



Adjaristsqali
Georgia
LLC



TRANSMISSION GRID STRENGTHENING PROJECT

CONSTRUCTION OF AKHALTSIKHE-BATUMI 220kV DOUBLE CIRCUIT POWER TRANSMISSION LINE

RESETTLEMENT ACTION PLAN **Segment II – Section I: km 0- km 7.7** **(From Tower # 249– to Tower # 273)**

WB Review – March 2016

February, 2016

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CURRENCY EQUIVALENTS

(As of 18 February 2016)

Currency Unit	–	lari (GEL)
\$1.00	=	GEL 2.49

ABBREVIATIONS

ACS	–	acquisition and compensation scheme
CSC	–	construction supervision consultant
AH	–	affected household
AP	–	Affected Person
CBO	–	community based organization
DMS	–	detailed measurement survey
GSE	–	Georgian State Electrosystem
GoG	–	Government of Georgia
GRC	–	grievance redress committee
IA	–	implementing agency
IFI	-	International Financial Institution
IP	–	indigenous peoples
EMA	–	external monitoring agency
km	–	Kilometre
LAR	–	land acquisition and resettlement
LARC	–	land acquisition and resettlement commission
LARF	–	land acquisition and resettlement framework
RAP	–	Resettlement action plan
M&E	–	monitoring and evaluation
MFF	–	multitranches financing facility
MOF	–	Ministry of Finance
MPR	–	monthly progress report
MRDI	–	Ministry of Regional Development and Infrastructure
NAPR	–	National Agency of Public Registry
NGO	–	non-governmental organization
OHL	–	Over Head Line
PAP	–	Project Affected People
PEMI	–	persons experiencing major impact
PFR	–	periodic financing request
PPR	–	project progress report
PPTA	–	project preparatory technical assistance
PRRC	–	Property Rights Recognition Commission
R&R	–	resettlement and rehabilitation
RMT	–	Resettlement Management Team
RoW	–	right of way
SSC	–	Social Safeguards Consultant
SES	–	socioeconomic survey
SPS	–	safeguard policy statement
TL	-	Transmission Line
WB	-	World Bank

NOTE

In this report, '\$' refers to US dollars.

GLOSSARY

Compensation: Payment in cash or in kind of the replacement cost of the acquired assets and aimed at allowing for the improvement, or at least restoration, of the lost asset, living conditions and livelihoods.

Entitlement: Range of measures comprising compensation, income restoration, transfer assistance, income substitution, and relocation which are due to affected people, depending on the nature of their losses, to restore their economic and social base.

Improvements: Structures constructed (dwelling unit, fence, waiting sheds, animal pens, utilities, community facilities, stores, warehouses, etc.) and crops/plants planted by the person, household, institution, or organization.

Land Acquisition: The process whereby a person is compelled by a government agency to alienate all or part of the land a person owns or possesses to the ownership and possession of the government agency for public purpose in return for a consideration.

Affected People (AP): Individuals affected by Project-related impacts.

Affected Household (AH): All members of a household residing under one roof and operating as a single economic unit, who are adversely affected by the Project. It may consist of a single nuclear family or an extended family group.

Cut-off date—start date of the census of project affected persons and inventory of assets affected by the project. Persons occupying the project area after the cut-off date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the cut-off date will not be compensated.

Rehabilitation: Compensatory measures provided under the Policy Framework on involuntary resettlement other than payment of the replacement cost of acquired assets.

Relocation: The physical relocation of an AP/AH from her/his pre-Project place of residence.

Replacement Cost: The calculation of replacement costs of land and structures will be based on (i) fair market value at the time of dispossession, (ii) transaction/legalization costs, other taxes and fees (iii) transitional and restoration (land preparation and reconstruction) costs, and (iv) other applicable payments. The value determined to be fair compensation for land based on its productive potential and location. The replacement cost of houses and structures (current fair market price of building materials and labour without depreciation or deductions for salvaged building material), and the market value of residential land, crops, trees, and other commodities.

Resettlement: All measures taken to mitigate any and all adverse impacts of the Project on AP's property and/or livelihood, including compensation, relocation (where relevant), and rehabilitation of the damaged/removed infrastructure and installations. The objective is to improve, or at least restore the livelihood and living conditions of people affected by project-related land acquisition.

Sakrebulo: The representative body of local self-government. Self-governing unit is a municipality. A municipality is a settlement (self-governing city) which has administrative borders or unity of settlements (self-governing community), which has administrative borders and administrative centre. A municipality has elective representative and executive bodies (hereinafter municipality bodies), registered population and has its own property, budget, receipts. A municipality is a legal entity of public law. Local self-governance is implemented in municipalities – self-governing city and self-governing community. Self-governing city is an urban settlement which has or will have legally assigned status of municipality, while self-governing community is a unity of several settlements, which, in compliance with this law, has or will have assigned status of municipality. A status of self-governing cities are assigned and will be assigned in compliance with this law to the following cities: Tbilisi, Rustavi, Kutaisi, Poti, Batumi, Telavi, Ozurgeti, Zugdidi, Gori, Ambrolauri, Mtskheta and Akhaltsikhe. Representative body of the municipality is collegial administrative body – municipality council (Sakrebulo). Executive body of the municipality and highest official of the municipality is a governor (Gamgebeli) in self-governing community and mayor in self-governing city.

Vulnerable groups—People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

EXECUTIVE SUMMARY

1. The Government of Georgia, acting through its Ministry of Energy and the Georgian State Electrosystem (GSE), would like to strengthen grid access for South Western Georgia by constructing a 220 kV double circuit overhead power transmission line connecting the sub stations in Akhaltsikhe and Batumi. The new transmission line will ensure more stable electricity supply in the region, reducing outages and enable GSE to meet the growing demand for electricity, as well as enhance export opportunities. The new transmission line will also allow the hydropower projects on the Adjaristsqali River, the 178 MW Shuakhevi project and the 150 MW Koromkheti project, developed by Adjaristsqali Georgia LLC to be connected to the grid. Adjaristsqali Georgia LLC (AGL), is a special purpose vehicle/company set up by CEI for the development of the Adjaristsqali Hydropower Cascade after Clean Energy Invest AS (CEI, Norway), through competitive tender was awarded the rights to develop the hydropower potential of the Adjaristsqali River and its tributaries in the Autonomous Republic of Adjara. The company AGL, developing the Adjaristsqali cascade, is presently owned by Clean Energy Invest AS (Norway), Tata Power International (India) and InfraVentures (IFC, a member of the World Bank Group). Considering that AGL will benefit from the construction of the transmission line, the company has agreed with GSE and the Georgian Government to fund the development of the engineering and environmental studies required for the construction of the 220kV Akhaltsikhe-Batumi Project, whereas the construction works are planned to be funded by the World Bank. The Mott MacDonald Ltd (UK) has been assigned to undertake the engineering design for the transmission line, DG Consulting (Georgia) has been assigned to conduct the Environmental Social Impact Assessment (ESIA) by AGL. GSE will be responsible for the construction and operations of the 220 kV transmission line and will own the line. GSE will also be responsible for land acquisition. AGL is responsible for preparation of the Resettlement Action Plan (RAP). AGL has assigned DG Consulting, Alligator Ltd, Audit Escort and Analysis and Consulting team (ACT) for preparation of RAP. RAP is prepared by Analysis and Consulting Team (ACT) based on the surveys conducted by DG Consulting, Valuation by Audit Escort and Cadastral Mapping by Alligator Ltd. AGL's developmental responsibility ends after preparation, submission and approval of technical design, environmental and Archaeological studies, Resettlement Action Plan.

2. The 220 kV overhead transmission line will start from existing Akhaltsikhe 500/400kV Back to Back substation and will connect to existing Batumi 220kV substation (see.fig.1.1). The total length of the line is approximately 150 km and shall be a double-circuit line with AAAC conductors, OPGW and earth wire. The proposed OHL will be connected with substations at Shuakhevi and Koromkheti hydropower plants which are currently under construction and possibly connected to Beshumi ski resort substation after its modification. As a first priority the 52.2km length section of the OHL will be constructed covering Shuakhevi, Keda and Khelvachauri Municipalities. Initially this 52.2 km section was divided into 3 subsections:

- **Subsection 1** – km 0 - km 19.2 (From tower 249 – to tower 304)
- **Subsection 2** – km 19.2- km 39.5 (From tower 304 – to tower 352)
- **Subsection 3** – km 39.5- km 52.2 (From tower 352 - to tower 398)

As the alignment of OHL went under certain changes and the precise data for the alignment was available only for the first part of the Subsection 1, it was decided to reduce the subsection 1 in size. The Subsection 1 that is pertinent for the present RAP covers km 0 – km 7.7 (tower 249 – to tower 273) instead of km 0 – 19.2 km (tower 249 – to tower 304). The other part of the Subsection 1 (tower 273 – to tower 304) will be included in subsection 2. Respectively the 52.2 km of the OHL will be divided in following manner (fig.1.2):

- **Subsection 1** – km 0 - km 7.7 (From tower 249 – to tower 273)
- **Subsection 2** – km 7.7- km 40.8 (From tower 273 – to tower 355)
- **Subsection 3** – km 40.8- km 52.6 (From tower 355 - to tower 398)

The changes in the alignment for Subsection 1 can be seen on the figure 3 (see fig.1.3). This RAP is related only to Segment II, Subsection 1: 0- km 7.7 (From tower 249 – to tower 273). Additional updates for RAP Subsections 2 and 3 of Segment II will be developed as required.

3. In all **private** land impacts amount to some **196699 sq.m (19.6 ha)** of land from **130** plots, as certain plots are to be divided in 2 separate plots (one to be acquired due to permanent impact and the other to be compensated under the easment agreement due to partial impact) the final number of the project affected land plots is increased after demarcation up to **151** (see table 2.1 for details). This includes land plots affected permanently and partially. In terms of tenure and legal status the affected land plots are distributed in accordance with the following legal categories: **Category 1.** titled private land plots with full and valid registration. There are no land plots of category 1 under this section. **Category 2.** Some private land plots falling under this category are registered, while some of them still require registration. In this RAP there are **54** land plots (**101113 sq.m./10.1 ha**) among the affected parcels, out of which **10** land plots (**12903 sq.m./ 1.2 ha**) are subject to permanent land take and **53** land plots (**88210 sq.m./ 8.8 ha**) are subject to partial impact (some plots will be subdivided and registered further as two (2) separate land plots; out of which one plot is subject for acquisition and the other plot is subject for compensation under servitude agreement, as it falls within the RoW). Thus the final number of the land plots under Category 2 is **63**. **Category 3.** Land plots that subject to registration since being under legitimate possession of private persons. **76** of category 3 land plots of **95586 sq.m. (9.5 ha)** are affected by the project. Out of this total of **13** land plots (**5192 sq.m./0.5 ha**) are affected permanently and will be purchased by project; and **75** land plots (**90394 sq.m./9 ha**) are partially affected and will be compensated according to the easment (servitude) agreement, correspondingly the final number of the land plots under Category 3 is **88**. **Category 4.** State owned land plots illegally used by the private users (squatters). There are no land plots under this category at this section. **Category 5.** State owned land plots not used by the private users- in total there are 59 land plots with total area of **289,398 sqm./28.93 ha**.
4. Segment II, Section 1 will have impacts on **97** Ahs, however only **3** are severely affected (i.e. permanently losing more than 10% of productive land), and **2** physically will need to be physically resettled) In addition, **9** AH are considered vulnerable but they will not be severely affected or need to resettle. It must be highlighted that under this Section there are no cases of people living or using government-owned land who are not legalizable (i.e. squatters).

Table E.1 Summary Impact on Land Acquisition and Resettlement

No.	Impacts	Permanent Land Take (Land to be Acquired)		Partial Impacts (Land Plots within the RoW/Easement)		Initial Number	Final Number	Sqm
		Plots No.	Area (sqm)	Plots No.	Area (sqm)	Plots No.	Plots No.	Area (sqm)
1	Total Land parcels affected					130	151 ¹	196699
Tenure Categories								
1	Category 1. Private Registered	0	0	0	0	0	0	0
2	Category 2. Private land plots registered or not registered but eligible to registration	10	12903	53	88210	54	63	101113
3	Category 3. Private Legalizable	13	5192	75	90394	76	88	95586
4	Category 4. State owned land illegally Owned, Used by Private Users (squatters) – Non Legalizable	0	0	0	0	0	0	0
5	Category 5. State Owned Not Used by Private Users	8	2641	59	280757	59	67	283398
Categories by Land Use and Costs								
6	Type 1. The land plots of non-agricultural status, located close to the main road (from 5 to 50m) and used for residential or commercial needs. Cost of 1 m2 of Type 1 land is 16.5 GEL	0	0	4	4628	4	4	4628

¹ Certain plots are to be divided in two (2) separate plots (one to be acquired due to permanent impact and the other to be compensated under the easment (servitude) agreement due to partial temporary long-term impact). Thus, the final number of the project affected land plots is different from the initial number of the land plots.

		Permanent Land Take (Land to be Acquired)		Partial Impacts (Land Plots within the RoW/Easement)		Initial number of Affected Land Plots	Final number of Affected Land Plots	Total area of Affected Land
		Plots No.	Area (sqm)	Plots No.	Area (sqm)	Plots No.	Plots No.	Area (sqm)
7	Type 2. The land plots of agricultural status, located close to the main road (from 5 to 50m) and currently used for agricultural needs. Cost of 1 m2 of Type 1 land is 15 GEL	6	3980	40	64426	41	46	68406
8	Type 3. The land plots of agricultural status, located remotely from the main road but within the borders of villages and settlements used for residential purposes. Cost of 1 m2 of Type 1 land is 12.5 GEL	3	11210	18	24790	19	21	36000
9	Type 4. The land plots of agricultural status, located remotely from the main road and used for agricultural needs. Cost of 1 m2 of Type 1 land is 8 GEL	7	913	30	36004	30	37	36917
10	Type 5. The land plots of agricultural status, located remotely from the main road and not used for agricultural needs (usually these are land plots located on steep slopes and often covered by bushes). Cost of 1 m2 of Type 1 land is 5 GEL	7	1992	36	48756	36	43	50748
11	Type 6. State Owned , Used by Private Users – Non Legalizable	0	0	0	0	0	0	0
12	Type 7. State Owned Not Used by Private Users	8	2641	59	280757	59	67	283398
Crops and Trees								
13	Area under Maize					sq.m		13520
14	Area under Beans					sq.m		3040
15	Area under Potato					sq.m		270
16	Area under Pepper					sq.m		400
17	Area under Tobacco					sq.m		3285
18	Area under Vegetables					sq.m		2270
19	Affected Trees					No		6147
Affected Structures								
20	Residential Houses (AHs to be relocated)					No.		2
21	Ancillary Buildings in Total					No		15
Affected Businesses								
22	No businesses are affected by the project					No.		0
Affected Households								
23	Severely affected Households					No.		4
24	Vulnerable Households					No		9
25	Resettled households					No.		2
26	AH losing Jobs					No		0
27	Total AH					No		97
28	Total Affected Persons					No		496

5. In total 97 AHs are affected: 22 are permanently losing some part of their land (22 land plots) and the rest are affected partially as their land plots are imposed to limitation of land use (growing tree plants and construction/existence of the structures is prohibited). 3 AHs are losing more than 10% of the land owned by them at the locations, where the towers will be erected. Therefore, in total 4 AHs are considered to be severely affected and will be provided by additional allowances. The present RAP affects in total 8 vulnerable AHs and 1 women headed without supporters (bread earners).

6. The legal and policy framework of the project on land acquisition and resettlement has been adopted to assist the APs and/or households for their lost land and assets, income and livelihood

resources. Expropriation of land through eminent domain will not be applied unless approach for acquisition through negotiated settlement fails. Compensation eligibility is limited by a cut-off date as set for this project on the day of the beginning of the AP Census which is 23 of June 2014 for those project affected lands where no changes in OHL alignment were observed and 3 February 2016 for those lands that were newly identified as project affected or the affected area of the land was modified due to changes in alignment. APs will be entitled for compensation or at least rehabilitation assistance under the Project are (i) all persons losing land irrespective of their title, (ii) tenants and sharecroppers irrespective of formal registration, (iii) owners of buildings, crops, plants, or other objects attached to the land; and (iv) persons losing business, income, and salaries. A summary entitlements matrix is included in Table E-2.

