrepreneur		Loss of business due to works	Cash compensation of estimated business loss assessed from records of preceding 3 months or equivalent business (if no records). Cash compensation will pay for 6 months. Disturbance allowance equivalent to 7 days of business profit
Service user (individual or community whose access to a service is restricted or denied		Restriction of access to service	Provision of equivalent service at a distance which is, at most, not more than the distance of the restricted service from house. The new service will be fully operational prior to restriction of access to the old service.
Farmer occupying land	Land occupier	Crops	In addition to land compensation, will be allowed to take standing crop and cash compensation for 2 seasons or annual crop yield whichever higher at highest market rate. Labor invested also compensated.
Tenant farmer	Tenant	Crops	Allowed to take standing crop and cash compensation for 2 seasons or annual crop yield whichever higher at highest market rate. Labor invested also compensated.
Fruit tree owner	Owner	Fruit Tree	Cash compensation for highest market price of 5 years harvest of full mature tree or 7 years if tree already at full maturity.

Fruit tree renter	Renter	Fruit Tree	Cash compensation at highest market price for 2 years harvest of full mature tree or 3 years harvest if tree already at full maturity.
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C.3 Vulnerable Sub-Groups

73. Particular attention will be given to identify PAPs falling into vulnerable groups such as the landless, women-headed households, households with orphans, elderly living alone, sick head of household to ensure that their needs are identified and that they are provided adequate support. Vulnerability will be defined at the household level and could be based on economic vulnerability (e.g. a street vendor who has minimum profit and survives on a daily basis on his income) or social vulnerability (e.g. a tenant in an apartment who lives alone, disabled and/or jobless) or a combination of these. The socio-economic survey for each RAP will clearly identify the households that are deemed vulnerable in terms of project impact, provide a detailed justification describing the project impact and rationale for vulnerability.

74. The RAP will clearly describe the nature of the impact, the vulnerability and the detailed provisions offered to the household by the project that are specific to its particular needs and cater to its limitations. All vulnerable households will be included in the monitoring samples and follow up visits will be done for at least 1 year after completion of resettlement. Similarly, any grievance complaints made by vulnerable households will be given preference and they will be provided assistance to submit such complaints.

C.4 Methods to Determine Cut-Off Dates

75. Once the design of an activity has been finalized and legal procedures completed, a RAP will be prepared for the activity. As part of the RAP, a census will be undertaken to identify all the PAPs and the related levels of impact. The date that the census begins is the cut-off date for eligibility for resettlement and compensation. It is key, therefore, that this date is fully communicated to all potential PAPs in the project affected area with sufficient time for these people to ensure their availability for the census.

76. This communication will be done through CSDFP PMU and in line with the consultation procedures outlined in this document. The potential PAPs will be informed through both formal notification in writing and by verbal notification delivered in the in the presence of the community leaders or their representatives.

D. RPF AND RAP IMPLEMENTATION ARRANGEMENTS AND PROCEDURES

D.1 Overview

77. The overall coordination of the project will be provided by the CSDFP PMU which will oversee all resettlement planning and coordinate all issues relating to the compensation. Given that the project locations are in urban areas, the CSDFP PMU will collaborate with the Municipalities of participating towns for certain procedures.

78. The implementation arrangements of the RPF build on:

- The implementation arrangements for the CSDF Project; and
- The implementation arrangements for resettlement and compensation activities in line with the Republic of Tajikistan legislation outlined in this document.

79. Actors involved in both these sets of institutional arrangements need to be taken into account in the implementation of resettlement and compensation activities for sub-projects. This section describes the optimal arrangements that build on responsibilities already in place to ensure that the requirements of this RPF are met for each project activity. These are based on the institutional structure at the time of writing the RPF. Should these institutional structures change, this will need to be reflected in the arrangements outlined.

D.2 Screening of Project Activities

80. The first step in the process of preparing individual RAPs is the screening process to identify the land/ areas that may result in resettlement impacts. This screening is used to identify the types and nature of potential impacts related to the activities proposed under this project, and to provide adequate measures to address them. It also ensures that the avoidance or minimization of resettlement is a key criterion when designing project activities.

81. Screening will be undertaken in accordance with established screening criteria and procedures, by the CSDFP PMU. No design will be finalized unless it is clearly determined that every effort has been made to minimize resettlement impacts.

D.3 Socio-Economic Profiling and Inventory of Losses

82. Should the screening process show that land acquisition will be required, the next step will be the socio-economic identification and profiling of Project Affected Persons (e.g. their age, asset dependence, income, family status etc). 100% of PAPs will be profiled. This step should take place at the same time as the inventory and valuation of all assets affected for each individual PAP.

83. Once these steps are completed and there is evidence of resettlement issues, a Resettlement Action Plan (RAP) will be developed on the basis of the data collected. This RPF provides a framework for the preparation of RAPs (See Annex 1) to address resettlement associated with the activities of this project.

84. The screening process will involve direct consultation with the PAP(s) who will work with a CSDFP PMU representative and local officials on-site to verify the affected assets and discuss their socio-economic situation. Before the process begins the PAP(s) will be advised in writing and verbally of their rights throughout the resettlement process. This will include sharing a copy of the grievance redress procedure and the entitlement matrix.

D.4 Development of the RAP

85. Following the socio-economic census and identification of affected parties, a RAP will be developed. This will be coordinated by the sub-project Resettlement and Compensation Committees and overseen by CSDFP-PMU. It is anticipated that the work will be undertaken by a private consultant or NGO/CBO commissioned for this particular task.

86. It will be prepared in consultation with affected parties, particularly in relation to the cut-off date for eligibility, disturbances to livelihoods and income-earning activities, methods of valuation, compensation payments, potential assistance and timeframes.

D.5 Disclosure and Approval of RAP

87. Following RAP preparation, a number of steps must be followed (please see Annex 2 for more details):

- a) CSDFP PMU staff working on resettlement and compensation must submit the RAP to the CSDFP PMU Director for approval. CSDFP PMU is to ensure compliance with the RPF, and consistency in approach between different activities. Capacity for RAP review and approval will be built at the CSDFP PMU. This will be done through training and technical assistance to ensure that all stakeholders involved discharge their different responsibilities effectively.

- b) The CSDFP PMU discloses the RAP on its website, disseminates and shares with local authorities and interested NGOs, and the affected persons (especially the site specific sections) in a place and language accessible for them, and allows two weeks for comment
- c) Following incorporation of comments from disclosure, and the CSDFP PMU management approval, the RAP must also be formally sent to the World Bank for review to ensure compliance with OP4.12 and any other relevant policies/ procedures.