Table E-2. Compensation Entitlement Matrix

Type of Loss	Application	Definition of APs	Compensation Entitlements
Land			
Permanent loss of agricultural and non-agricultural land (e.g. tower sitting, enhancement of access roads)	PAPs permanently losing agricultural land regardless of impact severity	Registered owners	For agricultural lands - Cash compensation at full replacement cost at current market value without deduction of depreciation value and transaction fees or replacement land of same value of land lost and at location acceptable to PAPs where feasible. If any remaining part of the land owned by the registered owners is no longer appropriate for use, such remaining part will be purchased subject to the agreement with the owner. For non-agricultural lands - Cash compensation at full replacement cost at market value without deduction of depreciation value and transaction fees.
		Legalizable Owner	For agricultural lands - These PAPs will be legalized and provided with cash compensation at full replacement cost of land. This compensation entitlement will also apply to the legalizable owners using unregistered land plots far from their residence, without registration of such land. For non-agricultural lands - these PAPs will receive the cash compensation as legalized owners after their title will be legalized and registered at the public register.
		Renters/Lease	Non eligible for land compensation; though, they are eligible for allowance considered in the Entitlement Matrix for other losses.
		Non-legalizable owners (squatters/encroachers)	Non-legalizable PAPs losing agricultural land plot, which is the only land plot used and provides main source of income for AH, will be compensated with one time allowance in cash equal to 1 year of minimum subsistence income (327 GEL X 12 = 3,924 GEL). Besides, they will be paid allowance considered in the Entitlement Matrix for other losses.
Land use restrictions (e.g. easement for TL's right of way)	PAP not losing their land falling within RoW, but land use restrictions imposed (prohibition of constructing structures and planting trees)	Registered owners	Easement agreement will include a lump sum easement fee payable to the owner. Such fee is established by an independent valuation experts.
		Legalizable Owner	These PAPs will be legalized and the owner will receive easement fee as a lump sum in the amount is determined by an independent valuation experts
		Renter/Leaseholder	Not eligible for easement fee for land-use restriction; though, they are eligible for allowance considered in the Entitlement Matrix for other losses.
		Non-legalizable users	Not eligible for easement fee for land-use restriction; however, PAP will receive allowance for other losses, as per Entitlement Matrix

Type of Loss	Application	Definition of APs	Compensation Entitlements
Buildings and Structures			
Residential buildings	Landlords /tenants of houses within the entire RoW are subject to physical displacement, as presence of residential structures within the ROW is prohibited	Registered owners	In addition to compensation for loss of land, PAPs will receive compensation and replacement value for the house and will be provided with resettlement assistance to ensure that the family relocates in a new house with access to services and security of tenure.
		Legalizable Owners	These PAPs will be legalized and in addition of compensation for loss of land, PAPs will receive compensation and replacement value for the house and will be provided with resettlement assistance to ensure that the family relocates in a new house with access to services and security of tenure
		Renter/Leaseholder	Non eligible for compensation for the house. The PAP will be informed well in advance to move and receive the equivalent of three months' rent and support to transport belongings to new location.
		Non-legalizable users	PAPs not eligible for compensation for land, will receive compensation at full replacement cost for the house and will receive additional assistance to ensure that adequate housing with security of tenure and access to services is provided.
Non-residential structures (barns, irrigation, fences, etc.)	Entire RoW, where deployment of some non-residential structures is prohibited	Registered owners	Compensation at full replacement cost for lost structures, in addition of compensation for loss of land.
		Legalizable Owner	These PAPs will be legalized and receive compensation at full replacement cost for lost structures, in addition of compensation for loss of land.
		Renter/Leaseholder	Non eligible
		Non-legalizable users	Eligible for compensation at full replacement cost of all structures built by the non- legalizable user
Loss Of Community Infrastructure/Common Property Resources			
Loss of common property and/or resources	Community/ Public Assets	Community/Government	Reconstruction of the lost structure or reestablishment of agricultural lands in consultation with community and restoration of their functions
Loss of Income and Livelihood			
Crops	Standing crops affected or loss of planned crop incomes**	All PAPs regardless of legal status (including registered owners, legalizable, non-legalizable users, and renters)	When possible people will be given enough time to harvest existing crops. Crop compensation in cash at gross market value of actual or expected harvest. Compensation for this item will be provided even in case if the crops were harvested. This compensation is in addition for compensation for permanent acquisition of land or easement fee.
Trees	Removal of trees from the ROW	All PAPs regardless of legal status (including registered owners, legalizable, non-legalizable users, and renters)	Cash compensation at market rate on the basis of type, age market price of product and the productive life of the trees. This compensation is in addition for compensation for permanent acquisition of land or easement fee

Type of Loss	Application	Definition of APs	Compensation Entitlements
Business/Employment	Business/employment loss	Business owner	(i). (permanent impact) cash indemnity of 1 year net income; (ii) (temporary impact) cash indemnity of net income for months of business stoppage. Assessment to be based on tax declaration or, in its absence, minimum subsistence income.
		Workers/employees:	Indemnity for lost wages equal to 3 months of minimum subsistence income and job trainings.
Allowances			
Severe Impacts	>10% loss of productive lands	APs losing permanently (sitting of towers) more than 10% of affected agricultural land (including registered owners, legalizable and non-legalizable users. Renters are not eligible)	Additional allowance equivalent to market value of two-year yield from affected land or compensation for 3 months of minimum subsistence income Other income ² : 1 additional compensation for 3 months of minimum subsistence income. 327 GEL per month x 3 months = 981 GEL per AH).
Physical relocation /Transportation of personal belongings to new location	Transport/transition costs	All PAPs to be physically relocated (including registered owners, legalizable, non-legalizable users, and renters)	Provision of allowance covering transport expenses and a livelihood expenses for the transitional period for 3 months equal to 3 months of minimum subsistence income. 200 GEL as vehicle hire charge + 327 GEL as minimum subsistence income x 3 months = 1,181 GEL per AH
Vulnerable people allowances	Impact on vulnerable people	Economically disadvantaged AHs, single mother headed household, disabled or elderly	One time allowance equal to 3 months minimum subsistence income (327 GEL/month X 3 months = 981 GEL); and employment priority in project-related jobs for capable members of all vulnerable households.
Temporary use of land			
Temporary use of land during construction	Lease of land for project purposes (e.g. camps, storage)	All PAPs	Contractor will lease land required temporarily during construction on voluntary basis (e.g., willing leaser-willing lessee basis). Landowner will have right to refuse the offer. The maximum period for temporary use is defined as 2 years. Lease rates to be paid should not be less than lease at current market rates, plus compensation for any loss of crops or trees at gross value of 4 year's harvest of crops on the affected lands. It is also required that lands (or other assets) be fully cleared and restored following use.
Construction impacts not related to land acquisition³			

² Non-agricultural income includes all economic activities except Category A: Agriculture. Please refer to <http://unstats.un.org/unsd/cr/registry/regcst.asp?Cl=27>

³ The requirement should be incorporated in the contract of a construction contractor

Type of Loss	Application	Definition of APs	Compensation Entitlements
Damages to houses, buildings, and structures affected during construction.	In relation to impacts that are not related to land acquisition such as potential damages of vibrations or discomfort caused by road traffic.	All PAPs regardless of legal status	Construction contractor will conduct assessment of damages, compare with existing baseline information and corresponding remedial actions (e.g. reparations, etc.) proposed to the affected party. If damages cannot be mitigated or fixed the affected houses and other buildings will be managed in accordance to the principles of the RPF, this RAP and it will be compensated in full for the whole building irrespective of the specific degree of impact. Compensation will be provided in cash at replacement cost free of deductions for depreciation, transaction costs or salvaged materials. All relevant PAPs are entitled to this provision by default irrespective of the registration status of the affected item. Salvaged materials after demolition of the building are deemed to be owned by the AH.

7. The Georgian State Electrosystem (GSE) is the implementing agency (IA) of the Project. GSE is responsible for OHL construction as well as land acquisition and resettlement of the PAPs. GSE is assisted by a number of other government departments and private agencies in the design, construction and operation of the Project. Pursuant to the active legislation, National Agency of Public Registry (NAPR) within the Ministry of Justice is in charge of the recognition of ownership rights of legitimate possessors and registration of ownership rights. The local/district NAPRs are also responsible for registering the ownership rights of acquired land from landowners to the GSE based on relevant agreements. The local governments at district and village levels are involved in the legalization of land parcels, land acquisition and resettlement. The Ministry of Environmental and Natural Resources Protection is responsible for environmental issues. Various features/sections of the OHL Project are located in each of the following municipalities: Akhaltsikhe, Adigeni, (Samtskhe-Javakheti Region) and Khulo, Shuakhevi, Keda, Khelvachauri and Batumi (Adjara Autonomous Republic). All corresponding Sakrebulo, Gamgeoba, Territorial Registration Offices and PRRCs will be involved in RAP. Local Sakrebulos and Rtsmunebuli of villages are involved for local level LAR activities.

8. The World Bank (WB) will be financing the Project and will provide advice and supervision on land acquisition activities.

9. A grievance mechanism will be available to allow a AP to seek redress for issues related to land acquisition. Grievance redress committees (GRCs) at local level involving the local government officials, representative of APs, representative of local NGOs and consultant will be formed. APs will be fully informed of their rights and of the procedures for addressing complaints whether verbally or in writing during consultation, survey, and time of compensation. Care will always be taken to prevent grievances rather than going through a redress process.

10. Payment of compensation and cash allowances will be executed during the implementation of the RAP. All activities related to the land acquisition and resettlement have been scheduled to ensure that compensation is paid prior to displacement and commencement of construction. In all cases compensation will be paid, and where necessary physical resettlement completed, prior to starting works on that land and causing the displacement. Public consultation, internal monitoring and grievance redress will be undertaken intermittently throughout the project duration. The total LAR cost calculated for the implementation of this RAP constitutes **GEL 2,326,808 (USD 934461)**.

11. Land acquisition and resettlement tasks under the project will be subject to monitoring. Monitoring will be the responsibility of GSE. Internal monitoring will be carried out routinely by GSE. The results will be communicated to the WB through the quarterly project implementation reports. External monitoring will be carried out by a Social Safeguards Consultant on a regular basis, and its results communicated to RMT of GSE and WB through quarterly reports. The GSE (through help of the Social Safeguards Consultant) will carry out a post-implementation evaluation of the RAP about a year after completion of its implementation.

1. INTRODUCTION

1.1 Project Background

12. The Government of Georgia, acting through its Ministry of Energy and the Georgian State Electrosystem (GSE), would like to strengthen grid access for South Western Georgia by constructing a 220 kV double circuit overhead power transmission line connecting the sub stations in Akhaltsikhe and Batumi. The new transmission line will ensure more stable electricity supply in the region, reducing outages and enable GSE to meet the growing demand for electricity, as well as enhance export opportunities. The new transmission line will also allow the hydropower projects on the Adjaristsqali River, the 178 MW Shuakhevi project and the 150 MW Koromkheti project, developed by Adjaristsqali Georgia LLC to be connected to the grid.

13. Adjaristsqali Georgia LLC (AGL), is a special purpose vehicle/company set up by CEI for the development of the Adjaristsqali Hydropower Cascade after Clean Energy Invest AS (CEI, Norway), through competitive tender was awarded the rights to develop the hydropower potential of the Adjaristsqali River and its tributaries in the Autonomous Republic of Adjara. The company AGL, developing the Adjaristsqali cascade, is presently owned by Clean Energy Invest AS (Norway), Tata Power International (India) and InfraVentures (IFC, a member of the World Bank Group). Considering that AGL will benefit from the construction of the transmission line, the company has agreed with GSE and the Georgian Government to fund the development of the engineering and environmental studies required for the construction of the 220kV Akhaltsikhe-Batumi Project, whereas the construction works are planned to be funded by the World Bank. The Mott MacDonald Ltd (UK) has been assigned to undertake the engineering design for the transmission line, DG Consulting (Georgia) has been assigned to conduct the Environmental Social Impact Assessment (ESIA) by AGL.

14. GSE will be responsible for the construction and operations of the 220 kV transmission line and will own the line. GSE will also be responsible for land acquisition. AGL is responsible for preparation of the Resettlement Action Plan (RAP). AGL has assigned DG Consulting, Alligator Ltd, Audit Escort and Analysis and Consulting team (ACT) for preparation of RAP. RAP is prepared by Analysis and Consulting Team (ACT) based on the surveys conducted by DG Consulting, Valuation by Audit Escort and Cadastral Mapping by Alligator Ltd. AGL's developmental responsibility ends after preparation, submission and approval of technical design, environmental and Archaeological studies, Resettlement Action Plan.

15. The 220 kV overhead transmission line will start from existing Akhaltsikhe 500/400kV Back to Back substation and will connect to existing Batumi 220kV substation (see.fig.1.1). The total length of the line is approximately 150 km and shall be a double-circuit line with AAAC conductors, OPGW and earth wire. The proposed OHL will be connected with substations at Shuakhevi and Koromkheti hydropower plants which are currently under construction and possibly connected to Beshumi ski resort substation after its modification As a first priority the 52.2km length section of the OHL will be constructed covering Shuakhevi, Keda and Khelvachauri Municipalities. Initially this 52.2 km section was divided into 3 subsections:

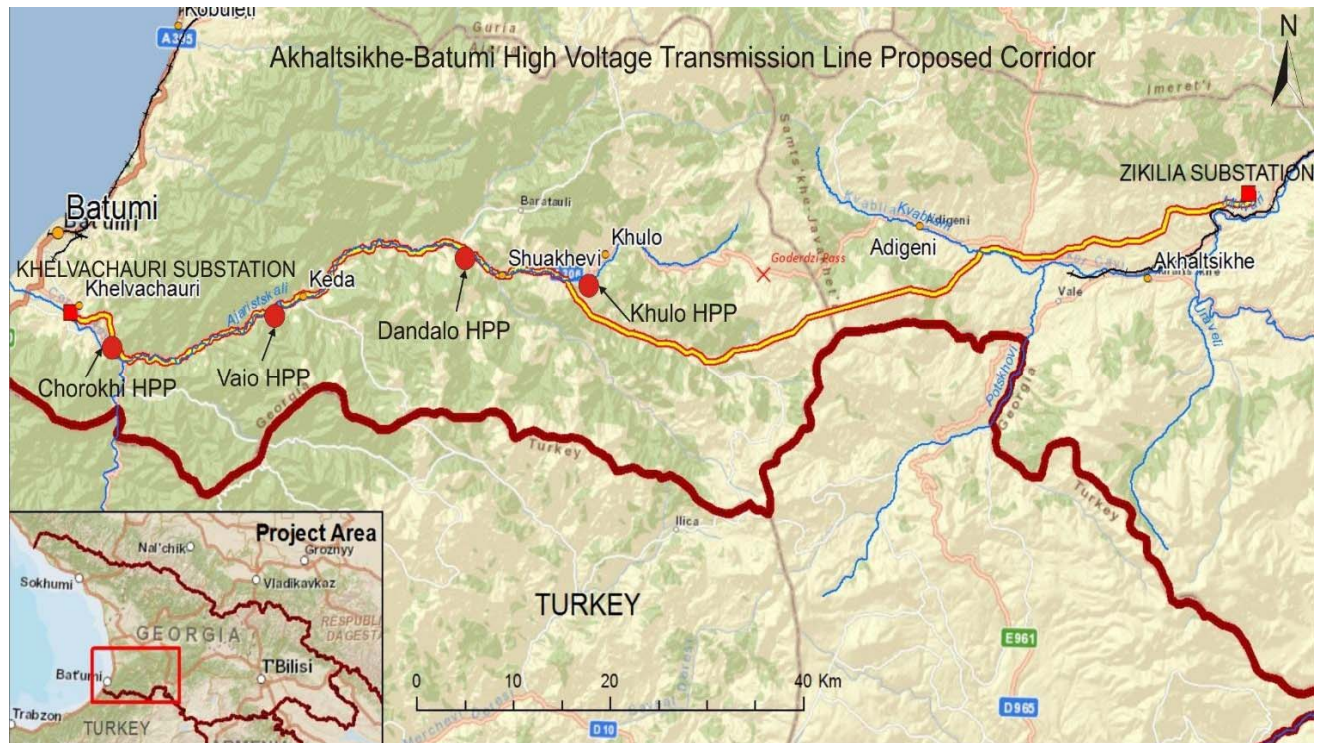
- **Subsection 1** – km 0 - km 19.2 (From tower 249 – to tower 304)
- **Subsection 2** – km 19.2- km 39.5 (From tower 304 – to tower 352)
- **Subsection 3** – km 39.5- km 52.2 (From tower 352 - to tower 398)

16. As the alignment of OHL went under certain changes and the precise data for the alignment was available only for the first part of the Subsection 1, it was decided to reduce the subsection 1 in size. The Subsection 1 that is pertinent for the present RAP covers km 0 – km 7.7 (tower 249 – to tower 273) instead of km 0 – 19.2 km (tower 249 – to tower 304). The other part of the Subsection 1 (tower 273 – to tower 304) will be included in subsection 2. Respectively the 52.2 km of the OHL will be divided in following manner (fig.1.2):

- **Subsection 1** – km 0 - km 7.7 (From tower 249 – to tower 273⁴)
- **Subsection 2** – km 7.7- km 40.8 (From tower 273 – to tower 355)
- **Subsection 3** – km 40.8- km 52.6 (From tower 355 - to tower 398)

The changes in the alignment for Subsection 1 can be seen on the figure 3 (see fig.1.3). This RAP is related only to Segment II, Subsection 1: 0- km 7.7 (From tower 249 – to tower 273). Additional updates for RAP Subsections 2 and 3 of Segment II will be developed as required.

Fig.1.1 Entire alignment of the 220kV OHL from Akhaltsikhe 500/400kV Back to Back substation to Batumi 220kV substation



⁴ An intermediate tower (Tower 250A) will be located between Tower 250 and switchyard. Even though the precise location of the tower is not available at the moment the proposed area of the tower 250A is not under private ownership and no annual or perennial crops are observed at the proposed site, hence the affected land is not subject to compensations.