E. METHODS OF VALUING AFFECTED ASSETS

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

E.1 Type of Compensation Payments

89. Compensation for all land use and assets in kind or cash as guided by the entitlement matrix will be required for the following:

- Land;
- Residential buildings, structures and fixtures;
- Cultivated crops (both cash and food crops) and trees; and

90. In addition, disturbance allowance, storage of goods, replacement of lost services and other assistance will be given, as outlined in the Entitlement Matrix above. However this is for guidance only and it is essential that at the time of detailed RAP preparation current market values and replacement cost values are used to establish actual compensation. In addition, any additional allowances as deemed appropriate may be given such as extra assistance for vulnerable families, disturbance allowances etc. All cash amounts will be adjusted to reflect any economic changes and buying power of currency since the preparation of this RPF. CSDFP PMU will evaluate the compensation amounts recommended in the RAP and ensure that they reflect market reality and that it is consistent with Republic of Tajikistan law as long as it meets the requirements of WB OP 4.12.

E.2 Preparation of Asset Inventory

91. During the survey, each asset will be enumerated and inscribed on an inventory and a valuation of the asset carried out using the principles and guidance of the RPF. The total list of affected assets and their assigned values including any additional compensatory measures will be recorded in a register and shown to the affected person for agreement. The register will be signed and a copy given on the spot 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 supervisory staff, is returned to the affected person. At this time, a copy of the grievance procedure will also be given to the affected person as stated in the grievance redress mechanism.

E.3 Valuation Methods

1. Replacement Cost Approach

92. The replacement cost approach is based on the premise that the costs of replacing productive assets is based on damages caused by project operations. These costs are taken as a minimum estimate of the value of measures that will reduce the damage or improve on on-site management practices and thereby prevent damage. The approach involves direct replacement of expropriated assets and covers an amount that is sufficient for asset replacement, moving expenses and other transaction costs.

2. Gross Current Replacement Cost

93. Gross Current Replacement Cost (GCRC) is defined as the estimated cost of erecting a new building having the same gross external area as that of the existing one, with the same site works and services and on a similar piece of land.

3. Other Methods

94. Rates from Contractors: When rate schedules do not exist or are out of date, recent quotations by contractors for similar types of construction in the vicinity of the project can be used for calculating replacement costs. In projects offering the options of cash compensation or alternative accommodation, the construction cost estimates for alternative accommodation could be used for calculating cash compensation payable.

95. Compensation standards will be detailed when developing site-specific RAPs.

F. GRIEVANCES REDRESS MECHANISMS

F.1 Overall Process:

- a) During the initial stages of the valuation process, the affected persons will be given copies of grievance procedures as a guide on how to handle the grievances.
- b) The first step in the grievance process is to contact the CSDFP PMU Project Liaison Officer (PLO) either by phone, SMS or letter (a cell phone number will be provided). The complaint must be logged by CSDFP PMU in the complaints register. If the problem cannot

be resolved to the PAPs satisfaction within 5 days, then the problem is moved to the next level. A record of the resolution or decision to take it to the next level must be recorded in the complaints register.

c) For grievance cases that cannot be resolved by the PLO within 5 days:

- The affected person should file his/ her grievance, relating to any issue associated with the resettlement process or compensation, in writing to the CSDFP PMU. The grievance note should be signed and dated by the aggrieved person. A selected member of the CSDFP PMU will act as the Project Liaison Officer (PLO) who will be the direct liaison with PAPs. The PLO should be working in collaboration with the CSDFP PMU Executive Director who would report all grievances to the CSDFP PMU Supervisory Board during their regular meetings. Where the affected person is unable to write, the local Project Liaison Officer will write the note on the aggrieved person's behalf. Any informal grievances will also be documented by the Project Liaison Officer. The note should be embossed with aggrieved person's thumbprint.
- The Project Liaison Officer and the CSDFP PMU representative will consult to determine the validity of claims. If valid, the Committee will notify the complainant and s/he will be assisted. A response will be given within 14 days during which time any meetings and discussions to be held with the aggrieved person will be conducted. If the grievance relates to valuation of assets, a second or even a third valuation will be undertaken, until it is accepted by both parties. These can be undertaken by separate independent valuers than the person who carried out the initial valuation. The PLO will provide assistance at all stages to the aggrieved person to facilitate resolution of their complaint and ensure that the matter is addressed in the optimal way possible.

d) If, after receiving a response from the CSDFP PMU the complaint is not resolved, the project will use a Grievance Redress Committee. The Grievance Redress Committee will be comprised of at least 5 members of whom 2 will be from the CSDFP PMU. The other 3 should be independent of the project implementing authorities and Government of Republic of Tajikistan. They should be from (i) a recognised NGOs/CBOs operating in Tajikistan, (ii) an eminent person of appropriate standing (e.g. respected lawyer or professor) if accessible, (iii) a representative from the a participating city and (iv) a person from the city council. These professionals will be paid sitting fees for these sessions and will not be regular employees of any of the project agencies. Establishment of the Grievance Redress Committee shall be approved by order of the participating City Councils/ Mayor. The committee shall be initiated by the CSDFP PMU or local self-government on the request of the PAP. Decisions made by the committee and agreed by all parties shall be legalized in terms of a resolution of the participating Cities.

- e) Should there be objection regarding the decision of the Grievance Redress Committee, the case can be taken to court by the PAP.

F.2 Grievance Log

96. The Project Liaison officer will ensure that each complaint has an individual reference number, and is appropriately tracked and recorded actions are completed. The log also should contain a record of the person responsible for an individual complaint, and records dates for the following events:

- date the complaint was reported;
- date the Grievance Log was uploaded onto the project database;
- date information on proposed corrective action sent to complainant (if appropriate);
- the date the complaint was closed out; and
- the date response was sent to complainant.

F.3 Monitoring Complaints

97. The Project Liaison Officer will be responsible for:

- providing the sub-project Resettlement and Compensation Committee with a weekly report detailing the number and status of complaints;
- any outstanding issues to be addressed; and
- monthly reports, including analysis of the type of complaints, levels of complaints, and actions to reduce complaints.