Fig.1.2. Subsections 1, 2 and 3. Subsection 1: km 0 – 7.7 km (From tower 249– to tower 273) is pertinent to the present RAP

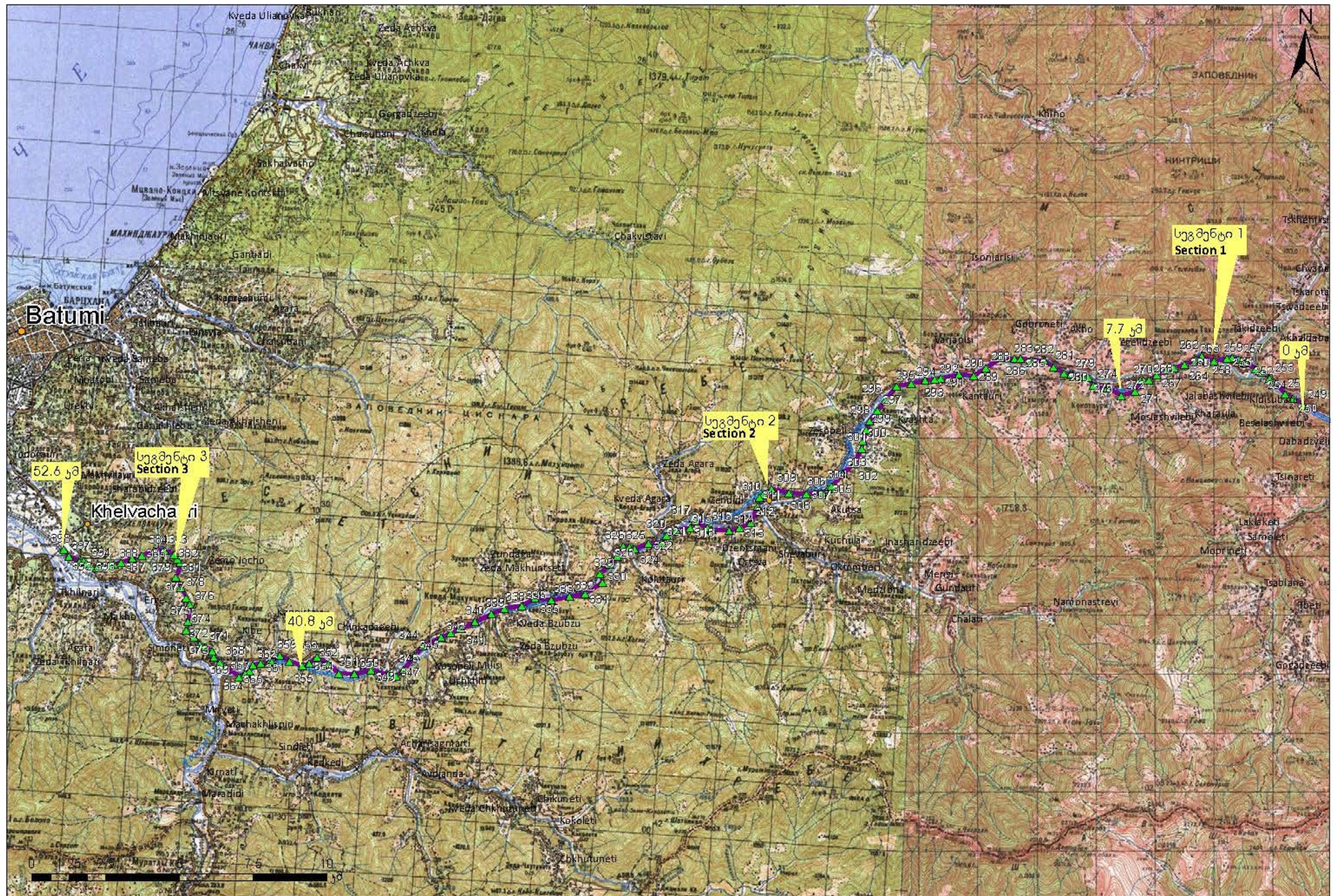
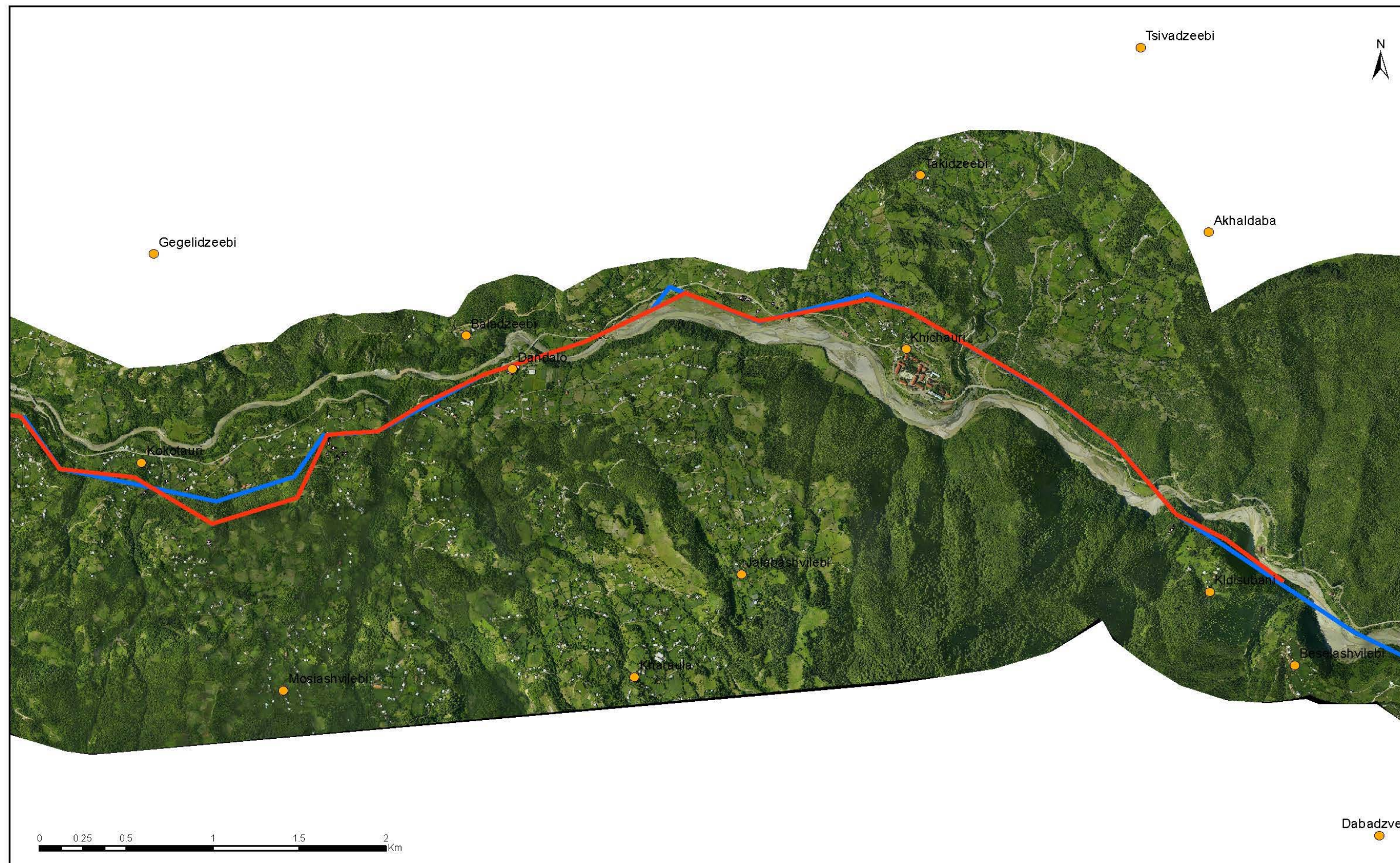


Fig.1.3. Changes in Segment 2 Subsection 1 (km 0- km 7.7)



Legend

- Updated OHL Centerline
- Initial OHL Centerline

17. In all private land impacts amount to some **196699** sq.m (**19.6** ha) of land from **130** plots, as certain plots are to be divided in 2 separate plots (one to be acquired due to permanent impact and the other to be compensated under the easment agreement due to partial impact) the final number of the project affected land plots is increased after demarcation up to **151** (see table 2.1 for details). This includes land plots affected permanently and partially. In terms of tenure and legal status the affected land plots are distributed in accordance with the following legal categories: **Category 1.** titled private land plots with full and valid registration. There are no land plots of category 1 under this section. **Category 2.** Some private land plots falling under this category are registered, while some of them still require registration. In this RAP there are **54** land plots (**101113** sq.m./**10.1** ha) among the affected parcels, out of which **10** land plots (**12903** sq.m./ **1.2** ha) are subject to permanent land take and **53** land plots (**88210** sq.m./ **8.8** ha) are subject to partial impact (some plots will be subdivided and registered further as two (2)separate land plots; out of which one plot is subject for acquisition and the other plot is subject for compensation under servitude agreement, as it falls within the RoW).Thus the final number of the land plots under Category 2 is **63**. **Category 3.** Land plots that subject to registration since being under legitimate possession of private persons. **76** of category 3 land plots of **95586** sq.m. (**9.5** ha) are affected by the project. Out of this total of **13** land plots (**5192** sq.m./**0.5** ha) are affected permanently and will be purchased by project; and **75** land plots (**90394** sq.m./**9** ha) are partially affected and will be compensated according to the easment (servitude) agreement, correspondingly the final number of the land plots under Category 3 is **88**. **Category 4.** State owned land plots illegally used by the private users (squatters). There are no land plots under this category at this section. **Category 5.** State owned land plots not used by the private users- in total there are 59 land plots with total area of **289398** sqm./**28.93** ha.

18. Segment II, Section 1 will have impacts on **97** Ahs, however only **3** are severely affected (i.e. permanently losing more than 10% of productive land), and **2** physically will need to be physically resettled) In addition, **9** AH are considered vulnerable but they will not be severely affected or need to resettle. It must be highlighted that under this Section there are no cases of people living or using government-owned land who are not legalizable (i.e. squatters).

1.2 The Impacts Corridor

19. The width of the OHL corridor is defined following the standards set up in the Presidential Decree #964 (dated 27 December 2009) "On the Protection Procedures for Electricity Grid Linear Facilities and Determination of its Protective Zones" This document sets/regulates the procedures for the protection of power lines including the parameters (area, distances, width, clearances) of the protective zones, access roads, RoWs in forests and other treed/vegetated areas, conditions for locating/constructing buildings (other facilities) and conducting works in these protective areas. The document is based on Law of Georgia "On Normative Acts" (Clause 18, paragraph 2) and its objective is to facilitate the uninterrupted functioning of the power grid, to ensure safe operations, to meet the requirements of the sanitary and safety norms, to prevent accidents. According to Clause 3.1.a.a.b., the width of the protective zone for the 220kV OHL RoW is 25m from the edge conductors on each side (technically more precisely - from the parallel projection of the edge conductors to the land surface). Clause 3.2 a.b.a. regulates the tree felling/clearing width in forests, forested areas and parks – which is distance between edge conductors plus distance equal to maximum height of forest trees in that particular area, to the both sides of the line. Other clauses of the Decree regulate distances to water bodies, buildings in settlements, motor roads, other OHLs, restrictions for building/construction development, planting/agriculture, other works/activities within sanitary zones, safety requirements, etc.

20. Within the Shuakhevi-Akhaltiskhe power transmission line corridor (The width safety corridor is taken as 62m) it is prohibited to plant trees or construct structures and buildings, but other agricultural activities such as crops and grazing are allowed. The existing structures should be demolished and the existing trees removed. The land plots intended for installation of towers are subject for permanent land acquisition. The area of land for installing towers depends on a type of tower and varies from 170 sq.m. to 785 sq.m. The land plots with residential houses, in case if the residential houses fall inside the safety corridor and should be demolished, also will be acquired entirely. The rest land falling within the safety corridor and imposed to only partial impacts (limitation of land use), will remain in a possession of the owners, however the affected owners will be compensated for imposed restrictions according to easement (servitude) agreement.

1.3 Minimizing Land Acquisition and Resettlement

21. Due considerations have been given during the design of the OHL alignment and towers layout to minimize the adverse impacts of land acquisition and involuntary resettlement. Efforts have been put to incorporate best engineering solution in avoiding large scale land acquisition and resettlement. Following are the specific measures adopted for the selection of the route:

- (i) The short sections of the designed OHL required improvement of geometric characteristics and involved some minor realignment, in order to avoid risks of triggering landslides and indirect impacts on residential houses; The RAP is adjusted, as needed, based on changes to the alignment by the construction contractor;
- (ii) Tower locations have been designed to avoid resettlement as much as possible;
- (iii) Designs of OHL alignment has been reviewed by resettlement specialists and their recommendations were considered in the final design.

1.4 RAP Preparation

22. The present RAP for Akhaltiskhe-Batumi 220kV OHL (Segment 2, Subsection 1) is based on DMS (Detailed measurement survey), census and socio economic survey which were conducted initially between 23 June 2014 – 29 December 2014 and after the alignment adjustment between 3 – 9 February, 2016. The RAP includes (i) description of impacts and AP figures reflecting current design (basic design); (ii) schedule for land acquisition and implementation of RAP (iii) corresponding LAR budget; and (iv) loss and entitlement profile for individual owners of land plots and other APs. Preparation of this RAP entailed intensive consultations with the stakeholders, especially the APs and their community. The surveys were conducted to understand the extent of impact and validate the severity and compensation measures. The assessment of losses and land acquisition is based on the basic engineering design as part of the design study.

1.5 Pending RAP Implementation Tasks

23. Initial RAP for Segment 2 Subsection 1 was reviewed and approved by the Government and WB, although it was subject to changes and updates. The present RAP update will be submitted to the Government for re-approval. During the previous RAP approval the principle and procedure for legalization of the project affected agricultural land parcels based on traditional right was established through the special Decree of the Government. In parallel, GSE signed preliminary agreements with all affected households included in the RAP⁵. Finally, this enabled to gain time needed for land acquisition.

⁵ Preliminary Agreement is signed only by the Head of HH. The final Sales and Purchase Agreement is signed by head of HH, while other members issue notarized consent in favor of the head of HH to sign the final Sales and Purchase Agreement on behalf of HH members.

24. The RAP finances will be allocated upon completion and approval of the RAP by the Government and WB. Prior to the distribution of RAP compensation to the APs the legalization of legalizable plots according to Governmental Decree will be finalized and all APs will sign a contract agreement indicating that they accept the compensation provided to them. Where the borrower has offered to pay compensation to an affected person in accordance with the approved RAP, but the offer is rejected by the AP, the case will be passed to the appropriate court to initiate expropriation proceedings. The taking of land and related assets may only proceed if the borrower has deposited funds equal to the offered amount in a secure form of Escrow accounts will also be established for absentee APs.

1.6 Conditions for Project Implementation

25. Based on the WB policy/practice, the approval of project implementation will be based on the following RAP-related conditions:

- (i) **Signing of Contract Award:** Conditional to the approval of the RAP by WB and Government. RAP reflects impacts, final AP lists and compensation rates at replacement cost approved by GSE.
- (ii) **Notice to Proceed to Contractors:** Conditional to the full implementation of RAP- (legalization of legalizable owners, and full delivery of compensation and rehabilitation allowances).

2. CENSUS AND IMPACT ASSESSMENT

2.1 Introduction

26. This impacts assessment details loss of land, structures and other assets located along the km 0- km 7.7 (From tower 249– to tower 273) section of Akhaltsikhe – Batumi 220 kV Power Transmission Line (Segment 2, subsection 1) in Keda and Shuakhevi Municipalities of Georgia. Compensation and rehabilitation measures have been worked out based on these impacts. A detailed inventory of all the impacts has been done following the final alignment of the transmission line corridor (km 0 - km 7.7) and tower locations.

27. Digitized cadastral maps were collected from the NAPR and updated according to actual field survey. The final transmission RoW alignment and tower layout was superimposed on the digitized cadastral maps and land survey using DGPS was conducted on site to identify the affected land parcels, demarcation of land parcels including correction in geometric details and quantification of land parcels including affected part. With the cadastral details from land survey, detail measurement survey (DMS) and AP Census were undertaken. Initial surveys were conducted from 23 June 2014 and was terminated on 29 December 2014, surveys after the alignment adjustments were conducted between 3 February – 9 February 2016. Additionally, a socioeconomic survey (SES) of households was carried out in the project affected areas in order to understand the socio- economic condition of the affected population. The start date of the DMS and the AP census survey is considered as the compensation eligibility cut-off date therefore cut-off date for the project is 23 of June 2014 for those project affected lands where no changes in OHL alignment were observed and 3 February 2016 for those lands that were newly identified as project affected or the affected area of the land was modified due to changes in alignment.

2.2 Impact on Land, Other Assets and Income

2.2.1 General Classification of affected land

28. The impacts on land have been distinguished as a permanent impact (permanent land take) and partial impact, which means that the land is not taken and is left in a possession of the private owner, however certain limitations are imposed on the mentioned land plots in terms of admissible land use. The limitations comprise prohibition of growing tall trees (higher than 4m) within the RoW and prohibition of existence of structures and buildings in the RoW⁶. Permanent impact is related to the land plots where towers will be located or to the land plots, on which the residential houses are situated. It is obvious, that the land plots needed for erection of towers needs to be acquired. In relation with the land plots with residential houses the situation is as follows: as all the structures within the RoW, including residential houses, should be demolished, the mentioned land plots lose their value as a residential land and the AHs should be relocated at the new site of residence. The land plots and affected structures will be compensated at full replacement cost and this land will be permanently acquired by the project, as well as the land plots under the towers. The land plots without residential houses, which are located within the RoW between the towers, do not need to be acquired by the project. These land plots will remain in the ownership of AHs, however the AHs will be compensated for the partial impact (limitations on land use) through the Easement Agreement. The cost to be paid as a compensation for partial impact should reflect the loss of real estate value of the affected land plots due to the imposed limitations.

29. In all private land impacts amount to some **196699** sq.m (**19.6** ha) of land from **130** plots, as certain plots are to be divided in 2 separate plots (one to be acquired due to permanent impact and the other to be compensated under the easment agreement due to partial impact) the final number of the project affected land plots is increased after demarcation up to **151** (see table 2.1 for details).

30. This includes land plots affected permanently and partially. In terms of tenure and legal status the affected land plots are distributed in accordance with the following legal categories: **Category 1**. titled private land plots with full and valid registration. There are no land plots of category 1 under this section. **Category 2**. Some private land plots falling under this category are registered, while some of

⁶ The Decree No 366 of the Government of Georgia of 24.12.2013 about protection rules and protection zones of the Electric Transmission Lines Linear Facilities

them still require registration. In this RAP there are **54** land plots (**101113** sq.m./**10.1** ha) among the affected parcels, out of which **10** land plots (**12903** sq.m./ **1.2** ha) are subject to permanent land take and **53** land plots (**88210** sq.m./ **8.8** ha) are subject to partial impact (some plots will be subdivided and registered further as two (2) separate land plots; out of which one plot is subject for acquisition and the other plot is subject for compensation under servitude agreement, as it falls within the RoW). Thus the final number of the land plots under Category 2 is **63**. **Category 3**. Land plots that subject to registration since being under legitimate possession of private persons. **76** of category 3 land plots of **95586** sq.m. (**9.5** ha) are affected by the project. Out of this total of **13** land plots (**5192** sq.m./**0.5** ha) are affected permanently and will be purchased by project; and **75** land plots (**90394** sq.m./**9** ha) are partially affected and will be compensated according to the easement (servitude) agreement, correspondingly the final number of the land plots under Category 3 is **88**. **Category 4**. State owned land plots used by the private users (squatters) illegally. There are no land plots under this category at this section. **Category 5**. State owned land plots not used by the private users- in total there are 59 land plots with total area of **289398** sqm./**28.93** ha.