G. RPF IMPLEMENTATION BUDGET

98. At this stage, it is not possible to estimate the exact number of people who may be affected since the technical designs and details have not yet been developed. It is therefore not possible to provide an estimated budget for the total cost of resettlement that may be associated with implementation of this project. However, when these locations are known, and after the conclusion of the site specific socio-economic study, information on specific impacts, individual and household incomes and numbers of affected people and other demographic data will be available, a detailed and accurate budgets for each RAP will be prepared. Each RAP will include a detailed budget, using the template below thus facilitating the preparation of a detailed and accurate budget for resettlement and compensation. The project will prepare the resettlement budget and will finance this budget through the administrative and financial management rules and manuals like any other activity eligible for

payment under the project. All responsibilities for payment of compensation and provision of all other types of assistance will reside with the CSDFP PMU through a resettlement budget under the allocated Project funds.

Table G-1: Budget breakdown and cost

No	Activity	Cost in TJS	Note
1			
2			
Total			

H. MECHANISM FOR CONSULTATIONS AND PARTICIPATION OF DISPLACED PERSONS IN PLANNING, IMPLEMENTATION AND MONITORING

99. Consultations on the draft Resettlement Policy Framework were undertaken in Dushanbe, Vose, Farkhor, Dangara, Gissar and Kulob in January 2015 with community residents. Feedback from communities was requested during the consultations prior to the finalization of the RPF. Questions focused on needs within the community and the project design and schedule. The meetings were attended by both male and female residents. (See attached minutes in Annex.3)

100. During project implementation, PAPs will be consulted in the following manner at each stage of the project:

- a) Following the identification of their plot, a CSDFP PMU Project Liaison Officer will visit the PAP and advise them of their rights under the project. This will include sharing information on their entitlements to compensation and grievance redress. They will also confirm with the PAP and local authorities what assets will be required
- b) Once the inventory and valuation of assets is complete, the PLO will present and discuss the details with the PAP(s) and whether or not the inventory is accurate and the valuation is acceptable to them.
- c) Once the RAP is complete the PAPs will be provided the relevant sections as per the disclosure procedures described above.
- d) Prior to implementation of the sub project the amount of cash or in kind (land) offered for compensation will be discussed with each eligible PAP for consideration and endorsement before transfer of the asset is affected. PAPs are entitled to have a third party present at this

crucial time or at the other steps leading up to this final transfer. At any point PAPs can instigate a complaint using the grievance redress process described above

I. ARRANGEMENTS FOR MONITORING AND EVALUATION

I.1 Overall Arrangements and Scope

101. The arrangements for monitoring will fit the overall monitoring plan of the entire project which will be implemented through the CSDFP PMU. All RAPs will set major socio-economic goals by which to evaluate their success which will include (i) affected individuals, households, and communities being able to maintain their pre-project standard of living, and even improve on it, (ii) the local communities remaining supportive of the project and (iii) the absence or prevalence of conflicts. In order to assess whether these goals are met, RAPs will indicate parameters to be monitored, institute monitoring milestones and provide resources necessary to carry out the monitoring activities. the CSDFP PMU will institute an administrative reporting system that will:

- Provide timely information about all resettlement to the CSDFP PMU as a result of project activities;
- Identify any grievances that have not been resolved and require resolution through the involvement of the grievance committee or higher authority;
- Document the timely completion of project resettlement obligations for all permanent and temporary losses;
- Evaluate whether all PAPs have been compensated in accordance with the requirements of this RPF and that PAPs have higher living standards in comparison to their living standards before physical or economic displacement.
- Alert project authorities about the necessity for land acquisition in the project's planned activities

102. The objective will be to make a final evaluation in order to determine:

- if affected people have been paid in full and before implementation of any project activity that is causing resettlement ,
- if the people who were affected by the project activities have been affected in such a way that they are now living a higher standard than before, living at the same standard as before, or are they actually poorer than before.
- Specific impacts on vulnerable households

I.2 Indicators

103. Indicators will be set within each RAP. Data will be gathered from communities or information collated through surveys, as required. The information for these indicators should be collated at regular intervals (e.g., quarterly or half yearly depending on circumstances) and compared over time. The pre-project Census information should provide most, if not all of the required information to set a baseline against which performance can be tracked.

I.3 Monitoring RAP Implementation

104. CSDFP PMU staff, responsible for the RPF and resettlement and compensation issues, will manage the compilation of basic information on all physical or economic displacement from the project, on a quarterly basis.

105. They will compile the following statistics:

- a) Number of activities requiring preparation of a RAP;
- b) Number of households and individuals physically or economically displaced by each activity;
- c) Length of time from design finalization to payment of compensation to PAPs;
- d) Timing of compensation in relation to commencement of physical works;
- e) Amount of compensation paid to each PAP household (if in cash), or the nature of compensation (if in kind);
- f) Number of people raising grievances in relation to each sub-project;
- g) Number of unresolved grievances.

106. CSDFP PMU will review these statistics in order to determine whether the resettlement planning arrangements as set out in this RPF are being adhered to. They will alert the Project Coordinator, if there appears to be any discrepancies. Financial records will be maintained by CSDFP PMU, to permit calculation of the final cost of resettlement and compensation per individual or household.

107. The statistics will also be provided to an independent consultant that will be contracted on an annual basis.

108. CSDFP PMU will maintain a complete database on every individual impacted by the project land use requirements including relocation, resettlement and compensation, land impacts or damages, and it will provide a copy to the participating City Councils. Each time land is used by the project; the database will be updated to determine if the individual or household is being affected to the point of economic non-viability and eligibility for compensation or its alternatives. Periodic reports on the

database will be sent to the participating City Councils and the World Bank and become part of the official documents of the project.

109. The impact of resettlement implementation will be measured by repeating the exercise of socio-economic profiling (census) six months after the implementation of all sub-projects. This exercise will determine whether or not PAPs are at least as well off as they were before project, and if not whether their circumstance have declined as result of the project, and what remedial measures may be necessary.

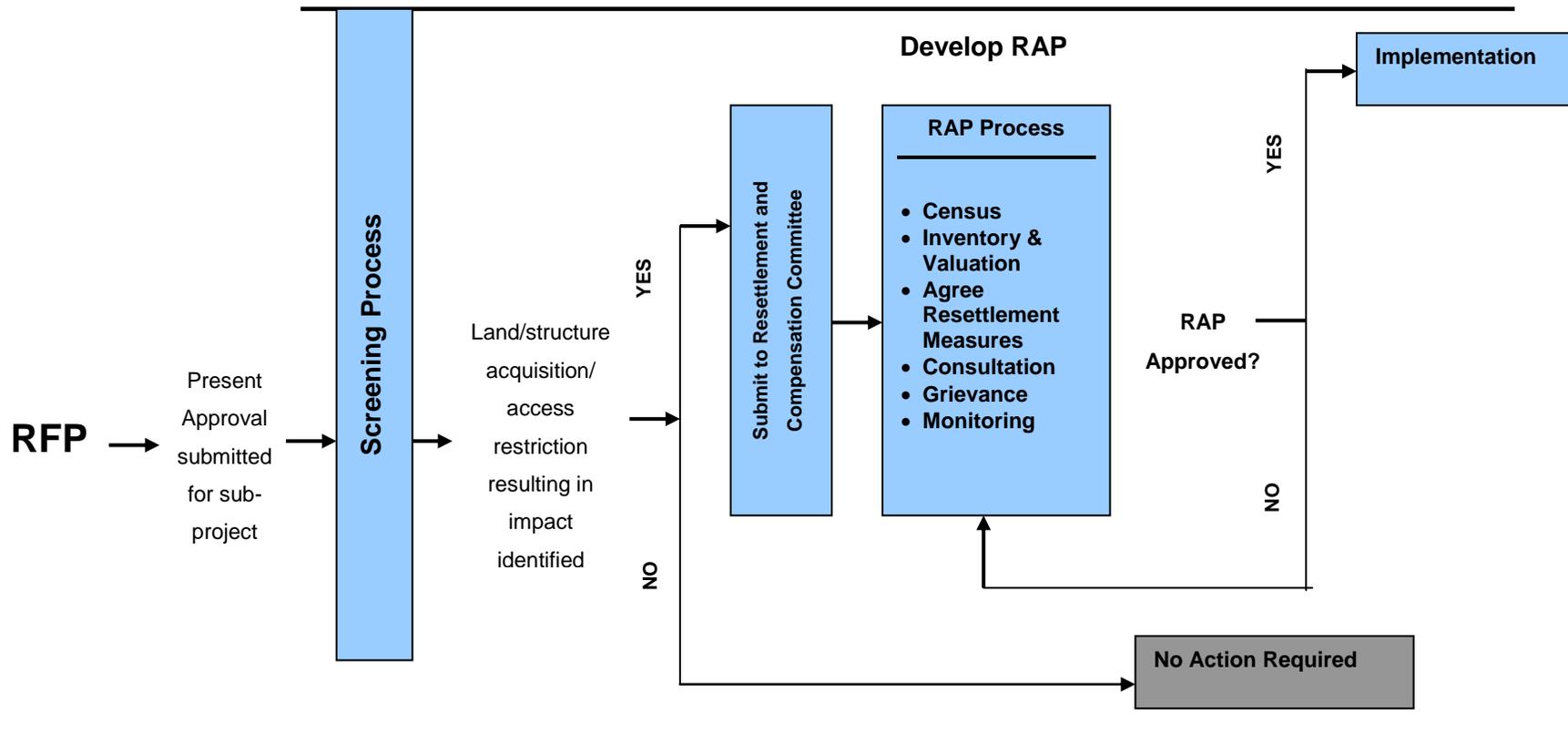
ANNEX 1: BASIC ELEMENTS OF A RAP

The basic elements of a RAP, as outlined in OP 4.12 are provided below. Each element of a RAP is described in this RPF, but more detailed guidelines for preparing a RAP are available on the World Bank's website (www.worldbank.org) or in the World Bank's Resettlement and Rehabilitation Guidebook.

It is expected that in this project, the impacts on the entire displaced population will be minor (i.e. affected people are **not** likely to be physically displaced and less than 10% of their productive assets will be lost) and fewer than 200 people would be affected in any activity, so that abbreviated RAPs (as defined in OP 4.12) can be prepared. Also for any given RAP it is likely that only a handful of people will be affected as RAPs will be prepared for individual sub-projects that require land acquisition. Thus it is proposed that the RAP will contain a number of standardized sections as front matter (project description, legal and institutional framework, eligibility and entitlement matrix etc.) that are already found in the RPF, followed by a section specific to the affected site, and the PAP(s) along with their assets (inventory of losses, compensation and resettlement costs and budget, socio-economic profile etc.). While household-level data is essential to the RAP, for the purposes of privacy, information identifying individuals or households in the RAP need not be publicly disclosed. A typical table of contents for a RAP will contain the following elements:

- Description of the project
- Resettlement Objectives
- Legal and Institutional Framework.
- Eligibility and Entitlement Matrix
- Valuation of and compensation for losses
- Consultation and Participation
- Grievance procedures
- Monitoring and evaluation
- Organizational responsibilities
- Site Specific Resettlement Impacts and Compensation:
 - PAP(s) Socio-Economic Profile
 - Inventory of Losses
 - Cost and budget
 - Implementation schedule

ANNEX 2: ORGANIZATION CHART OF RFP AND RAP IMPLEMENTATION



ANNEX 3: Minutes of Meetings on EMF and RPF Consultations in Dushanbe

Minutes of Meeting in Dushanbe

Roundtable Meeting discussion of "Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)"for Communal Services Development Fund Project (CSDFP)

20 January 2015

Dushanbe

Agenda:

Discussion of "Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)"for Communal Services Development Fund Project (CSDFP).

Speakers:

Mr. Tabarov, PMU Director presided the meeting. He gave detailed information on the "Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)"for Communal Services Development Fund Project (CSDFP).

He noted that the Preparation for establishment of Project Fund for Municipal Services development under MIDIP AD is in the process, for which USD 30 000 000 will be allocated by the World Bank initially, project will assist the government of RT to establish the Fund for municipal services development as mechanism of grant financing based on outcome, but with final objective to transform the Fund into mechanism of credit capital investment within 5-10 years.

Our discussion today is about the Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)"for Communal Services Development Fund Project (CSDFP) which were prepared according to the policy and procedures of the World Bank. EMF and RFP were also published on the official website of the World Bank and State Committee on Investments for public access.

He also mentioned that the Project Management Unit MIDIP together with international consultants developed a plan on Environmental Management Framework and Resettlement Framework Policy. These documents were reviewed and agreed by all interested agencies and NGOs. After a good review, amendments and changes, these documents were approved by the World Bank.