31. The land costs and compensation categories within the project area are determined by the land use factor and distance from the existing road. Figures on Land impacts are provided in accordance to the land classification and legal categories that are relevant to determine compensation rates and amounts due to their use modalities and location. The affected land has been classified in 5 main types:

- **Type 1**. The land plots of non-agricultural status, located close to the main road (from 5 to 50m) and used for residential or commercial needs. Cost of 1 m² of type 5 land is defined as 16.5 GEL (easement price - 8.5GEL). No land plots of type 1 will be acquired and 4 plots (4628 sq.m/0.4 ha) will be compensated for partial impacts (easement).
- **Type 2**. The land plots of agricultural status, located close to the main road (from 5 to 50m) and currently used for agricultural needs. Due to its proximity to the Batumi-Akhaltshikhe road, these land plots have great potential to be used as commercial or residential land plots: changing official category of land can be executed through simple procedure and with minimal additional expenses. Cost of 1 m² of type 2 land is defined as 15 GEL (easement price - 7 GEL). 6 land plots of type 2 (3980 sq.m/ 0.3 ha) will be acquired and 41 plots (68406 sq.m/ 6.8 ha) will be compensated for partial impacts (easement).
- **Type 3**. The land plots of agricultural status, located remotely from the main road but within the borders of villages and settlements used for residential purposes. These land plots are considered as a reserve for further development of villages and households living in villages and can be used for constructing new residential buildings. Residential land cost more than agricultural land of similar characteristics and additional payments are required to change the status of land from agricultural into non-agricultural. Cost of 1 m² of type 3 land is 12.5 GEL (easement price - 4.5 GEL). 3 land plots of type 3 (11210 sq.m/1.1 ha) will be acquired and 18 plots (24790 sq.m/ 2.4 ha) will be compensated for partial impacts (easement).
- **Type 4**. The land plots of agricultural status, located remotely from the main road and used for agricultural needs. Cost of 1 m² of Type 2 land is 8 GEL (easement price – 1.2 GEL). 7 land plots of type 4 (913 sq.m/0.09 ha) will be acquired and 30 plots (36004 sq.m./ 3.6 ha) will be compensated for partial impacts (easement).
- **Type 5**. The land plots of agricultural status, located remotely from the main road and not used for agricultural needs (usually these are land plots located on steep slopes and often covered by bushes). Cost of 1 m² of Type 1 land is 5 GEL (easement price – 0.75 GEL). 7 land plots of type 5 (1992 sq.m/ 0.1 ha) will be acquired and 36 plots (48756 sq.m/4.8 ha) will be compensated for partial impacts (easement).
- **Type 6**. Non-legalizable land plots illegally used by private persons. At this section of the Transmission line we do not have cases of illegal occupation of state land and the number of type 6 land plots is 0.
- **Type 7**. State owned land plots not used by the private users- in total there are 59 land plots with total area of 289,398 sqm/ 28.9 ha.

Type 6 and 7 plots classified by land use/cost factor are the same as category 4 and 5 plots classified by tenure status.

32. The easement price for type 1, 2 and 3 land is derived as a difference between the market cost

of this type of land at present (before the project) and after the project impact (land use restrictions imposed) In case of agricultural land used as residential or commercial (type 1, 2, 3) the imposed restrictions on existence of structures in fact result in changing status of the land from type 1 to type 4⁷. Accordingly the price of land changes from 16.50 Gel to 8 Gel. The difference is about 50% of the initial cost. For the agricultural land plots of type 4 and 5 imposed restrictions are not significant: They lose not more than 15% of initial market value due to partial restriction on growing tall trees (higher than 4m).

33. The aggregated figures for the land parcels of different categories are given below in the tables 2.1 and 2.2. The tables show separately the permanently affected parcels, which are subject for land acquisition and partially affected parcels, which will be compensated according to the easement agreements. The aggregated figures are given as final impact figures for the RAP 1 (Segment 2 – Section 1: km 0 - km 7.7).

Table 2.1: Type of Land Ownership

Tenure Categories	Permanent Land Take (Land to be Acquired)		Partial Impacts (Land Plots within the RoW/Easement)		Initial number of Affected Land Plots	Final Number of Affected land Plots ⁸	Total area of Affected Land (sqm)
	Plots No.	Area (sqm)	Plots No.	Area (sqm)			
Compensable land							
Category 1. Private Registered	0	0	0	0	0	0	0
Category 2. Private land plots registered or not registered but eligible to registration	10	12903	53	88210	54	63	101113
Category 3. Private Legalizable	13	5192	75	90394	76	88	95586
Subtotal Compensable	23	18095	128	178604	130	151	196699
Non-Compensable land							
Category 4. State Owned , Used by Private Users (squatters) – Non Legalizable	0	0	0	0	0	0	0
Category 5 State Owned Not Used by Private Users	8	2641	59	280757	59	67	283398
Subtotal Non-compensable	8	2641	59	280757	59	67	283398
TOTAL	31	20736	187	459361	189	218	480097

⁷ As a result of easements to be exercised through servitude agreements, land use restrictions to project affected land parcels (residential and arable) will limit potential best use of these land parcels. This means that PAPs will maintain ownership/possession rights to project affected land parcels and still be allowed to cultivate for agricultural purposes, but no structures/tall trees (more than 4m) will be allowed. As a result, pre-project market value of a land parcels will be diminished to some extent; more specifically, residential land parcels will only be valid for growing annual crops and species of perennial crops that do not grow higher than 4 meters. Thus, the best potential use of residential land parcels will change to arable after the completion of construction activities.

For example:

Current market value of rural residential land: 1 sq.m - 16.50 GEL

Current market value of arable land: 1 sq.m - 8.00 GEL

The difference (8.50 rounded to 8.00 GEL /sq.m) between these two rates was determined as the unit rate for cash compensation for type 1 land parcels subject to easements.

⁸ Certain plots are to be divided in 2 separate plots (one to be acquired due to permanent impact and the other to be compensated under the easement agreement due to partial long-term temporary impact), thus the final number of the project affected land plots is different from the initial number of the land plots.

Table 2.2: Type of Land Use and Land Groups by Land Purchase Compensation Rates

Categories by Land Use and Costs	Permanently Affected Land to be Acquired (land plots under the towers)		Partial Impacts (Land Plots within the RoW/ Servitude)		Initial number of Affected Land Plots	Final Number of Affected land Plots ⁹	Total area of Affected Land (sqm.)
	Plots No.	Area (sqm)	Plots No.	Area (sqm)			
Compensable land							
Type 1. The land plots of non-agricultural status, located close to the main road (from 5 to 50m) and used for residential or commercial needs. Cost of 1 m2 of Type 1 land is 16.5 GEL	0	0	4	4628	4	4	4628
Type 2. The land plots of agricultural status, located close to the main road (from 5 to 50m) and currently used for agricultural needs. Cost of 1 m2 of Type 1 land is 15 GEL	6	3980	40	64426	41	46	68406
Type 3. The land plots of agricultural status, located remotely from the main road but within the borders of villages and settlements used for residential purposes. Cost of 1 m2 of Type 1 land is 12.5 GEL	3	11210	18	24790	19	21	36000
Type 4. The land plots of agricultural status, located remotely from the main road and used for agricultural needs. Cost of 1 m2 of Type 1 land is 8 GEL	7	913	30	36004	30	37	36917
Type 5. The land plots of agricultural status, located remotely from the main road and not used for agricultural needs (usually these are land plots located on steep slopes and often covered by bushes). Cost of 1 m2 of Type 1 land is 5 GEL	7	1992	36	48756	36	43	50748
Subtotal Compensable	23	18095	128	178604	130	151	196699
Non-Compensable land							
Type 6. State Owned , Used by Private Users – Non Legalizable	0	0	0	0	0	0	0
Type 7. State Owned Not Used by Private Users	8	2641	59	280757	59	67	283398
Subtotal Non-Compensable	8	2641	59	280757	59	67	283398
TOTAL	31	20736	187	459361	189	218	480097

⁹ Certain plots are to be divided in 2 separate plots (one to be acquired due to permanent impact and the other to be compensated under the easement agreement due to partial, impact), thus the final number of the project affected land plots is different from the initial number of the land plots.

2.2.2 Impact on Crops

34. Affected crops identified on the project affected agricultural land parcels are maize, tobacco, beans, potato and vegetables. The largest portion of the agricultural land is used for cultivation of maize 13520 sq.m. (1.3 ha), tobacco 3285 sq.m. (0.3 ha), beans 3040 sq.m (0.3 ha), vegetables 2270 sq.m. (0.2 ha). The total figures are given in table 2.3.

35. 22 land plots are used for crop cultivation. Several types of crops are combined and cultivated on the same plot (e.g. maize and beans). These are complementary types of crops. Productivity of the crops per sq.m. when they are cultivated together with the other complementary crop, is the same as if they are cultivated separately as they are not competing for space. Accordingly total number of land plots and total area used for cultivation of crops is less than a simple sum of areas of land plots used for cultivation of each type of crop. The details are given in the table 2.3.

Table 2.3: Affected Crops

Crop	Number of Land Plots per type of Crop	Area sq.m	Number of AHs
Maize	21	13520	21
Beans	9	3040	11
Potato	2	270	2
Pepper	1	400	1
Tobacco	4	3285	4
Vegetables	10	2270	10
Total (one or more crops)	22	19145	22
* The total number and area of land plots used for crop cultivation is less than a sum of numbers and areas used for separate types of crops, as on many land plots several crops are cultivated (see the details below).			
Maize+Beans	6	2800	8
Maize+Vegetables	2	500	2
Beans+Vegetables	2	140	2
Maize+Beans+Vegetables	1	100	1

2.2.3 Impact on Trees

36. It is prohibited to plant trees within the RoW and the existing trees should be cut. Clearing right of way will cause felling down of **6147** fruit trees in fully-productive and semi-productive ages, standing on the land parcels being under private ownership /possession. In total **71** AHs lose trees. The affected timber trees are mostly state owned and are not included in the inventory list. The timber trees as well as fruit bearing trees that will be felled at the private land plots will be passed in a possession of the owners: they may use it as timber material or sell it; this is in addition to the compensation for felled trees as per the Entitlement Matrix. In general, loss of timber trees including the state owned trees will comprise impacts on forests (forest fund lands) and induce some impact on wind belt and greenery plantations and counter program of replanting may be suggested within the ESIA¹⁰. On most of land plots several species of trees are grown. The details of the impacts on trees is given in the table 2.4. Method for determination of average productivity of fruit trees is described in the Annex 2. Valuation Methodology.

¹⁰ Available at: <http://www.gse.com.ge/new/?p=1751&lang=en>

Type	Groups by Age	Cost for 1 seedling	wholesale Market price 1 kg., GEL	Years to be compensated	Average productivity in 1 year, kg.	Annual income, GEL	No of trees	Number of AHs
1	2	3	4	5	6	7	8	9
Pomegranate	Seedling (<5)	4	2	5	5	10,0	2	1
	5-10	4	2	6	10	20,0	1	3
	10-20	4	2	6	30	60,0	0	0
	20+	4	2	6	20	40,0	0	0
Subtotal							3	4
Chestnut	Seedling (<5)	7	1	5	30	30,0	0	0
	5-10	7	1	10	50	50,0	5	1
	10-20	7	1	10	120	120,0	3	3
	20+	7	1	10	120	120,0	29	5
Subtotal							37	9
Laurel	Seedling (<5)	1	4	5	1	4,0	0	0
	5-10	1	4	5	2	8,0	3	1
	10-20	1	4	5	2	8,0	0	0
	20+	1	4	5	1	4,0	0	0
Subtotal							3	1
Cherry Laurel	Seedling (<5)	2	0,25	8	2	0,5	0	0
	5-10	2	0,25	8	4	1,0	0	0
	10-20	2	0,25	8	10	2,5	5	2
	20+	2	0,25	8	7	1,75	6	3
Subtotal							11	5
Medlar	Seedling (<5)	4	1,5	6	3	4,5	0	0
	5-10	4	1,5	6	10	15,0	0	0
	10-20	4	1,5	6	20	30,0	0	0
	20+	4	1,5	6	10	15,0	1	3
Subtotal							1	3
Sweetbrier	Seedling (<5)	5	2	5	3	6,0	0	0
	5-10	5	2	5	5	10,0	0	0
	10-20	5	2	5	7	14,0	0	0
	20+	5	2	5	5	10,0	4	3
Subtotal							4	3
Total							6147	71

2.2.4 Buildings/Structures

2.2.4.1 Type of affected Structures

37. Major structures affected by the project are 2 residential houses. These residential buildings will be compensated at replacement cost, the land plots will be acquired and in addition to that, the owners (2 AH) will receive relocation allowances. Besides, 1 not finished residential house is affected, where people do not live. Therefore, the unfinished structure will be compensated at replacement cost and the land plot will be acquired, but no relocation allowances will be provided to the owner (1 AH).

38. Apart from the affected residential (2) and unfinished houses (1) there are buildings that are subject for demolition/compensation. Amongst these are: granary (5), former shop (3), former gas filling station (1), former tire repair shop (1), walls of unfinished building (1), cattle shed/toilet (1), pool (1) and garage (1).

39. In total, 11 AHs¹¹ are losing structures (2 residential house and 15 ancillary structures). The details of the impacts on structures are given in the table 2.5.

Table 2.5: Permanent Impacts on Buildings

Major Structures				
No	Type of Structure	Number	Area sq.m	Number of AHs
41a	2 Storey Residential Building	1	62.15	1
	2 storey wooden building with galvanized tin roofing			
116	2 Storey Residential Building	1	128	1
	2 storey concrete building with metal roofing			
	Subtotal	2	190.15	2
Remnants of not finished or old buildings and Ancillary Structures				
No	Type of Structure	Number	Area sq.m	Number of AHs
82	1 Storey Unfinished Residential Building	1	65.51	1
34	Granary	5	14.49	5
36			14.52	
78			7	
116			19	
123			9.31	
84	Former Shop	3	19.87	3
86			148.68	
89			17.6	
78	Former gas filling station	1	8.89	1
79	Former tire repair shop	1	N/A	1
87	Walls of unfinished building	1	306.98	1
116	Cattle Shed/Toilet	1	20.78	1
116	Pool	1	47.74	1
116	Garage	1	22.71	1
	Subtotal	15	723.08	9
	TOTAL	17	913.23	11

¹¹ Total number of the AHs is less than mechanical sum as some AHs own several buildings.

2.3 Relocation Needs and Strategy

40. The AH affected by demolition (the demolition will be implemented by GSE or its subcontractor company) of their house used for residential need is 2. This AH will have to be relocated. Residual construction materials (of residential and ancillary buildings) after demolition of the buildings will be deemed as a property of AH and they will be only requested to remove these materials after completion of dismantling works. The replacement cost given to the relocated AH is significantly higher than the market price (sales price) in this place. The compensation costs are calculated without any depreciation and in fact the AH has a chance to get new residential building of a better quality instead of their old structures. Besides that, the relocated AH is eligible for provision of allowance covering transport expenses and a livelihood expenses for the transitional period for 3 months equal to 3 months of minimum subsistence income. (200 GEL as vehicle hire charge + 327 GEL¹² as minimum subsistence income x 3 months = 1181 GEL per AH).

41. All compensation prices also cover taxes and selling/buying transaction, as well as registration fees. The total amount of compensation given at replacement cost and allowances for physical relocation exceed by much the market prices of the residential houses in high mountainous area, where the AP lives now. Compensation values give possibility to buy house and private land closer to the cities and even a good apartment in Batumi. It is expected that the living conditions, including the access to schools and jobs will be better than before the project. The social development specialist of GSE will monitor that these expectations and social development goals of the project are met.

2.4 Impacts on Business and Employment

42. Land acquisition and resettlement will not affect operating businesses.

2.4.1 Impact on Employment and Agricultural Tenants

43. Construction of OHL will not affect any agricultural tenants (renters). The project will not have impact on employees of any businesses.

2.4.2 Impact on Common Property Resources

44. Construction of OHL will not affect any community or public property. All the affected commercial structures (1 former gas filling station, 1 tire repair shop and 3 shops) are old, abandoned and not operational for long time. No commercial facilities and specific devices are located in these remnants of the old commercial buildings.

2.5 Severely Affected and Vulnerable Households

45. In total 97 AHs are affected: 22 are permanently losing some part of their land (22 land plots) and the rest are affected partially as their land plots are imposed to limitation of land use (growing tall trees and construction/existence of structures is prohibited).

46. The households imposed to partial impact are not considered to be severely affected, as they do not lose permanently their agricultural land and other sources of income. No business or income generating assets are affected by the project at all. In this particular case, severe impact is limited to permanent impact on agricultural land. Severely affected are those AHs who lose permanently more than 10% of their agricultural land. 3 AHs are losing more than 10% of the land owned by them at the locations, where the towers will be erected. Therefore, in total 3 AHs are considered to be severely affected and will be provided by additional allowances.

¹² These figures are taken from the National Statistics Office of Georgia Department Data on minimum subsistence income for a family consisting of 5 persons in January 2016

47. Economically disadvantaged AHs and women headed households, are considered as vulnerable households. Households with members with disabilities or people in pension age or the family who has no other members who could be considered as breadwinners will receive the allowance. The vulnerable household requires special assistance for resettlement.

During census and DMS eight (8) vulnerable AHs and one (1) woman headed HH (without supporters/breadwinners) have been identified along this section. See for details - (Table 2.8).

Table 2.8: Vulnerable AHs

Category of vulnerability	No. of Ahs Revised Part of RAP
Vulnerable AHs	8
Female headed AHs with low income and dependents	1
Total	9

2.6 Gender and Resettlement Impacts

48. The direct project impact extends to 496 persons (97 AHs) comprising 50.2% male and 49.8% female: 249 male and 247 female. Further, 1 out of the 97 AHs are headed by women. During monitoring and evaluation of the RAP implementation special attention will be given to the impact of resettlement on women and other vulnerable groups. Construction contracts will include provisions to encourage employment of women during implementation. List of women seeking for employment and their CVs will be provided to Construction Contractor. Additionally, women headed households have been considered as vulnerable and special assistance are provided in the RAP entitlements in amount equivalent to 3 months of minimum subsistence income. Women will be encouraged to monitor gender-sensitive issues related to project. The GSE is requested to include women representatives in Grievance Redress Commission.

2.7 Summary of Impacts

49. A summary of Project impacts is included in Table 2.9 below.

No.	Impacts			Initial Number	Final Number	Sqm
1	Total Land parcels affected			130	151 ¹³	196699
		Permanent Land Take (Land to be Acquired)		Initial number of Affected Land Plots	Final number of Affected Land Plots	Total area of Affected Land
		Plots No.	Area (sqm)	Plots No.	Plots No.	Area (sqm)
		Partial Impacts (Land Plots within the RoW/Easement)				
		Plots No.	Area (sqm)	Plots No.	Plots No.	Area (sqm)
Tenure Categories						
1	Category 1. Private Registered	0	0	0	0	0
2	Category 2. Private land plots registered or not registered but eligible to registration	10	12903	53	63	101113
3	Category 3. Private Legalizable	13	5192	75	88	95586
4	Category 4. State owned land illegally owned, Used by Private Users (squatters) – Non Legalizable	0	0	0	0	0

¹³ Certain plots are to be divided in two (2) separate plots (one to be acquired due to permanent impact and the other to be compensated under the easement (servitude) agreement due partial temporary long-term impact). Thus, the final number of the project affected land plots is different from the initial number of the land plots.

5	Category 5. State Owned Not Used by Private Users	8	2641	59	280757	59	67	283398
Categories by Land Use and Costs								
6	Type 1. The land plots of non-agricultural status, located close to the main road (from 5 to 50m) and used for residential or commercial needs. Cost of 1 m2 of Type 1 land is 16.5 GEL	0	0	4	4628	4	4	4628
		Permanent Land Take (Land to be Acquired)		Partial Impacts (Land Plots within the RoW/Easement)		Initial number of Affected Land Plots	Final number of Affected Land Plots	Total area of Affected Land
		Plots No.	Area (sqm)	Plots No.	Area (sqm)	Plots No.	Plots No.	Area (sqm)
7	Type 2. The land plots of agricultural status, located close to the main road (from 5 to 50m) and currently used for agricultural needs. Cost of 1 m2 of Type 1 land is 15 GEL	6	3980	40	64426	41	46	68406
8	Type 3. The land plots of agricultural status, located remotely from the main road but within the borders of villages and settlements used for residential purposes. Cost of 1 m2 of Type 1 land is 12.5 GEL	3	11210	18	24790	19	21	36000
9	Type 4. The land plots of agricultural status, located remotely from the main road and used for agricultural needs. Cost of 1 m2 of Type 1 land is 8 GEL	7	913	30	36004	30	37	36917
10	Type 5. The land plots of agricultural status, located remotely from the main road and not used for agricultural needs (usually these are land plots located on steep slopes and often covered by bushes). Cost of 1 m2 of Type 1 land is 5 GEL	7	1992	36	48756	36	43	50748
11	Type 6. State Owned , Used by Private Users – Non Legalizable	0	0	0	0	0	0	0
12	Type 7. State Owned Not Used by Private Users	8	2641	59	280757	59	67	283398
Crops and Trees								
13	Area under Maize					sq.m		13520
14	Area under Beans					sq.m		3040
15	Area under Potato					sq.m		270
16	Area under Pepper					sq.m		400
17	Area under Tobacco					sq.m		3285
18	Area under Vegetables					sq.m		2270
19	Affected Trees					No		6147
Affected Structures								
20	Residential Houses (AHs to be relocated)					No.		2
21	Ancillary Buildings in Total					No		15
Affected Businesses								
22	No businesses are affected by the project					No.		0
Affected Households								
23	Severely affected Households					No.		4
24	Vulnerable Households					No		9
25	Resettled households					No.		2
26	AH losing Jobs					No		0
27	Total AH					No		97
28	Total Affected Persons					No		496

3. SOCIO-ECONOMIC INFORMATION

3.1 Introduction

50. A census of 98%¹⁴ of the AHs available on site was conducted to enumerate the APs. Initial socio-economic survey was conducted in July-August 2014 and additional socio-economic survey for newly identified AHs were conducted in February 2016 as certain changes occurred in OHL alignment. Survey was conducted in the project area covering 97 households which is 98% of the total AHs under the direct impact of project (losing land or assets) and covered in census. The objective of the socioeconomic survey was to gather general information on socioeconomic condition of the affected people. The socioeconomic information of the affected population as per census and socioeconomic survey is presented hereunder.

3.2 Affected Population

3.2.1 Demography

51. The project, as per detail measurement survey, will be affecting (through physically displacement and/or permanent or partial loss of land) 97 households comprising of 496 persons. Census of 97 AHs identifies that 50.2% of APs are male and 49.8% female: 249 male and 247 females. The average family size is 5.1 members per household (Table 3.1).

Table 3.1: Demographic Profile of Aps

Age Group	Male		Female		Total		Average/ Household
	No.	%	No.	%	No.	%	
Children (Below 6 Years)	18	7.2	10	4.0	28	5.6	0.3
Children (6–18 Years)	54	21.7	49	19.8	103	20.8	1.1
Adult (19–64 Years male and 19 – 59 years for female)	150	60.2	144	58.3	294	59.3	3.0
Pension age (65 Years and Over males and 60 years and over - female)	27	10.8	44	17.8	71	14.3	0.7
Total	249	100	247	100	496	100	5.1
%		50.2		49.8			

¹⁴ 2 AHs refused to participate in the socio-economic survey.

3.2.2 Urban Rural Proximity

52. The project is mostly located in rural areas.¹⁵ Survey of the households shows that 87.6% of the AHs reside in rural areas and 12.4% reside in urban areas (Table 3.3).

Table 3.3: Urban Rural Distribution of AHs

Sl. No.	Type of Settlement	Total No. of Households	%
1	Rural	85	87.6
2	Town (Urban)	12	12.4
	Total	97	

3.2.3 Level of Education of APs

53. Data from project area brought forth that majority of population has primary and secondary level education (63.5%) and 19% of the population has university level education. University level education is slightly higher in male (21.3%) compared to female APs (16.6) (Table 3.4).

Table 3.4 Level of Education of APs

Sl.No.	Category	Male		Female		Total	
		No	%	No	%	No	%
0	Children aged 0-6 without education	19	7.6	10	4.0	29	5.8
1	Pre-School	7	2.8	3	1.2	10	2.0
2	Primary & Secondary	149	59.8	166	67.2	315	63.5
3	Technical–special education	21	8.4	27	10.9	48	9.7
4	University	53	21.3	41	16.6	94	19.0
	Total	249	100	247	100	496	100

¹⁵ The table below describes the names of the project affected villages and number of PAPs per village.

Names of Project Affected Villages	Number of PAPs	Names of Project Affected Villages	Number of PAPs
Baladzeebi	2	Kokotauri	16
Gogiashvilebi	13	Mosiashvilebi	10
Dandalo	13	Takidzeebi	22
Zedakana	10	Khichauri	3
Kldisubani	7	Jalabashvilebi	3
Total			99

3.3 Agriculture and Land Resources

3.3.1 Land Holding Status

54. All 97 AHs are land holders. Average area of land holding is 0.74 ha (Table 3.5).

Table 3.5: Land Holding Status

Sl. No.	Particulars	No of Households	%
1	Land Holder Households	97	100
2	Landless Households	0	0
3	Total Households	97	100
Average Land Holding: 0.74 ha per household			

3.3.2 Annual Income of AHs

55. Agriculture, wages and pension are major contributors to income of the AHs. The survey found that 5.2% of the AHs get income from one single source and the majority – 94.8% from double sources. Table 3.9 shows that the more the number of sources, the more is the amount of income feeding to a household.

Table 3.9: Average Annual Household Income against Number of Sources

Number of sources of Income	No. of AHs	% of AHs	Average household annual income (GEL)
Single Source	5	5.2	5343
Double Sources	92	94.8	15668
Total	97		

56. Average income per household earning from single source is somewhat lower compared to the income from multiple sources (Table 3.9). Table 3.10 shows the distribution of AHs getting income from various single sources. Average annual income from the sources varies 2719 GEL to 18567 GEL per household. Agricultural income, pension and subsidies are in the lower echelon of household income.

Table 3.10: Average Annual Household Income by Sources

Sources of Income	No. AHs (earning from the sources)	Total Income per Month from the sources (GEL)	Average Income per Household per Month from the sources (GEL)	Average Annual Income Per Household from the sources (GEL)
Wage gov/public sector	25	13189	528	6331
Wage employment	30	20650	688	8260
Agriculture	92	29842	324	3892
Business/Service	15	23208	1547	18567
Irregular Income	23	19371	842	10107
Pension/subsidiary	71	16087	227	2719
Total Households and Income	97	122347	1261	15136

Consumption Pattern

57. The total annual average expenditure per household is about 10510 GEL out of which almost a half is incurred for the non-food (50.8%) and other half for food expenditures (49.2%). Details about the expenditure are described in Table 3.11.

Table 3.11: Average Annual Expenditure

Sl. No.	Consumption Pattern	Average Annual Expenditure GEL	% to total expenditure
1	Food	5171	49.2
2	Non-food	5339	50.8
	Average	10510	100

3.3.3 Household Assets

58. Possession of domestic animals includes cattle in 72.2% households and poultry in 42.3% households (Table 3.12). Part of the households do not own any assets.

Table 3.12: Domestic Animals

Sl. No.	Item	Households No.	%
1	Large Animals (Cows/Bulls/Buffaloes)	70	72.2
2	Pigs	0	0.0
3	Sheep/goats	0	0.0
4	Horse/donkey	0	0.0
5	Poultry	41	42.3
6	Bees	1	1.0

3.3.4 Prevalence of Debt

59. More than half of the surveyed households declared to have debts (58%), although it is worth mentioning that 43% of households do not have any debts from a bank or private lender. 55 households out of 97 interviewed reported to have debt and in the most cases the source of the credit is a commercial bank (50 households); only 8 households borrow money from a private lender (Table 3.13).

Table 3.13: Indebtedness

Sl. No.	Indebtedness	Number of Households	%
1	Yes	55	56.7
2	<i>Bank</i>	50	51.5
3	<i>Private lender</i>	8	8.2
4	No	42	43.3
	Total	97	100

3.4 Water and Sanitation

3.4.1 Source of Drinking Water

60. The major source of drinking water is spring. Out of the 97 surveyed households only 10 (10.3%) are connected to the centralized water supply pipeline system while majority (84 households – 87%) use water from natural springs. There are 3 households who have not indicated accessibility to any water source listed (Table 3.15).

Table 3.15: Source of Drinking Water¹⁶

SI. No.	Sources	Number of Households	%
1	Piped water supply	10	10.3
2	Well	2	2.1
3	Spring	84	86.6
4	No water source indicated	3	3.1
	Total	97	100

Note: Some AHs having access double source

3.4.2 Sanitation Facilities

61. 82.5% of the interviewed households possess latrine at their house and only 11.3% households have reported having flush toilet connected with the centralized sewerage system (Table 3.16).

Table 3.16: Types of Toilet

SI. No.	Toilet	Number of Households	%
1	Flush toilet	11	11.3
2	Latrine	80	82.5
3	Not indicated	6	6.2
4	Total	97	100

3.5 Access to Energy and Civic Facilities

3.5.1 Access to Energy for Cooking

62. Vast majority of inquired households (97%) use electric power for cooking. However, wood and gas are still significant source of fuel being used by the 83.5% and 92.8% of households respectively. According to the Table 3.17, households using gas also use fuel wood at the event of unavailability of gas (especially those using LPG). Details are given in Table 3.17.

Table 3.17: Type of Fuel Use for Cooking

SI. No.	Types of Fuel	Number of Households	%
1	Wood	83.5	83.5
2	Gas	92.8	92.8
3	Diesel/ Kerosene	1.0	1.0
4	Electric power	96.9	96.9
	Total	100	100

¹⁶ This Project includes Environmental Management Plans (EMP) which includes specific measures to avoid and mitigate any potential impacts on water sources. EMP is a part of Environmental and Social Impact Assessment Report available at <http://www.gse.com.ge/new/?p=1751&lang=en>

3.5.2 Access to Electricity and Natural Gas

63. From the interviewed 97 households, 94 (97%) are connected with central power supply and only 9.3 % are connected to the natural gas supply system (Table 3.18).

Table 3.18 Connected to Central Electric Power Supply and Natural Gas Supply Systems

Sl. No.	Whether connected	Electric Power		Natural Gas	
		No of Households	%	No of Households	%
1	Yes	94	96.9	9	9.3
2	No	3	3.1	88	90.7
	Total	97	100	97	100

3.5.3 Access to Health Centre

64. Health facilities in project areas are in good condition with adequate access to hospitals. 100% of the households stated that they have easy access to health centres (Table 3.19).

Table 3.19: Access to Health Centre

Sl. No.	Easy access to Health Centre	Number of Households	%
1	Yes	97	100
2	No	0	0
3	Total	97	100

3.5.4 Access to School

65. All sample households (100%) reported that they have easy access to school (Table 3.20).

Table 3.20: Access to School

Sl. No.	Access to School	Number of Households	%
1	Yes	97	100
2	No	0	0
3	Total	97	100

3.5.5 Access to Road

66. Transport connectivity seems to be well established in the project area. Only one households (0.3%) reported that the road connecting their house to the main roads is not in a good condition while the most of the sampled households consider condition of road connection good (99.7%) (Table3.21).

Table 3.21: Access to Road

Sl. No.	Whether connected to Road	Number of Households	%
1	No	1	1
2	Yes	96	99
3	Total	97	100

4. LEGAL AND POLICY FRAMEWORK

4.1 General

67. The legal and policy framework of the Project is based on national laws and legislations related to Land Acquisition and Resettlement (LAR) in Georgia and the World Bank Involuntary Resettlement Policy (OP/BP 4.12). Based on the analysis of applicable laws and policies and Policy requirements of the mentioned IFIs, project related LAR principles have been adopted.

4.2 Legal Framework

4.2.1 Georgia's Laws and Regulations on Land Acquisition and Resettlement

68. In Georgia, the legislative acts given below regulate the issues of obtaining State ownership rights to privately owned land parcels based on the necessary public needs.

- (i) The Constitution of Georgia, August 24, 1995
- (ii) The Civil Code of Georgia, June 26, 1997
- (iii) The Law of Georgia on Protection of Cultural Heritage, May 8, 2007
- (iv) The Law of Georgia on Notary Actions, December 4 2009;
- (v) The Law of Georgia on State Property (21 July 2010)
- (vi) The Law of Georgia on Ownership Rights to Agricultural Land, March 22, 1996
- (vii) The Law of Georgia on Recognition of the Property Ownership Rights Regarding the Land Plots Owned (Used) by Physical Persons or Legal entities; July 11, 2007
- (viii) The Law of Georgia on Public Register (No820 –IIs; December 19 of 2008;
- (ix) The Law of Georgia on the Rules for Expropriation of Ownership for Necessary Public Need, July 23, 1999
- (x) The Civil Procedural Code of Georgia, November 14, 1997
- (xi) Presidential Decree #964 (dated 27 December 2009) —On the Protection Procedures for Electricity Grid Linear Facilities and Determination of its Protective Zones

69. The existing Laws provide that compensation for lost assets, including land, structures, trees and standing crops, should be based on the current market price without depreciation. Overall the above laws/regulations provide that the principle of replacement cost compensating at market value is reasonable and legally acceptable. The laws also identify the types of damages eligible to compensation and indicate that compensation is to be given both for loss of physical assets and for the loss of incomes. Finally, these laws place strong emphasis on consultation and notification to ensure that the APs participate in the process. Income loss due to loss of harvest and business closure will be compensated to cover net loss. The above-listed laws and regulations give the possibility of applying the following mechanisms for legal application of the property rights:

- (i) Obtaining the right on way without expropriation through the payment of due compensation (on the basis of a contract of agreement or a court decision) prior to commencement of the activities.
- (ii) The Law of Georgia 'On the Rules for Expropriation of Ownership for Necessary Public Need' allows expropriation which gives the possibility of obtaining permanent right to land and/or other real estate property on the basis of Eminent Domain Law and a court decision through the payment of due compensation.

70. Land acquisition will be undertaken through negotiated settlement with individual affected persons. Should the negotiation fail, the expropriation process under the eminent domain will start and the expropriation procedures set out in the Law of Georgia 'On the Rules for Expropriation of Ownership for Necessary Public Need' shall be applied.

71. Under the existing Law in Georgia and in accordance with the Law of Georgia 'On the Rules for Expropriation of Ownership for Necessary Public Need' the expropriation shall be carried out based on the order of the Minister of Economy and Sustainable Development of Georgia and a court decision. The order of the Minister of Economy and Sustainable Development of Georgia will determine the case of public needs, and grant the expropriation entity rights to obtain land. Only the court shall determine a state body or local authorities and/or legal entity under the Public Law/Private Law to which the expropriation rights can be granted. The court decision should also include a detailed inventory of the assets to be expropriated and the provisions on the compensation payable to relevant land owners.

72. After issuing an order by the Minister of Economy and Sustainable Development of Georgia the entities interested in obtaining expropriation rights shall notify all the relevant owners of property subject to expropriation. This information should be published in central and local newspapers and contain a short description of the project and assets to be expropriated.

4.2.2 WB's Policy on Involuntary Resettlement

73. The WB's guiding principles for land acquisition applicable to the project are stipulated in OP 4.12 on Involuntary Resettlement. The three important elements of WB's involuntary resettlement policy are (i) compensation to replace lost assets, livelihood, and income; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it. For any WB or ADB operation requiring involuntary resettlement, resettlement planning is an integral part of project design, to be dealt with from the earliest stages of the project cycle, taking into account the following basic principles:

- (i) Involuntary resettlement is to be avoided or at least minimized.
- (ii) Compensation/Rehabilitation provisions will ensure the maintenance of the APs' pre-project standards of living.
- (iii) APs should be fully informed and consulted on LAR compensation options.
- (iv) APs' socio-cultural institutions should be supported/used as much as possible.
- (v) Compensation will be carried out with equal consideration of women and men.
- (vi) Lack of legal title should not be a bar to compensation and/or rehabilitation.
- (vii) Particular attention should be paid to households headed by women and other vulnerable groups, such as Indigenous Peoples, and appropriate assistance should be provided to help them improve their status.
- (viii) LAR should be conceived and executed as a part of the project, and the full costs of compensation should be included in project costs and benefits.
- (ix) Compensation and resettlement subsidies will be fully provided prior to clearance of right of way/ ground levelling and demolition.