Speaker-consultant of ICMA Company Mr. Rozikov went through the main sections of EMF and the methods of its implementation and its control, social environmental consequences. Regulatory frameworks of EMF ratified by the Parliament of the Republic of Tajikistan and the World Banks policies on "Environmental Management Framework". During the implementation of contracts under Communal Services Development Fund Project (CSDFP) is planning to strict compliance with all items of the EMP, which are necessary to be implemented by Contractors, EMF will be attached to the contracts and will be its an integral part

Next, Mr. Hushvaktov Z. - ICMA consultant presented the main aspects of RFP, the ways of implementation and its control.

He provided a positive example on implementation of Resettlement Plan in the projects European Bank on Development and Reconstruction in one of the Jamoat of Tursunzade city, where with the support of the Local Hukumat were safely resettled 50 households close to center.

All participants were asked to express their opinion regarding this document and ask questions.

Mr. Kabilov N. C. - Director of Vodokanal of Qurghonteppa town asked a question regarding RFP, about the compensation for households.

Then the floor was given to PMU chief engineer Mr. Faizulloev A. for explanation the main aspects of the Resettlement Policy.

Faizulloev A. - presented a brief overview of RFP the main aspects of the document. He mentioned about the aim and task of assignments of the document, the principles on which is based the document, the legislative framework, as well as measures developed by the document.

In addition, there were considered the issues regarding the project's impact and guidance for compensation for impact (table specifying the matrix eligibility: People affected by Project (PAP) and the property met the criteria and the estimation of compensation). It was also noted that RFP is a document on the basis of which will be developed the Action Plan resettlement (RAP) for each individual subproject, were considered the stages of preparation of the RAP in detail (scheme of RAP process), process of consultation with PAP, the complaints procedure and their consideration, as well as the issue of the source of funding for compensation.

All participants were asked to express their opinion regarding this document and ask questions.

According to the majority of managers GFC KMK, data enterprise is unable to work in the system of credit and pay interest on the loan. These enterprises are not creditworthy, and of walking out of this they offered to provide them with funds in the form of a grant.

All participants of the workshop took the handout for detailed studying. After discussion and study of the main sections of the EMF and RPF, their implementation methods and control, the participants approved these documents.

The list of the participants is attached in annex.

Annex:

Mr. Davlatov, Director of SSE KMK in Farkhor asked question regarding obtaining a license from the Committee on the environment for solid waste management (waste utilization) and other documents related to waste collection. The question was: Who should pay for the license?

Mr. Faizullaev A. in answer to this question noted, that all financial costs related to obtaining a license of the Ministry of Ecology will pay SUE KMK as Project doesn't have responsibility for such expanses.

Also the participants raised the issue on environmental protection of fluorescent lamps Compact Fluorescent Light Bulbs (CFLs) and exchanged their opinion with each other.

Mr. Musoev A. Director of SSE KMK in Kurgan-Tube expressed his concern about this lamp, he said that for utilization of the used lamps from population require 0.65 dirham per unit while not all people are able to pay that amount. In his opinion it would be better to build mini plants for disinfection of these lamps as it's the best option for population without any expenses.

Mr. Safarhonov T. Director of Farkhor's Vodocanal noted that they are familiar with this plan and have practiced and just asked about differences. Are there any differences between the previous and the new EFM ?If there is, still they support and stand for this plan.

Mr. Faizulloev A. replied that t the present and previous documents drawn up with the same purpose, without significant changes.

Mr. S. Aliyorov, Director of SSE "KMK" in Rudaki district asked regarding the table matrix eligibility: PAP(People affected by the Project) and property meet the criteria for estimation compensation.

After that, the word was given to the Municipal Development Center consultant Mr. Rozikov Sh. he briefly summarized the contents of the table and answered questions to the audience questions.

After Mr. Aliyorov S. got positive responses to his questions he also expressed no objection to these documents.

Mr. Asrorov E. Director SUE in Pendzhekent district asked when preparation of these documents will start in the Pendzheken district.

Answering to this question **Mr Rozikov Sh.** explained that for each pilot region, as was noted earlier the preparation process will start when developing specific projects.

Mr. Aladustov M. suggested to discuss the RFP at governmental level of the Republic as each area responds differently to the question of resettlement, which is not always in a positive way will be resolved this issue. There must be a single policy at the Governmental level of the Republic for solutions of these issues. The speaker provided an example about donors that didn't compensate expenses donors in connection with the resettlement but compensation due to local government budget is single.

Secretary

M.N. Mahmadv

ANNEX 4: Minutes of Meetings on EMF and RPF Consultations in Vose

Minutes of Meeting in Vose

Roundtable Meeting discussion of "Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)" for Communal Services Development Fund Project (CSDFP)

Vose

20 January 2015

Attended:

Kurbonova Mosharif	the chairman of sanitary zone #5
Sherova Jumagul	the chairman of sanitary zone #3
Odinaeva Saodat	the chairman of B.Gafurov mahalla
Turakhonov Orzu	the Community Mobilization Specialist
Latipova Gulnora	the chairman of sanitary zone #4
Musoeva Azizmo	the cleaner of sanitary zone
Khojaeva Ercamo	the member of user
Izzatova Saodat	the chairman of sanitary zone #7
Bobulov Mirzoaly	the chairman of mahalla
Mahmadaminova Malica	the resident of A.Mirzoev street
Saidova Masturamo	the resident of A.Navoi street
Boimurodova Muhabbat	the Community mobilization Specialist

Agenda:

Discussion of "Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)"for Communal Services Development Fund Project (CSDFP).

Mr. Makhmadov. Representing the participants, acquainted with the agenda to discuss the "Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)"for Communal Services Development Fund Project (CSDFP)

Our discussion today is about the Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)"for Communal Services Development Fund Project (CSDFP) which were prepared according to the policy and procedures of the World Bank.

He also mentioned that the Project Management Unit MIDIP together with international consultants developed a plan on Environmental Management Framework and Resettlement Framework Policy. These documents were reviewed and agreed by all interested agencies and NGOs. After a good review, amendments and changes, these documents were approved by the World Bank.

Was presented a brief overview of the main aspects of the RFP document was mentioned about the aim and tasks of the document, the principles on which the document is based, the legislative framework, as well as the measures provided by developed document

All participants were asked to express their opinion regarding this document and ask questions.

As a result, there were many questions about the program and the existing problems in the field of water supply and sanitation in Vose town the annex to the protocol is on the residents questions and answers.

All participants of the workshop took the handout for detailed studying. After discussion and study of the main sections of the EMF and RPF, their implementation methods and control, the participants approved these documents.

The list of the participants is attached in annex.

-Annex to the Minutes of meeting # 1hold on Vose

№	participants ' questions	Answers	Notes
1.	<p>Mr. BobulovMirzoali: the issue environmental protection and cleaning channels from contaminated substances pointed that because there isn't specific place for solid wastes, the residents throw their waste everywhere, His question whether that is possible if under CSDFP provide them a few containers for other mahalla that are not belonged to sanitary zones.</p>	<p>Mr. Makhmadov M, said that the issue will be solved by SUEKMK Vose</p>	
2.	<p>Miss Mahmadinova regarding security issue of the environment asked question about the possibility of additional</p>	<p>Mr.MakhmadovM. Answered that works are in progress on the begging</p>	

	construction of sanitation sites under this project.	construction of six new sanitary sites for the residents of apartment buildings in Vose district.	
3	Miss Izzatova : Asks a question about the problem of drinking water and its solution under this project.	Mr. Azizov F. Responding to the question, he said that it is not time to talk about a solution of this problem, as specialists, engineers work on feasibility study for the pilot districts, after the final results of the examination the directions of project implementation in Vose will be identified	
4	Miss Saidova a resident of Navoi street asked questions regarding tariffs and fundraising. According to her, they don't have permanent water supply in the apartments, they stand in line to get water from the public water supply, but SUE Vodokanal requires 100% payment for water. Her question on desirability of collecting these funds, from which calculations takes these prices?...	Mahmadov M replied that the same question was asked in Farkhor and it is necessary to note that tariff approved by the Antimonopoly Service of the Republic of Tajikistan. SUE Vodokanal has no right to take 50% payment for water from the population without baseless privilege provided for veterans of the Great Patriotic War, invalids, low-income families who have an appropriate document	
5	Miss Odinaeva S asked about how RFP is being prepared and stages of the preparation	Mr. Mahmudov noted that this document is on development stage of the project and compensation for the damage shall be compensated by the project	

Author:

Mr. Makhmadov.

ANNEX 5: Minutes of Meetings on EMF and RPF Consultations in Kulob

Minutes of Meeting

Roundtable Meeting discussion of "Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)" for Communal Services Development Fund Project (CSDFP)

Kulob

20 January 2015

Attended:

Loikaw Abdurahmon-Director of SSE KMK Kulyab

Amonov Saichon An Economist of SSE KMK Kulyab

Nabieva, Gulnora a resident of Abdushukurova No. 33

Muradova Saodat a resident of street N. B. Poyon D. No. 71

Valieva, Humor a resident of street Kuibyshev D. No. 289

Mirzoeva Chaman a resident of Kuibyshev street D. No. 240

Khakimov Nigina a resident of Kuibyshev street D. No. 381/1

Inoyatova Maria a resident of Kuibyshev D. No. 278

Kosimov Origami a resident street Sadykova D. No. 10

Nurov, Odinani a resident of St. Kuibyshev D. No. 77

Gulyamova, a resident of street N. B. Poyon D. No. 277

Boimatov Hisory a resident of street Sadykova D. No. 10

Safarov Odil a resident of Kuibyshev street No. 381/6

Isaeva Inoyama a resident of Kuibyshev street No. 295

Agenda:

Discussion of "Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)"for Communal Services Development Fund Project (CSDFP).

Mr. Makhmadov. Representing the participants, acquainted with the agenda to discuss the "Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)"for Communal Services Development Fund Project (CSDFP)

Our discussion today is about the Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)"for Communal Services Development Fund Project (CSDFP) which were prepared according to the policy and procedures of the World Bank.

He also mentioned that the Project Management Unit MIDIP together with international consultants developed a plan on Environmental Management Framework and Resettlement Framework Policy. These documents were reviewed and agreed by all interested agencies and NGOs. After a good review, amendments and changes, these documents were approved by the World Bank.

Was presented a brief overview of the main aspects of the RFP document was mentioned about the aim and tasks of the document, the principles on which the document is based, the legislative framework, as well as the measures provided by developed document

All participants were asked to express their opinion regarding this document and ask questions.

As a result, there were many questions about the program and the existing problems in the field of water supply and sanitation in Kulob town.

The annex to the Roundtable meeting on residents questions and answers.

All participants of the workshop took the handout for detailed studying. After discussion and study of the main sections of the EMF and RPF, their implementation methods and control, the participants approved these documents.

The list of the participants is attached in annex.

Attachment to the Minutes of meeting # 1

№	Participants' questions	ANSWERS	Note
1.	MrLoikov A. asked about how RFP is being prepared and stages of the preparation	MrAzizov: noted that this document is on development stage of the project and compensation for the damage shall be compensated by the project	
2.	Miss KosimovOriphamo: with regards to the security challenges of the environment asked the question regarding the lack of wastepoints in the city areas	Lioikov A: Note that for the solution of this question the SUE KMK Kulyab sent a letter to the Local Executive Office and local committee on cadastre for the allocation of land for construction of landfill sites, but the question of the problem is still open	

3	<p>Mr Amonov Saidhon: Chief Economist SUE KMK expressed his concern about the lack of appropriate technology for the disposal of solid and liquid waste, as technology enterprises do not work properly. He asked whether it is possible to provide the necessary technology for the mentioned enterprise under the CSDFP?</p>	<p>Mr. Azizov said that he was not informed sufficient about procurement of special technology for the enterprise This issue should be discussed with management of PMU.</p>	
4	<p>Miss Inoyatova M: On environmental management regarding the issue of street pollution noted that there is contamination of streets, as in many streets there aren't any waste containers</p>	<p>Mr. Loikov A: Noted that they are aware of this problem, the company is working to solve this problem.</p>	
5	<p>Mr Safarov Odile: asked about the period time of preparation of these documents in Pendzhakent district will start</p>	<p>Mr Azizov: replied that for each pilot district, as previously was mentioned preparation process begins after the developed (preparation) of specific projects.</p>	

Author:

Mr. Makhmadov.