4.2.3 Comparison of WB Policy with Georgian Laws and Legislation

74. Overall, the legislation of Georgia adequately reflects the major provisions of the WB OP 4.12 Safeguards Policy but a few differences are to be noted. The most significant of these differences is that under Georgian legislation/regulation, emphasis is put on the definition of formal property rights and on how the acquisition of properties for public purposes is to be implemented and compensated while in the case of WB policy emphasis is put both on the compensation of rightfully owned affected assets and on the general rehabilitation of the livelihood of Affected People (AP) and Households (AH). Because of this, WB policy complements the Georgian legislation/regulation with additional requirements related to (i) the economic rehabilitation of all AP/AH (including those who do not have legal/formal rights on assets acquired by a project); (ii) the provision of indemnities for loss of business and income, (iii) and the provision of special allowances covering AP/AH expenses during the resettlement process or covering the special needs of severely affected or vulnerable AP/AHs. Also, in addition, the legislation of Georgia does not require any specific measure regarding the need to prepare RAPs based on extensive public consultations. The differences between Georgia law/regulation and WB policy are outlined in Table 4.1.

Table 4.1: Comparison of Georgian Laws on LAR and World Bank Resettlement Policy

Georgia Laws and Regulations	WB OP 4.12	Corrective Action
Land compensation only for titled landowners.	Lack of title should not be a bar to compensation and/or rehabilitation. Non-titled landowners receive rehabilitation.	In practice legalizable land owners are also compensated after they are issued with the necessary papers. GSE will support those without legal titles so they can be issued relevant title to occupied land. In those cases where for some reason land users cannot be titled, the GSE will seek the Government's approval for rehabilitation/ compensation of such non-titled land users.
Only registered houses/buildings are compensated for damages/demolition caused by project-related land acquisition	All affected houses/buildings, regardless of legal status, are compensated for damages/demolition caused by project-related land acquisition	It is assumed, that majority of properties will be registered to actual user, with support of the project (legal and registration support). Accordingly the compensation will be paid to all affected households. In case of damages during construction period, the construction contractor will be responsible for compensation and GSE team will supervise the processes.
Crop and trees losses compensation provided only to registered landowners.	Crop losses compensation provided to landowners and sharecroppers/lease tenants whether registered or not	In case of leased land plots, the compensation will be paid to renters for their actual losses and be given assistance to access some other land to continue activities. The informal users of the land also are subject for crop and tree compensation.

Georgia Laws and Regulations	WB OP 4.12	Corrective Action
Compensation for loss of assets is based on market value without taking into account depreciation	Compensation for loss of assets is based on market value without taking into account depreciation and should also include transaction costs such as taxes and registration fees. It should also include other resettlement costs such as cost of preparing land for cultivation.	Compensation will be paid based on market value without taking into account depreciation. GSE will have in place clear legal procedures to allow for recognition of transaction costs and other resettlement costs. The asset evaluation criteria will be based on replacement value as per OP 4.12.
Administrative body implementing the Project (GSE) is the only pre-litigation final authority to decide disputes and address complaints regarding quantification and assessment of compensation for the affected assets. Complaints are reviewed in compliance with the formal procedures (rules) established by the Administrative Code of Georgia. There is no informal grievance redress mechanism through community participation at the local level.	Complaints & grievances can also be resolved informally through a project-level grievance redress mechanism which in some cases can have community participation through a Grievance Redress Committees (GRC), Local governments, and NGO and/or local-level community based organizations (CBOs).	The GSE resettlement team will have in place a mechanism to receive, register and process grievances from APs. Representatives of municipalities, local authorities and villages will be involved in the process from early stages. This will ensure solution of disputes and claims (if it is possible) at community level, however if solution could not be found, the case will be processed in accordance to local legislation.
Decisions regarding land acquisition and resettlement are discussed only between the landowners and the agency in charge of land acquisition.	The RPF and RAPs including information on criteria for valuation of affected assets, entitlements, and compensation/financial assistance are to be publicly disclosed during the planning process.	The preparation of the RPF and RAP will be done through engagement with relevant stakeholders and the RPF and RAPs will be publicly disclosed. No personal information of the AP or amounts each individual will receive will be publicized
No provision for income/livelihood rehabilitation, allowances for severely affected or vulnerable APs, or resettlement expenses.	WB policy requires rehabilitation for income/livelihood, severe losses, and for expenses incurred by the APs during the relocation process.	GSE will have in place clear legal procedures to allow for additional assistance for severely affected and vulnerable households in accordance to the RAP.
No specific plan for public consultation is provided under the Georgian laws	Public consultation and participation is the integral part of WB's policy which is a continuous process at conception, preparation, implementation and finally at post implementation period	The public consultation process will be accomplished in accordance to WB requirements and guidelines prior to RAP implementation

75. To reconcile the gaps between Georgia laws/regulations and WB Policy, GSE has adopted the Resettlement Policy Framework for the Project, ensuring compensation at full replacement cost of all items, the rehabilitation of informal settlers, and the provision of subsidies or allowances for the AHs to be relocated, suffer business losses, or will be severely affected.

4.2.4 Resettlement Policy Commitments for the Project

76. The resettlement policy for the project has been designed to (a) cover all APs irrespective of their title to land or asset registration status, (b) compensation for lost assets, and (c) restore or enhance the livelihoods of all categories of APs. The households/persons Affected by the project interventions will receive cash compensation for land and other assets at full

replacement cost as per market price at the time of dispossession. Additional measures will be taken to ensure minimum disruption during the project construction period. Thus, households to a affected physically and economically will receive due compensation, relocation assistance, and allowances in accordance with the following guidelines and policy which are also part of the Resettlement Policy Framework (RPF)⁷ of the Program and the Georgian laws on land acquisition, as well as WB OP 4.12.

4.2.5 Land Acquisition Process

77. Complete and accurate registration of private land as per current laws governing land acquisition in Georgia is the precondition for proceeding with acquisition of private land by agencies requiring land for land based infrastructure development. GSE for construction of the Batumi-Akhaltikhe section of the East-West Highway will acquire private land under eminent domain through negotiated settlement wherever possible, based on meaningful consultation with APs, including those without legal title to assets. The land buyer will offer adequate and fair price for land and/or other assets. GSE will ensure that the process of land acquisition with the APs openly address the risks of asymmetry of information and bargaining power of the parties involved in such transactions. Only in case if there is no agreement to land acquisition, expropriation will be sought.

78. The AGL has prepared a separate volume of the RAP containing the land acquisition plan, and estimate of compensation and entitlement of individual APs under the subtitle of Acquisition and Compensation Scheme (ACS). ACS is a detailed program for execution of RAP as per land acquisition and resettlement framework consistent with WB OP 4.12 on involuntary resettlement.

79. Following the ACS, LAR Working Group assisted by LAR Team at rayon level will offer to each of the APs the compensation rates defined in this RAP. Upon successful settlement, Land Purchase Agreements will be signed with legalized/titled owners. Non-registered but legalizable land plots will be first registered in NAPR and the same Land Purchase Agreement will be signed. Any grievances of the APs will be resolved through approved grievance redress mechanism of the Project.

80. In case an AP does not accept the rates defined in this RAP even after the grievance redressing exercise, GSE will seek concurrence of the appropriate authority in the management for proceeding with Expropriation Process under the eminent domain for acquisition of the land through Rayon courts.

81. The detail design consultant has prepared fresh maps of the plots to be acquired with geometric details required for legalization. GSE will provide these maps to the concerned legalizable owners. The process will be followed by endorsement of these maps and ownership documents by the Sakrebulo and finally getting them registered in the local registration office prior to the receipt of the project compensation.

⁷ Construction of Akhaltikhe-Batumi 220KV Power Transmission Line; Resettlement Policy Framework; GSE; 2014.

4.3 Compensation Eligibility and Entitlements

4.3.1 Eligibility

82. APs entitled for compensation or at least rehabilitation provisions under the Project are:
- (i) All APs losing land either covered by legal title/traditional land rights, Legalizable, or without legal status;
 - (ii) Tenants and sharecroppers whether registered or not;
 - (iii) Owners of buildings, crops, plants, or other objects attached to the land; and
 - (iv) APs losing business, income, and salaries.
83. The eligibility to land compensation for this project has been elaborated as follows:
- a. Titled PAPs will be fully compensated
 - b. Untitled PAPs who were legitimate leasers under the old Soviet system and have either plots with a house or adjacent to a plot with a house will be legalized and then compensated.
 - c. Untitled PAPs who were not legitimate leasers under the old Soviet system and who use or cultivate the land they occupy only extemporaneously and can't be legalized will be eligible for crop or income compensation, compensation for loss of assets other than land, and other assistance required to restore their living conditions.
 - d. Residents in houses with legal titles that need to be displaced will be compensated for the land and structure at full replacement value and assisted to relocate in a new house with adequate access to services.
 - e. Residents in houses that don't have legal titles will not be compensated for land value, but will receive compensation at full replacement cost of the housing and other structures and will receive assistance to relocate to new adequate housing with access to services in accordance with the Entitlement Matrix at the rear of this document.
84. Compensation eligibility is limited by the cut-off date for this Segment which is 23 of June 2014 for those project affected lands where no changes in OHL alignment were observed and 3 February 2016 for those lands that were newly identified as project affected or the affected area of the land was modified due to changes in alignment. APs 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 materials will not be confiscated and they will not pay any fine or suffer any sanction.

4.3.2 Definition of Entitlements

85. Entitlement provisions for PAPs losing land, houses, and income and rehabilitation subsidies will include provisions for permanent or temporary land losses, buildings losses, crops and trees losses, a relocation subsidy, and a business losses allowance based on tax declarations and/or existing minimum market rates. These entitlements are detailed below:

- **Agricultural land impacts** will be compensated at replacement value either with replacement plots of the same value of the land lost and at location acceptable to PAPs where feasible, or in cash free of transaction costs at current market rates or (if no land markets are active) based on the reproduction cost of the affected land. The cash at market rates option has been selected for the Program. When >10% of agricultural land is affected, PAP (owners, leaseholders and sharecroppers) will get an additional allowance for severe impacts equal to the market value of a 2 year's gross yield of

the land lost. In case if the 2 years gross yield costs lower than 3 month of minimum subsistence income, the severely affected AHs will receive 3 months value of minimum subsistence income for the family consisting of 5 persons¹⁷. In case of severe impact on other income¹⁸, the PAPs will be paid additional compensation corresponding to 3 months of minimum subsistence income. Transaction taxes/fees will be paid by GSE or waived. Legalizable PAPs will be legalized and paid as titled owners. Non-legalizable PAPs losing agricultural land plot, which is the only land plot owned by AP and provides main source of income for AP, will be compensated with one time allowances in cash equal to 1 year of minimum subsistence income to allow the AP to establish its economic activities elsewhere. Residual non-affected sections of a plot that becomes inaccessible or unviable to use after acquisition will also be compensated.

- **Non-agricultural land (Residential/commercial land).** Legal settlers will be compensated at replacement rate either with replacement plots and houses of same value as plots and houses affected and at location acceptable to PAPs where feasible, or in cash at current market rates, free of transaction cost. The cash at market rates option has been selected for the Program. Renters/leaseholders will receive a 3 months' rent allowance. Non-legalizable PAPs losing land plot and/or house, which is the only land plot / house used for residence or providing main source of income for AH, will be compensated with one time self-relocation allowances in cash equal to 1 year of minimum subsistence income (327 GEL X 12 = 3,924 GEL) / or provided with an alternative residence with adequate conditions and access to services. In either case, necessary assistance and monitoring will be provided to ensure that the living conditions and livelihood are restored. The allowance will be calculated based on a 5 headed household.
- **Crops:** Cash compensation at current market rates for the gross value of 1 year's harvest by default¹⁹. Crop compensation will be paid both to landowners and tenants based on their specific sharecropping agreements.
- **Trees:** Cash compensation at market rate based on type, age and productivity of trees.
- **Businesses:** If business is lost permanent it will be compensated in cash equal to a 1-year income based on tax declaration or, if unavailable, based on the official minimum subsistence income. Temporary business losses will be compensated in cash for the business interruption period (up to a maximum of 3 months) based on tax declaration or, if unavailable, official minimum subsistence income.
- **Affected business workers/employees:** Indemnity for lost wages for the period of business interruption up to a maximum of 3 months.
- **Relocation allowance:** APs physically displaced will receive a relocation subsidy sufficient to cover transport costs and living expenses for 3 months.
- **Vulnerable Peoples Allowance:** Vulnerable people (Economically disadvantaged APs and women or elder/disabled headed households without any other bread-winner member of family) will be given an allowance corresponding to 3 months of minimum subsistence income and other members of such AHs will have priority in employment in project-related jobs. The allowance is to be calculated based on a family of 5 and the monthly-updated benchmarks indicated by the National Statistics Office of Georgia at

¹⁷ According to the data of National Statistics office for January 2016 this value is equal to 327 Gel. The allowance value equals 327 Gel x 3 = 981 GEL

¹⁸ Non-agricultural income includes all economic activities except Category A: Agriculture. Please refer to <http://unstats.un.org/unsd/cr/registry/regcst.asp?Cl=27>

¹⁹ Compensation by default means that crop compensation will be paid irrespective of whether the crops were already harvested or not at the time of impact. This covers also compensations for income expected from crops on affected agricultural land permanently used for crop cultivation during the recent years. In case if the land was permanently used for crop cultivation, but for the year, when the inventory of losses was conducted, no crops have been planted (due to need of rest to this land or illness of the farmer or any justifiable reason), the land parcel still will be considered as designed for crop cultivation and relevant compensations will be paid.

time of RAP approval.

- **Severe Impacts Allowance;** PAPs losing >10% of agricultural land or >10% of non-agricultural income will receive a severe impacts allowance. When >10% of an PAP agricultural land is affected, AP (owners, leaseholders and sharecroppers) will get an additional allowance for severe impacts equal to the market value of a 2 year's gross yield of the land lost. In case if this value is less than 3 months subsistence minimum, than the severely affected PAPs will receive allowance equal to 3 months minimum subsistence. For cases of severe impact on non-agricultural income²⁰, the PAPs will be paid additional compensation corresponding to 3 months of minimum subsistence income. This allowance is to be calculated based on a minimum subsistence income for 5 headed household family and the monthly-updated benchmarks indicated by the National Statistics Office of Georgia at time of RAP approval.
- **Community Structures and Public Utilities:** Will be fully replaced or rehabilitated so as to satisfy their pre-project functions.
- **Temporary impact during construction:** All land required for temporary use is to be obtained by the Construction Contractor through voluntary negotiations of lease agreements (e.g., willing leaser-willing-lessee basis). The maximum period for temporary use is defined as 2 years. Lease rates to be paid should not be less than compensation at current market rates for the gross value of 4 year's harvest of crops on the affected lands. It is also required that lands (or other assets) be fully cleared and restored following use.

Impacts during construction:

- **Houses, buildings, and structures affected during construction.** In relation to impacts that are not related to land acquisition such as potential damages of vibrations or discomfort caused by road traffic, and assessment of damages will be conducted and corresponding remedial actions (e.g. reparations, etc.) proposed to the affected party. If damages cannot be mitigated or fixed, the affected houses and other buildings will be managed in accordance with the principles of the RPF and it will be compensated in full for the whole building irrespective of the specific degree of impact. Compensation will be provided in cash at replacement cost free of deductions for depreciation, transaction costs or salvaged materials. All relevant PAPs are entitled to this provision by default irrespective of the registration status of the affected item. Salvaged materials after demolition of the building are deemed to be owned by the AH.

²⁰ Non-agricultural income includes all economic activities except Category A: Agriculture. Please refer to <http://unstats.un.org/unsd/cr/registry/regcst.asp?Cl=27>

4.3.3 Compensation Entitlement Matrix

86. Tasks under the Project will be implemented according to a compensation eligibility and entitlements matrix in line with both Georgia laws and regulation, WB OP 4.12. A summary entitlements matrix specific for this project is included in **Table 4.2** below.