ANNEX 6: Minutes of Meetings on EMF and RPF Consultations in Dangara

Minutes of Meeting

Roundtable on discussion of «Environmental Management Framework» (EMF) and «Resettlement Policy Framework» (RPF) for Communal Service Development Fund Project (CSDFP)

January 28, 2015

Dangara city

Attended:

Vakhobov Fakhridin	Chairman of makhalla #9
NormatovNemat	Chairman of makhalla #8
Goibov Rakhmonali	Resident of Tagoeva street
Rakhmatulloev Safar	Chairman of makhalla #10
Abdurajabov Nasrullo	Chairman of makhalla #4A
Zaripova Sveta	Chairman of makhalla #15
Sayfulloev Khakimsho	Resident of Sovetskiy street
Idiev Rajabali	Resident of S. Turdiev street
Karimov Khursand	Resident of K. Kurbonov street
Gadoev Kurbonsho	Resident of Zebunisso street
Khasanov Mustafo	Chairman of makhalla #4
Khayrulloev Sadullo	Secretary of Jamoat
Khaydarov Rustam	Director of SSE KMK in Dangara
Nuraliev Rajabali	Specialist of SSE KMK in Dangara
Abdulloev Gulmurod	Chief Accountant of SSE KMK in Dangara
Karamatulloev Sh.	Deputy of Chairman of Jamoat
Latipov Sherkhon	Chief Engineer of SSE KMK in Dangara
Fakhriddinov K.	Mechanic of SSE KMK in Dangara
Isomiddinov M.	Leading specialist of Jamoat
Zaydulloev Khushbakht	Accountant of SSE KMK in Dangara
Asoeva Donagul	Cleaner of SSE KMK in Dangara
Rakhmanova Jamila	HR manager of SSE KMK in Dangara

Safarshoeva S.	Cleaner of SSE KMK in Dangara
Satorova S.	Cleaner of SSE KMK in Dangara
Bobokhonova R.	Specialist of SSE KMK in Dangara
Khudoyberdiev M.	Specialist of SSE KMK in Dangara
Abdurafieva Z.	Specialist of SSE KMK in Dangara
Zukhurova Z.	Specialist of SSE KMK in Dangara
Khakimshoeva S.	Specialist of SSE KMK in Dangara
Aladustov A.	Director of Dangara Vodocanal
Nazarov Komil	Specialist of SSE KMK in Dangara
Kholov Bekmurod	Specialist of SSE KMK in Dangara
Rajabov Fayzullo	Chief Specialist of Jamoat
Jaborov Abdukarim	Resident of N. Karabaeva street

Agenda:

Discussion of «Environmental Management Framework» (EMF) and «Resettlement Policy Framework» (RPF) for Communal Service Development Fund Project (CSDFP)

Speakers:

R. Khaydarov, after introducing the participants, he made aware of agenda of «Environmental Management Framework» (EMF) and «Resettlement Policy Framework» (RPF) for Communal Service Development Fund Project (CSDFP).

M. Makhmadov, noted, that following to policy and procedures of World Bank, were prepared «Environmental Management Framework» (EMF) and «Resettlement Policy Framework» (RPF) for Communal Service Development Fund Project (CSDFP), which will be considered in detail on this meeting today.

Also he mentioned that Municipal Infrastructure Development Project Management Unit jointly with international consultants developed the Environmental Management Plan and Resettlement Policy. These documents were considered and agreed with all interested agencies and HGOs. After detailed consideration, adjustments and changes, these documents were approved by World Bank.

There was presented the review of main provisions of the EMP and RP and during the presentation were affected the objectives and goals of documents, principles on which the documents are based, measures, provided by the developed document.

All participants were asked to express their opinions regarding this document and to ask questions.

There were a lot of questions regarding this program and the existing issues on water supply and sanitation in Dangara city.

The questions of residents and answers on their questions are attached in the annex to the minutes of the meeting.

All participants of the meeting were given the handout for their detailed studying. At the end, after studying the main provisions EMF and RPF, their implementation methods and control, the participants approved these documents.

The list of the participants is attached in annex.

Annex to the Minutes of the Meeting #1

#	Questions of the participants	Answers	Note
1.	Kh. Karimov asked question about the disposal of solid waste, first of all the plastic bottles and the methods of overproduction of the bottles, since the bottles are strewed all over the city.	M.Makhmadov during the answering this question, noted that it is not covered under proposed documents. This issue should be solved at the level of local Khukumat.	
2.	Khasanov Mustafo , regarding the issues on environmental, he asked a question on construction of sanitation zones under this project.	M.Makhmadov during the answering this question, noted that it is possible in consultation with the local Khukumats and suggestion of Dangara SSE KMK.	R. Khaydarov , the Chairman of Dangara SSE KMK instructed his responsible specialist to note this suggestion.

3	Zaripova Sveta: asked a question regarding the compensation in the case of resettlement and coefficient of compensation payment.	M. Makhmadov noted that all expenses related to involuntary resettlement will be included in project cost, according to WB instructions.	
4	Abdulloev G., the chief accountant of Dangara SSE KMK asked question, that how and at what stage the RAP is preparing.	M. Makhmadov noted that this document is considered at the stage of development of the project and the compensation for damage will be compensated under the Project.	
5	Khasanov Mustafo noted that last year the Jamoat allocated him land in new makhalla and he already planted a lot of trees there and poured foundation for 4 rooms. He asked that will there a compensation for cutting the trees during involuntary resettlement?	M. Makhmadov noted that the compensation for cutting of trees will be compensated to him in the framework of the project.	

Secretary:

Makhmadov M.N.

ANNEX 7: Minutes of Meetings on EMF and RPF Consultations in Hissar

Minutes of Meeting

Roundtable Meeting discussion of "Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)" for Communal Services Development Fund Project (CSDFP)

Hissar

20 January 2015

Attended:

Faizulloev A.	the chief engineer of PMU
Usmonov F.	the main monitoring specialist of PMU
Burieva A.	the nurse of central hospital
Nosirova K.	the chairman assistant of Beruny mahalla
Komilova D.	local resident
Qodirova M.	local resident
Dustieva O.	housewife
Fozilova.	local resident
Mirzoeva S.	the cleaner of the local hospital
Yuldosheva S.	the cleaner of the settlement (town)
Ashurova B.	local resident
Yakubova G.	local resident
Nuraeva F.	local resident
Mukhiddinov I.	local resident

Agenda:

Discussion of "Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)"for Communal Services Development Fund Project (CSDFP).

Mr. Faizulloev A. Representing the participants, acquainted with the agenda to discuss the "Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)"for Communal Services Development Fund Project (CSDFP).

Further Mr Faizullaev talked about the importance of these documents in sub-projects implementation also noted that strict compliance of all items of these plans is the responsibility of all contractors and will be attached to each contract

After the familiarize process, the participants had speeches and asked their questions as regards these documents. All questions raised during the seminar will be attached to the minutes.

In general, all participants were familiarized with the documents and eventually all articles Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF) have been approved

The list of participants, questions and answers included in tabular form.

Annex to the Minutes of meeting hold on Hissar town in January 28, 2015

№	Participant questions	Responses	Note
1.	Miss Nosirova Khumri: Most of the residents who live in high-rise buildings use adjacent areas where they planting trees or illegally built space for the stoves in a cases alienation of these areas, will they pay compensation for these kind of losses?	Mr. Faizulloev: In any case, any damage will all be compensated according to the prepared RPF	
2.	Miss Yakubova S: We live in a two-storey 12 apartment buildings where there is no sewage system. Although the city has a centralized sewerage system. Would you made any steps regarding this issue	Mr Faizullaev: In the process of project preparation and identification of priorities if this problem has a global character then may take any measures to eliminate them.	
3.	Miss Turaeva Farzona: For Water -Supply connections to apartment building Vodokanal does not provide us technical specification Why?	Mr. Faizulloev: This issue needs to be clarified. May be the problem is that these houses are typical and for	

		<p>them is not provided internal water supply and sewerage-system I think in this regard, Vodokonal company can not give you the technical conditions for connection to water and sewage systems.</p>	
4.	<p>Miss Mirzoeva Sidamo: How can we solve our problems? Our problem is that we also live in two-story homes and in the rain season always the roofs leak in our houses and because of the lack of money, the residents can't solve this problem.</p>	<p>Mr Faizulloev: The local hukumat deal with these problems If in the future there will be will be prepared subprojects for Rehabilitation of rooftops and after obtaining approval from the World Bank this issue will be provided and will take measures in solving this problem</p>	
5.	<p>Miss Turaeva Farzona: We are residents of apartment buildings planted a few trees at nearby location , of course the trees will be chop off as may be required Will be compensated the damage?</p>	<p>Mr. Faizulloev: Yes of course! Without any doubt all this will be compensated</p>	

Author:

Usmanov F

ANNEX 8: Minutes of Meetings on EMF and RPF Consultations in Farkhor

Minutes of Meeting

Roundtable Meeting discussion of "Environmental Management Framework (EMF)"

and "Resettlement Framework Policy (RPF)"

for Communal Services Development Fund Project (CSDFP)

January 20, 2015

Farkhor

Attended:

Safihanova D. - a resident of 46 street Isoki D.
Hilolbi H. - a resident of 46 street N. Isoki D.
Turaeva C. - a resident of 46 street N. Isoka D.
Ochilov H. a resident of 12 street Vose D.
Hilolbi W - a resident of street Isoki D.
Aliyev C. -a resident of street N. 5 Isoki
Yunusova F. a resident in street N. Isoki D.
Basarwa Am a -a resident in 18 street Sharifi D.
Karimov W. a resident street Sharifi
Gaibnazarov W. a resident 18 street Sharifi D.
Sharipova H. - a resident 18 street Sharifi D.
Amirshoeva F. - a resident of 17 street Sharifi D.
Abdusamatov P a resident of 17 street Sharifi D.
Bedanova A. a resident of 9 Somoni 9
Odinaev - a resident of 2 Rudaki street .
Ibragimov F. a resident of 2 Rudaki 2
Abdusamatov P. a resident street Sharifi D. 17
Bedanova A. a resident Ul. I. Somoni . 9
Odinaev A a resident of Rudaki street 2
Ibragimov F. a resident of Rudaki 2
Turahonov C. Chairman of SUE KMK in Farkhor
Davlatov So Chairman of the SUE KMK in Farkhor
Feasts W. Community mobilization Specialist
Ibrahimova L. Community mobilization Specialist
Odinaev M a teacher of school №8

Naimova H a resident of R. Balkhi
Rajabali S Chairman of sanitary zone #4

Agenda:

Discussion of "Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)"for Communal Services Development Fund Project (CSDFP).

Mr. Makhmadov. Representing the participants, acquainted with the agenda to discuss the "Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)"for Communal Services Development Fund Project (CSDFP)

Our discussion today is about the Environmental Management Framework (EMF)" and "Resettlement Framework Policy (RPF)"for Communal Services Development Fund Project (CSDFP) which were prepared according to the policy and procedures of the World Bank.

He also mentioned that the Project Management Unit MIDIP together with international consultants developed a plan on Environmental Management Framework and Resettlement Framework Policy. These documents were reviewed and agreed by all interested agencies and NGOs. After a good review, amendments and changes, these documents were approved by the World Bank.

Was presented a brief overview of the main aspects of the RFP document was mentioned about the aim and tasks of the document, the principles on which the document is based , the legislative framework, as well as the measures provided by developed document

All participants were asked to express their opinion regarding this document and ask questions.

As a result, there were many questions about the program and the existing problems in the field of water supply and sanitation in Farkhor town The annex to the protocol is on the residents questions and answers.

All participants of the workshop took the handout for detailed studying. After discussion and study of the main sections of the EMF and RPF, their implementation methods and control, the participants approved these documents.

The list of the participants is attached in annex.

Annex to the Roundtable meeting № 1 hold in Farkhor

№	Participant questions	Responses	Note
1.	Miss Turaeva S. asked about the many-storied houses, whether this RPF plan also regards to housebreaking a lot of apartment buildings, as she was one of the resident of these houses?	Mr.Makhmadov M. answering this question said that the PP is not aimed at resettlement of many apartment buildings, if necessary, there will be payments as compensation, but such cases hardly occur	
2.	Mr. Sharipov Hassan regarding security issue of the environment asked question about the possibility of additional construction of sanitation sites under this project.	Mr. Makhmadov M. replied that work is underway on the construction of a new sanitation sites for the residents of apartment buildings in the Farhors districts	
3	Miss Sufihonova D resident of sanitary zone №5 asked question regarding the rehabilitation of the sewerage system in high-rise buildings?	Mr. Turakhonov S. Chairman of SUE KMK Vodokonal of Farhor town said that work is underway on this issue and in the coming months will be resolved the issue with the sewer system	
4	Miss Yunusova F. Street resident. ISOC asked regarding tariffs and fundraising. According to her, they don't have permanence water supply in the apartments, they stand in line to get water from the public water supply, but SUE Vodokanal requires 100% payment for water. Her question on desirability of collecting these funds, from which calculations takes these prices?...	Mr Turakhonov C replied. that the tariff approved by the Antimonopoly Service of the Republic of Tajikistan.SUE Vodocanal has no right to take 50% payment for water from the population without baseless. privilege provided for veterans of the Great Patriotic War, invalids, low-income families who have an appropriate document	

Secretary:

Makhmadov M.N.