Table 4-2: Compensation Entitlement Matrix

Type of Loss	Application	Definition of APs	Compensation Entitlements
Land			
Permanent loss of agricultural and non-agricultural land (e.g. tower sitting, enhancement of access roads)	PAPs permanently losing agricultural land regardless of impact severity	Registered owners	<p>For agricultural lands - Cash compensation at full replacement cost at current market value without deduction of depreciation value and transaction fees or replacement land of same value of land lost and at location acceptable to PAPs where feasible. If any remaining part of the land owned by the registered owners is no longer appropriate for use, such remaining part will be purchased subject to the agreement with the owner.</p> <p>For non-agricultural lands - Cash compensation at full replacement cost at market value without deduction of depreciation value and transaction fees.</p>
		Legalizable Owner	<p>For agricultural lands - These PAPs will be legalized and provided with cash compensation at full replacement cost of land.</p> <p>This compensation entitlement will also apply to the legalizable owners using unregistered land plots far from their residence, without registration of such land.</p> <p>For non-agricultural lands - these PAPs will receive the cash compensation as legalized owners after their title will be legalized and registered at the public register.</p>
		Renters/Lease	Non eligible for land compensation; though, they are eligible for allowance considered in the Entitlement Matrix for other losses.
		Non-legalizable owners (squatters/encroachers)	Non-legalizable PAPs losing agricultural land plot, which is the only land plot used and provides main source of income for AH, will be compensated with one time allowance in cash equal to 1 year of minimum subsistence income (327 GEL X 12 = 3,924 GEL). Besides, they will be paid allowance considered in the Entitlement Matrix for other losses.
Restrictions on use land (e.g. easement for TL's right of way)	PAP not losing their land falling within RoW, but land use restrictions imposed (prohibition of constructing	Registered owners	Easement agreement will include a lump sum easement fee payable to the owner. Such fee is established by an independent valuation experts.
		Legalizable Owner	These PAPs will be legalized and the owner will receive easement fee as a lump sum in the amount is determined by an independent valuation experts

Type of Loss	Application	Definition of APs	Compensation Entitlements
	structures and planting trees)	Renter/Leaseholder	Not eligible for easement fee for land-use restriction; though, they are eligible for allowance considered in the Entitlement Matrix for other losses.
		Non-legalizable users	Not eligible for easement fee for land-use restriction; however, PAP will receive allowance for other losses, as per Entitlement Matrix.
Buildings and Structures			
Residential buildings	Landlords /tenants of houses within the entire RoW are subject to physical displacement, as presence of residential structures within the ROW is prohibited	Registered owners	In addition of compensation for loss of land, PAPs will receive compensation and replacement value for the house and will be provided with resettlement assistance to ensure that the family relocates in a new house with access to services and security of tenure.
		Legalizable Owners	These PAPs will be legalized and in addition of compensation for loss of land, PAPs will receive compensation and replacement value for the house and will be provided with resettlement assistance to ensure that the family relocates in a new house with access to services and security of tenure
		Renter/Leaseholder	Non eligible for compensation for the house. The PAP will be informed well in advance to move and receive the equivalent of three months' rent and support to transport belongings to new location.
		Non-legalizable users	Non eligible for compensation for land, but will receive compensation at full replacement cost for the house and will receive additional assistance to ensure that adequate housing with security of tenure and access to services is provided.
Non-residential structures (barns, irrigation, fences, etc.)	Entire RoW, where deployment of some non-residential structures is prohibited	Registered owners	Compensation at full replacement cost for lost structures, in addition of compensation for loss of land.
		Legalizable Owner	These PAPs will be legalized and receive compensation at full replacement cost for lost structures, in addition of compensation for loss of land.
		Renter/Leaseholder	Non eligible
		Non-legalizable users	Eligible for compensation at full replacement cost of all structures built by the non-legalizable user
Loss Of Community Infrastructure/Common Property Resources			
Loss of common property and/or resources	Community/Public Assets	Community/Government	Reconstruction of the lost structure or reestablishment of agricultural lands in consultation with community and restoration of their functions

Type of Loss	Application	Definition of APs	Compensation Entitlements
Loss of Income and Livelihood			
Crops	Standing crops affected or loss of planned crop incomes	All PAPs regardless of legal status (including registered owners, legalizable, non-legalizable users, and renters)	When possible people will be given enough time to harvest existing crops. Crop compensation in cash at gross market value of actual or expected harvest. Compensation for this item will be provided even in case if the crops were harvested. This compensation is in addition for compensation for permanent acquisition of land or easement fee.
Trees	Removal of trees from the ROW	All PAPs regardless of legal status (including registered owners, legalizable, non-legalizable users, and renters)	Cash compensation at market rate on the basis of type, age market price of product and the productive life of the trees. This compensation is in addition for compensation for permanent acquisition of land or easement fee
Business/Employment	Business/employment loss	Business owner	(i). (permanent impact) cash indemnity of 1 year net income; (ii) (temporary impact) cash indemnity of net income for months of business stoppage (up to maximum 3 months). Assessment to be based on tax declaration or, in its absence, minimum subsistence income.
		Workers/employees:	Indemnity for lost wages equal to 3 months of minimum subsistence income and job trainings.
Allowances			
Severe Impacts	>10%loss of productive lands	APs losing permanently (sitting of towers) more than 10% of affected agricultural land (including registered owners, legalizable and non-legalizable users, Renters are not eligible)	Additional allowance equivalent to market value of two-year yield from affected land or compensation for 3 months of minimum subsistence income Other income ²¹ : 1 additional compensation for 3 months of minimum subsistence income. 327 GEL per month x 3 months=981 GEL per AH).
Physical relocation /Transportation of personal belongings to new location (new house)	Transport/transition costs	All PAPs to be physically relocated(including registered owners, legalizable, non-legalizable users, and renters)	Provision of allowance covering transport expenses and a livelihood expenses for the transitional period for 3 months equal to 3 months of minimum subsistence income. 200 GEL as vehicle hire charge +327 GEL as minimum subsistence income x 3 months = 1,181 GEL per AH

²¹ Non-agricultural income includes all economic activities except Category A: Agriculture. Please refer to <http://unstats.un.org/unsd/cr/registry/regcst.asp?Cl=27>

Type of Loss	Application	Definition of APs	Compensation Entitlements
Vulnerable people allowances	Impact on vulnerable people	Economically disadvantaged AHs, single mother headed household, disabled or elderly	One time allowance equal to 3 months minimum subsistence income (327 GEL/month X 3 months = 981 GEL); and employment priority in project-related jobs for capable members of all vulnerable households.
Temporary use of land			
Temporary use of land during construction	Lease of land for project purposes (e.g. camps, storage)	All PAPs	Contractor will lease land required temporarily during construction on voluntary basis (e.g., willing leaser-willing lessee basis). Landowner will have right to refuse the offer. The maximum period for temporary use is defined as 2 years. Lease rates to be paid should not be less than lease at current market rates, plus compensation for any loss of crops at gross value of 4 year's harvest of crops on the affected lands. Affected trees will be cash compensated as described in this RAP. It is also required that lands (or other assets) be fully cleared and restored following use.
Construction impacts not related to land acquisition²²			
Damages to houses, buildings, and structures affected during construction.	In relation to impacts that are not related to land acquisition such as potential damages of vibrations or discomfort caused by road traffic.	All PAPs regardless of legal status	Construction contractor will conduct assessment of damages and created the baseline information on the physical condition of structures; if claims lodged Construction contractor will compare current condition with existing baseline information and propose corresponding remedial actions (e.g. reparations, etc.) to the affected party. If damages cannot be mitigated or fixed the affected houses and other buildings will be managed in accordance to the principles of the RPF, this RAP and it will be compensated in full for the whole building irrespective of the specific degree of impact. Compensation will be provided in cash at replacement cost free of deductions for depreciation, transaction costs or salvaged materials. All relevant PAPs are entitled to this provision by default irrespective of the registration status of the affected item. Salvaged materials after demolition of the building are deemed to be owned by the AH.

²² The requirement should be incorporated in the contract of a construction contractor

4.3.4 Assistance for severely affected and Vulnerable AH

87. Vulnerable AH are entitled to an allowance equivalent to 3 months of minimum subsistence income and employment priority in project-related jobs. AHs are considered as vulnerable in case they economically disadvantaged or are women-headed households with dependent members. AHs including people with disabilities or people in pension age will receive the allowance.

88. The above AHs will receive an allowance of 327 GEL x month x 3 months or 981 GEL in all. These figures are taken from the National Statistics Office of Georgia Department data on minimum subsistence income for a family of 5 persons in January 2016. It should be noted that all families irrespective of the size will be compensated.

89. Severely affected AH will receive an additional crop compensation covering two-year yield from affected land or an allowance equal to 3 months of minimum subsistence income, in case the AH is not subject for crop compensation (or when crop compensation value calculated for 1 year is less than 981 GEL).

4.3.5 Valuation and Compensation Rates

4.3.5.1 Principles and Methodology

90. Determination of compensation value for loss of assets and other impacts associated to land acquisition and easement were calculated by an independent valuation expert recruited by the Implementing Agency (GSE) in line with the requirements of OP 4.12 and the methodologies describe below:

91. **Replacement value:** The calculation of replacement costs of land and structures will be based on (i) fair market value at the time of dispossession, (ii) transaction/legalization costs, other taxes and fees (iii) transitional and restoration (land preparation and reconstruction) costs, and (v) other applicable payments. In order to ensure compensation at replacement cost, good practice examples in compliance with WB OP 4.12 will be followed for determining the replacement cost of acquired assets.

92. The calculation of unit value is done keeping in consideration the current market rate so as to meet with the replacement cost of the land and lost assets etc. An experienced and registered independent local certified valuator was employed by GSE to do the valuation of land, structures, buildings, trees, crops etc. The approach of the evaluator was to make the assessment for each type of land and assets by location. The valuation was done after the census and DMS were conducted in close collaboration with the company who prepared the map of affected plots with demarcation of affected parts of the land. The independent valuator made site visits for physical verification of each category of the losses. The expert team also took into consideration the reference of previous valuation if available and also used their recommended periodic release of market survey. Based on this methodology the unit rate was derived. The unit rates used in this report are based on the independent valuator's assessment with their standard methods for calculating the sample assets.

4.3.5.2 Determination of Compensation Rates

93. Replacement cost of land has been determined based on existing market rates to the extent possible and adding the applicable transaction cost like registration with the NAPR at the rayon level Registration Office and the rayon PRRC. Market rates were defined taking into account the type of land, its actual use, and location. Land valuation for easement agreements were calculated taking into account the initial cost of the land plot and reduction of this cost (as a real estate value) due to the limitations imposed by the Project but still allowing PAPs use these lands to grow yield and receive economic benefit.

94. Replacement cost of houses/buildings was determined based on construction type, cost of materials, transportation, types of construction, land preparation, labour, fees for obtaining construction permit and all other construction costs at current rates. No deduction for depreciation and transaction costs will be applied.

95. Market value of annual crops has been determined at net market rates at the farm gate for the first year crop. In the eventuality that more than one-year compensation is due to the APs the crops after the first will be compensated at gross market value.

96. Fruit trees will be compensated differently if they are productive or not yet productive. Productive trees will be compensated based on the future income lost for the years needed to re-grow a tree at the same age/production potential in which was cut. Non-productive trees will be compensated based on the cost of seedlings and value of the investment made to grow the tree to the age in which the tree was cut. The timber trees will be cut and given to the owners as a timber. No cash compensation is provide for timber trees.

97. The unit compensation rates recommended by the valuation company have been reviewed and approved by the GSE and will be offered to the APs. Detailed methodology for determining valuations and compensation rates is included in **Annex-2**.

5. INSTITUTIONAL ARRANGEMENTS

5.1 Introduction

98. The Georgian State Electrosystem (GSE) is the implementing agency (IA) for the Project. GSE is responsible for OHL construction as well as land acquisition and resettlement of the PAPs.

99. GSE is assisted by a number of other government departments and private agencies in the design, construction and operation of the Project. Pursuant to the active legislation, National Agency of Public Registry (NAPR) within the Ministry of Justice is in charge of the recognition of ownership rights of rightful owners and registration of ownership rights. The local/district NAPRs are also responsible for registration of ownership rights to land plots the GSE acquires from landowners on the basis of relevant sales agreements. The local governments at district and village levels are involved in the legalization of land parcels, land acquisition and resettlement. The Ministry of Environmental and Natural Resources Protection is responsible for environmental issues.

100. Various features/sections of the OHL Project are located in each of the following municipalities: Akhaltsikhe, Adigeni, (Samtskhe-Javakheti Region) and Khulo, Shuakhevi, Keda, Khelvachauri and Batumi (Adjara Autonomous Republic). All corresponding Sakrebulo, Gamgeoba, Territorial Registration Offices and PRRCs will be involved in LAR. Local Sakrebulo and Rtsmunebuli of villages are involved for local level LAR activities.

101. The World Bank (WB) will be financing the Project and will provide advice and supervision on land acquisition activities.

5.2 Land Registration Organizations

102. Under clause 1 of Article 4 of the Law of Georgia on Entitlement of Ownership Rights to Lands Possessed (Employed) by Physical and Legal Persons of Private Law, the representative body of relevant local self-government is authorized to recognize the right of property to land occupied without permit and discharges its authority through the commission. The commission discharges its functions under the formal administration procedure set forth in the VIII Chapter of the General Administration Code of Georgia and under the rule set forth by the said law. Under article 4 of the same law, the body authorized to recognize the right of property to land legally owned (employed) is LEPL National Agency of Public Registry (NAPR) subordinate to the Ministry of Justice of Georgia and discharging the said authority under the rule set by the law. After the decision of the commission about the recognition of the land property right and relevant cadastre drawings are submitted, the National Agency of Public Registry registers the right of property to the land plots in question.

5.2.1 Rtsmunebuli and Gamgeoba at Village (Community) Level

103. Community level Gamgeoba is the executive branch of self-government headed by Rtsmunebuli. Rtsmunebuli has the primary role in the process of legalization and registration of land parcels. Rtsmunebuli confirms ownership of affected land plots, parameters of land plots and endorses the cadastral maps and related data prepared for case of legalization²³. Gamgeoba plays important role for legalization of non-rightful owners (owners in possession before the enactment of current law on privatization of land in Georgia without prior permission of the government). Gamgeoba has power to authorize²⁴ details of the occupied land parcel and

²³ Owners for legalization of their unregistered land parcels, in normal procedure, use the services of private mapping agencies and experts on payment for preparation of land details (maps and plot parameters). In case of this project, the consultants have been assisting in preparing basic documents like maps and plot details.

²⁴ This is not mandatory but one of the possible procedures for legalization of the non-rightful owners. Witnesses' signature confirmed by Notary Public is also legally acceptable for confirmation of non-rightful ownership of land plot.

verify its usage pattern as the first hand verification and authorization for further consideration in the Property Rights Registration Commission (PRRC) as a basic step for registration with the Public Registry. Neighbours of applicants for legalization have roles in the authorization process. Rtsmunebuli of the villages will be involved in the process of RAP updating and implementation.

5.2.2 Sakrebulo

104. Sakrebulo is the representative branch of self-government at municipal and village level. The village/municipal level Sakrebulo has now less involvement in the process of legalization of legalizable land plots. However, Municipal Sakrebulo assists the PRRC in the process of authorization of application of non-rightful owners.

5.2.3 Property Rights Recognition Commission

105. Under the Law of Georgia on Recognition of the Property Ownership Rights Regarding the Land Plots Owned (Used) by Physical Persons or Legal entities; 2007, the Government of Georgia has established the PRRC at the Rayon level for recognition of ownership rights of non-rightful owners (owners of land plots occupied without permit) for registration. PRRC verifies and authorizes application of ownership for registration with the NAPR. PRRC authorizes application of only those APs, who are not registered but have residential land or agricultural plots adjacent to the residential land (non-rightful land owners, according to definition of Georgian regulations).

5.2.4 National Agency of Public Registry and Rayon Registration Offices

106. The National Agency of Public Registry (NAPR) plays an important role both, in developing and realizing the resettlement action plan. At the stage of developing the resettlement action plan, when the land owners/users are identified and their property rights are specified, the documents proving the property are to be obtained. Some of these documents (books of homesteads and the like) were kept with the archives in the past. At present, the regional archives are available to the territorial registration offices of the National Agency of Public Registry. The materials preserved with the archives of the territorial registration offices are the important source for the owners who have to legalize²⁵ their rights to property, but have no full supporting documentation at hand, to obtain the documents proving their land property rights. The role of the National Agency of Public Registry in realizing the resettlement action plan is even more important, as under the Law of Georgia 'On Public Registry', the National Agency of Public Registry is the body discharging the public and legal authorization set forth by the law, which registers the property right of the lands of the affected persons (PAPs) (termed as the Primary registration' as per the resettlement action plan terminology) and registering the legal act²⁶ of transferring the property right from the owner to the GSE ('Secondary registration').

107. The territorial registration offices of the National Agency of Public Registry closely cooperate with the teams working on developing and realizing the resettlement action plan. Such cooperation in the first instance, means making the documents preserved with the archives of the territorial registration offices of the Agency available.

²⁵ 'Legalizationll means recognition of the right of property set/envisaged by Decree No. 525 of the President of Georgia of September 15, 2007 On the rule to recognize the Ownership Rights to Lands Possessed (Employed) by Physical and Legal Persons of Private Law and approving the form of the certificate of the right to property'.

²⁶ Including the easement agreement

5.3 Land Acquisition and Resettlement Organizations

5.3.1 GSE – Georgian State Electrosystem

108. GSE has the overall responsibility of design, land acquisition and resettlement, construction, construction monitoring and supervision of the TGS and Akhaltsikhe-Batumi OHL Project. This also includes financing and executing land acquisition and resettlement tasks and cross-agency coordination. GSE will exercise its functions through its existing Resettlement Management Team (RMT), which consists of representatives of Permits Unit, Legal Department and Environmental and Social Safeguards Unit of GSE. A Resettlement Management Team (RMT) having specific experience and skills in land acquisition and resettlement (LAR), is responsible for LAR activities related to the project. RMT is responsible for supervision of all technical work to accomplish RAP preparation and implementation tasks and coordination within the GSE, as well as at central and local government levels.

109. The specific tasks of the GSE RMT will be to (i) Ensure updating RAP following appropriate procedures as per RPF and send to donor WB for approval, (ii) supervise preparation of RAP for construction contracts and implement it after concurrence from donor IFI; (iii) establish land acquisition and resettlement (LAR) capacity at the regional level; (iv) ensure proper internal monitoring; and (v) hire, following the donor IFI recommendation the external monitoring agency. RMT will also provide all necessary documentation to ensure the prompt allocation of land acquisition and resettlement budgets to the PAPs and will maintain the coordination of all land acquisition and resettlement related activities.

110. The GSE is responsible for ensuring that an independent agency/company for RAP preparation is engaged to conduct any survey and documentation, including cadastral survey, PAPs census, inventory of losses, and valuation of land and assets for replacement value. RAP will be prepared based on findings of the surveys following the final OHL RoW as per detailed engineering design.

111. Based on the GSE's decision and the prices for land acquisition and easements, the offer of purchase of land parcels shall be undertaken. If PAP agrees on the acquisition he/she will confirm such agreement in writing by signing the Sales/Purchase Agreement that will be registered with the Public Registry. This agreement will serve as the basis for compensation payment processing and release. If agreement is not reached between the PAP and the GSE Resettlement Management Team later will take decision to start expropriation.

5.3.2 Municipal LAR Team

112. Municipal LAR Team will be an informal group established through participation of municipal and village authorities and PAPs in order to provide technical assistance to the GSE in the preparation and implementation of the RAP. The assistance includes identification of the affected landowners and users, defining the boundaries of land parcels, obtaining data on ownership, relations with PAPs, settling disputes in an informal way, ensuring unimpeded legalization of legalizable land plots, etc. Municipal LAR Team comprises the Municipal Team (at the municipal level) and LAR Working Groups at the village level. The municipal level team is represented by the Gamgebeli, head of the local office of NAPR (National Agency of Public Registry), and representatives of affected villages and Resettlement Management Team (RMT) of the GSE. By instructions of the Municipal LAR Team, LAR Working Groups comprising village representatives (*Rtsmunebuli*), competent technical specialists (at least one person) delegated by them and RU representatives shall be established in each village. LAR Working Groups shall assist the Consultant hired by the GSE in identification of PAPs, determining the boundaries of land parcels and communication with the local community. Rtsmunebuli shall verify with his signature the list of affected land owners and users as well as the measuring and inventorying of each affected land plot by the GSE Consultant in attendance of land owners. The staff of NAPR local office and social service agency shall collaborate with the LAR Working Groups assisting them in obtaining archive documents, determining the social status of the PAPs and

registration of their property. Based on the LARP recommendations RMT of the GSE shall start negotiations with the PAPs on the purchase of affected land plots and other assets in order to compensate their losses. In case of agreement APs will sign contract agreement indicating that they accept the compensation provided to them and the contract shall be registered at NAPR. During the negotiations and property registration the Resettlement Team of the GSE shall be assisted by LAR group (both working groups and municipal team) members, including village *Rtsmunebuli*, NAPR local office staff, etc. A purchase agreement is the basis for compensation payment. If the negotiation between a PAP and LAR team fails, the LAR team shall notify the GSE which will start the expropriation process. At the same time LAR Team shall inform the PAPs about the availability of grievance redress mechanism (see Section 9), which can be used for informal pre-litigation resolution of disputes.

5.3.3 Local Governments

113. Local administration especially at municipal level has direct jurisdiction for land administration, valuation, verification and acquisition. To confirm the surveys and the asset valuations carried out by the LAR consultants, GSE through its consultants will establish Municipal Level LAR Teams which will have designated officials from the municipal administration (Municipal Sakrebulo; Gamgebeli) and representatives of each affected village/community administration (representatives of all affected community/village level *Sakrebulos* and *Gamgebelis*). The municipal level LAR Teams will be formed in the all affected municipalities who are working closely with the consultants and GSE. LAR Teams of municipalities are participating in RAP preparation and implementation.

5.4 Other Organizations and Agencies

5.4.1 Construction Contractor

114. A Construction Contractor to be appointed by the GSE to undertake the construction will be responsible for mitigating impacts resulting from the construction activities. Based on the RAP and the Technical Design, the parcel of land that will be identified and acquired as part of OHL ROW will be demarcated to clearly delineate it from the remaining non-acquired parts. The construction activities shall be monitored closely by the GSE to ensure compliance to the temporary mitigating measures.

5.4.2 Consultants and Auditors

The design consultant will be responsible for preparation and GSE for implementation of RAP and a construction supervision consultant will be in place to supervise construction.

- (i) Design Consultant: The design consultant has an international social development and resettlement specialist and a national resettlement / social specialist for finalizing RAP for each construction stage. The design consultant has hired a survey agency for land acquisition and resettlement survey and documentation including census, socioeconomic survey and inventory of losses. GSE has engaged the certified independent valuator for valuation of land and assets for replacement value. Final RAP will be prepared based on findings of the surveys following the final OHL routing as per detailed engineering design.
- (ii) Social Safeguards Consultant (SSC): will oversee implementation of RAP and will prepare compliance reports before the construction start.
- (iii) Local Resettlement Consultant (LRC): will assist GSE Resettlement Team during the RAP implementation and oversee all resettlement related issues that may arise during the construction.
- (iv) The Supervision consultant will oversee temporary or unforeseeable resettlement impacts arising during the construction.

5.4.3 Court of Georgia

115. The Court of Georgia shall be the last resort for issues and concerns regarding the implementation of the RAP. In case there is no agreement between the GSE and the PAPs concerning the acquisition of private properties, the GSE with the mandate for expropriation based on existing legislations will submit to the Court a request for expropriation. The GSE will get the targeted assets after obtaining the expropriation right and implementing respective procedures. Upon its approval and following prescribed procedure, GSE will then take over the concerned property after having been given by the Court the right of the Expropriator.

116. Furthermore, in cases where complaints and grievances regarding RAP implementation and compensation are not solved at the various levels as prescribed in the agreed Grievance Redress Mechanism, the APs will have the right to appeal the case to the Court as a last resort. Its decision shall be final and executory.

5.4.4 Ministry of Finance

117. The budgets for the RAP implementation will be provided to GSE by the Ministry of Finance following its official approval. The RAP budget will be allocated on the accounts of GSE (or its fiscal agent) that is responsible for the financial management of the project.

5.4.5 Ministry of Justice

118. The Ministry of Justice is responsible for legal matters regarding land ownership, and National Agency of Public Registry (NAPR) within the Ministry of Justice is in charge of the registration of land ownership and its transfer through purchase agreement from landowners to the GSE, as well as registration of the easement agreements.

5.4.6 Donor WB

119. Besides supervising the Project periodically, the WB will review RAP and provide clearance to contract awards signing and initiation of construction under the Project.

120. An organization chart showing all the concerned institutions to be involved in the LAR activities is depicted in Figure 5.1.

5.5 Capacity Building on LAR

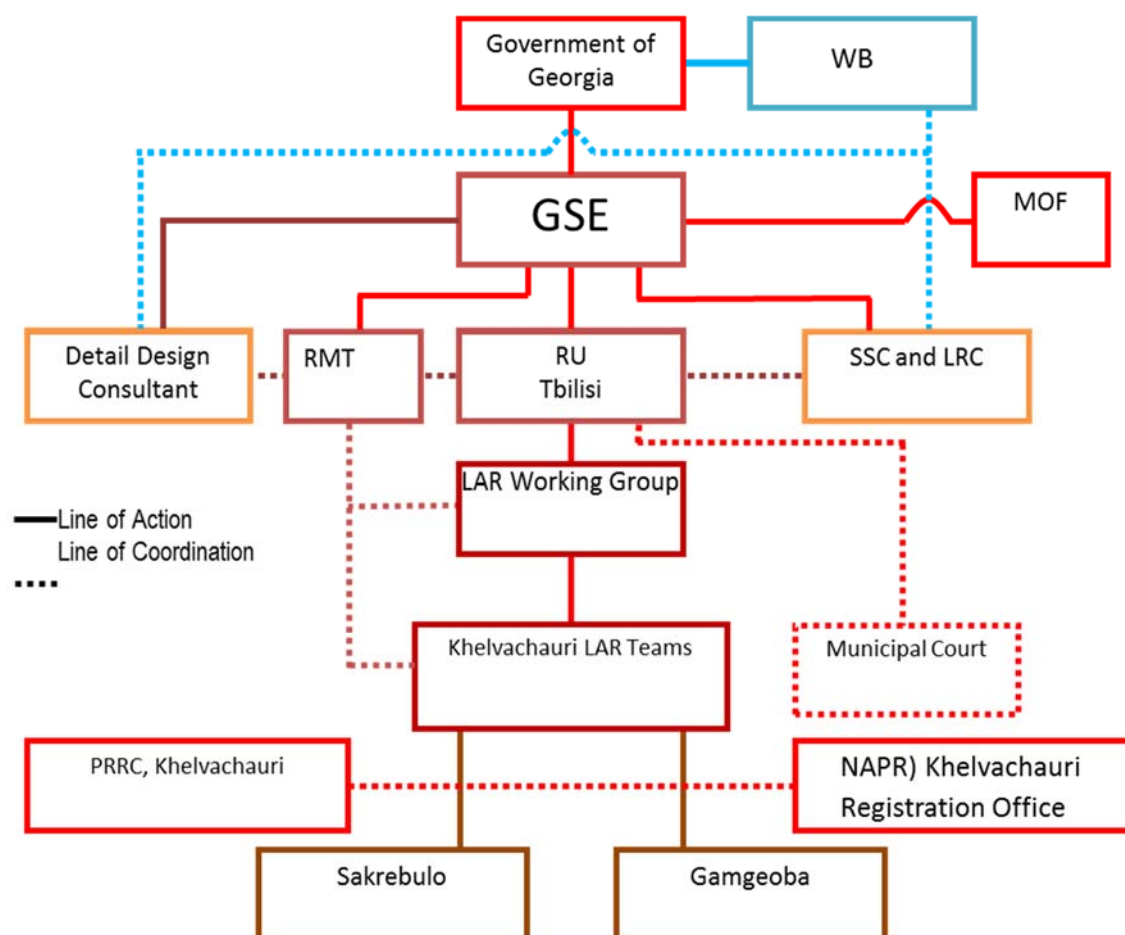
121. Initial level of capacity building exercise in the relevant agencies was carried out during the preparation of RAP at the feasibility study. Close consultations were held with all the concerned departments. GSE has established Resettlement Management Team dealing with land acquisition and resettlement. Training will be provided by the consultant's resettlement specialist to the officials on the requirements of WB OP 4.12 policy and how to develop a balanced compensation package fulfilling the requirements of PAPs, Government, GSE, donor IFIs. Capacity building training will also be initiated through a series of consultations and informal training sessions in the local administration level. The representatives of GSE at regional level are also responsible for the planning of LAR activities and for coordinating with the municipal administration. Municipal level LAR Teams will be formed at each municipality that will be responsible for LAR activities assisting the LARC of the GSE in the process of RAP implementation.

122. In terms of capacity and manpower resources within Resettlement Team of the GSE, some expansion of the capacity on LAR is desired to allow an effective execution of all LAR related tasks for the project. The Environmental and Social Safeguards Unit (ESSU) was established within GSE in 2013. Currently, besides the head of the Unit, there is one social safeguards specialist in the staff. Current resettlement capacity of the GSE needs strengthening

to ensure full Social Safeguards compliance of the Project. GSE also needs Local Resettlement Consultant (LRC) as a consultant assisting in implementation of RAP. Thus, the Resettlement Team should be assisted by two resettlement consultants – Social Safeguards Consultant and Local Resettlement Consultant (LRC). Additional trainings for Resettlement Team staff and engaged Consultants is considered as necessary by GSE. The detailed planning and negotiation with WB is under the way. All concerned staff both at RMT, LARC, at municipal and field levels involved in LAR activities will undergo training on WB resettlement policy and management. The training will be provided under the relevant WB programs for capacity building of executing agencies on involuntary resettlement. Training will cover the following topics:

- (i) Principles and procedures of land acquisition (WB and GOG);
- (ii) Stakeholders of the project
- (iii) Organizations involved in the process of land acquisition and resettlement and their roles
- (iv) Public consultation and participation process;
- (v) Entitlements and compensation disbursement mechanisms;
- (vi) Grievance redress; and
- (vii) Monitoring of resettlement operations.

Figure 5.1 LAR Organization Chart



6. CONSULTATION AND PARTICIPATION

6.1 Introduction

123. Consultation and participation is a process through which stakeholders influence and share control over development initiatives, and the decisions and resources that affect them. It is a two way process where the executing agencies, policy makers, beneficiaries and AP discuss and share their concerns in a project process. Consultation and participation has been a major principle in the planning and preparation of the detailed design of the Project. WB OP 4.12 gives high priority on public consultation and participation to enhance the community voice and assure incorporation of community's views in design and implementation of a socially and environmentally compliant project. The Georgian laws also place strong emphasis on consultation and notification to ensure that the AP participate in the process.

124. The focus of these consultations are to ensure that the AP and other stakeholders are informed, educated, consulted and allowed to participate actively in the process of road development and preparation of social and resettlement plan; reducing public resistance to change; helping mitigate and minimize any probable negative impact and bringing in the benefit of the project to the people. The project design and preparation of land acquisition and resettlement plans, therefore, attempted consultation and participation of the AP and communities to incorporate their views, needs and aspirations into the Project components. The consultation process has stepped up at basic design through public consultation meetings and individual contacts during land acquisition and resettlement initial surveys in July-December 2014 and after the changes in OHL alignment in February 2016. Detailed information on consultation meetings is given in **Annex 3**.

6.2 Consultation Process and Methodology

125. Consultation with local communities and government bodies in the project process was instrumental for alignment demarcation and selection of route, tower sites for the Akhaltsikhe – Batumi 220kV OHL. The route of the project OHL underwent several adjustments to avoid dense settlement, environmentally protected areas, civic amenities, and land acquisition. The public consultation process entailed clearly explaining the project and its impacts to the community through introducing the project and its impacts through leaflets in local language, clearly explaining to the communities in informal and formal consultation meetings and individual level discussion during the census and detailed measurement surveys of land and property.

126. Consultation with the APs in the project affected areas were conducted during the basic design stage of RAP preparation. The methodology includes walk-through informal group discussion, focused group discussion, individual interview, key informant interviews, and informal discussion. The APs, their community, and local government officials were consulted to inform, educate and provide feedback in the project design.

127. Specifically for this RAP the APs were consulted through individual contact during the census survey at the basic design stage, all likely AP persons were consulted through community level meetings and through individual contact at the time of census, socioeconomic survey and detail measurement survey.

128. Various methods used for stakeholder's consultation and participation with concerned stakeholders are described in Table 6.1.

Table 6.1: Summary on stakeholders consulted and consultation methods

Stakeholders	Purpose	Method
Likely APs and their community	To inform the APs, get their views on likely impacts, eligibility and entitlements, as well as procedures for compensation, relocation and rehabilitation.	Meetings with all AH during the implementation of the socio-economic survey. Focus group discussions and village meetings
GSE including its Resettlement Management Team (RMT)	To collect government's policy, guidelines priorities on the project, and to seek advice for work.	Frequent individual meetings with the officials of GSE
National Agency for Public Registry under the ministry of Justice	To collect the cadastral map and to know the details of the affected parcels and people	Consultation and discussion with officials
Local Government at Rayon Level (District Municipality), Rtsmunebuli	To seek their cooperation for carrying out the impact assessment survey and to sort out the problem related to missing plots (Legalizable Owners)	Individual meetings with the officials of respective rayons and discussions
Property Recognition Commission in the Rayon Level and Sakrebulo	To seek their cooperation for carrying out the impact assessment survey and to sort out the problem related to missing plots (Legalizable Owners)	Meeting and training

6.3 Summary of Consultation during Feasibility Study

129. The major findings of the consultations held at various locations during the feasibility study are summarized below.

- (i) The likely APs and their community are aware about the project.
- (ii) APs losing their properties expected a proper compensation package.
- (iii) The structure owners request adequate compensation to rebuild their structure at alternative site. They should get advance notice for relocation.
- (iv) At the Detailed Design stage the risks of landslide triggering and related impacts on residential houses should be carefully analysed through the detailed geological studies and new alignment or engineering solutions should be proposed in case if the risk is confirmed.
- (v) Government should provide the alternative land to the landless people for their relocation, when it is physically possible. However, it should be noted that the state land reserves are limited.
- (vi) The compensation should be based on the fair assessment.
- (vii) Contractors should be advised by the project authority to employ the local people.

6.4 Consultation meetings with the APs during RAP Preparation

130. Consultation Process is completed: meetings in all affected municipalities have been carried out and information leaflets distributed. The protocols of these meetings are reflected in the Draft RAP to be completed with the completion of the Detailed Design (Annex 4).

6.5 Changes in LAR approach following the meetings

131. Following this meeting appropriate modification to the planned compensation program was made. This was to more precisely differentiate the value of fruit trees taking into account that this is the region where fruit production is one of the core businesses. The main outcome of the consultation meetings was engagement of AHs and local authorities in land demarcation process. This is specifically important for this region as the land ownership is mostly based on traditional right, rather than legal documents with proper drawings.

6.6 Consultation and Participation Plan

132. RMT on behalf of GSE will pursue information disclosure for effective implementation and timely execution of RAP. Village level consultations with APs will be conducted during the implementation process. For the benefit of the community in general and APs in particular, RAP will be made available in concerned offices at rayon Sakrebulo and the community level Gamgeoba. An information leaflet (in Georgian) will be distributed among the APs and their community. A copy of the English version of RAP Leaflet is attached in Annex-2.

133. For continued consultations, the following steps are envisaged in the project:

- (i) Final RAP will be disclosed upon receiving approval from the WB
- (ii) GSE will organize public meetings and will apprise the communities about the progress in the implementation of resettlement, and social activities.
- (iii) SE through its RMT will organize public meetings to inform the community about the compensation and assistance to be paid. Regular update of the progress of the resettlement component of the project will be placed for public display at the local level GSE office and at local Municipal Office.
- (iv) All monitoring and evaluation reports of RAP component of the project will be disclosed to the community.
- (v) Key features of the entitlements will be disclosed along the project corridor.
- (vi) GSE will conduct information dissemination sessions at Gamgeoba and solicit the help of the local community leaders to encourage the participation of the APs in RAP implementation.
- (vii) Attempts will be made to ensure that vulnerable groups understand the process and to take their specific needs into account.
- (viii) All PAPs should be provided a contact information of the person from local municipality/GSE who will provide feedback on all the issues concerning the project

6.7 Disclosure

134. Electronic version of the Final RAP will be placed on GSE web-site. The summary of RAP will be translated into local language (Georgian) and will be disclosed to APs at local level. The copy of the RAP (Georgian version) will be available at the concerned offices of Keda/Shuakhevi Municipality. The final RAP will be submitted to the WB for approval and signing of contract awards will follow after completion of legalization of the legalizable owners of the land parcels under acquisition.

7. GRIEVANCE REDRESS MECHANISM

7.1 Objectives

135. A grievance redress mechanism will be established to allow an AP to complain about any decision of activities regarding temporary or permanent loss of their land, assets or sources of income and their compensation. Grievance resolution is a two-stage process, including:

136. Stage 1 – informal (oral) review of the AP's complaint (whether written or oral). At this stage the AP's complaint shall be reviewed in an informal (oral) way and the Committee members of both levels (the composition of the committee is specified in this Section) shall make and sign the minutes on the matter. If at Stage 1 the AP's complaint is not resolved the AP should be informed about grievance resolution procedures of Stage 2. An AP has the right to use the procedures of Stage 2 without applying to Stage 1 procedures.

137. Stage 2 – review of AP's complaint. For Stage 2 of grievance resolution process the GSE shall establish a Grievance Redress Committee (GRC) for the whole period of the project implementation. GRC shall review the written complaints of APs, which were not satisfied at Stage 1. At stage 2 the AP's complaint shall be resolved and GRC shall make a decision in compliance with the Administrative Code of Georgia. The present RAP specifies the procedures of establishing GRC and its composition. The RMT of the GSE is responsible for establishing GRC.

138. Grievance redress procedure of Stage 1 is an informal tool of dispute resolution allowing APs and the project implementation team to resolve the disagreement without any formal procedures, procrastination and impediments. The international experience of resettlement shows that such informal grievance redress mechanism helps to solve most of the complaints without formal procedures (i.e. without using the procedures specified in the Administrative Code or litigation). This mechanism enables unimpeded implementation of the Project and timely satisfaction of complaints. If the AP is not satisfied, the grievance redress mechanism should assist him/her in lodging an official complaint in accordance with the procedures of Stage 2 (the plaintiff should be informed of his/her rights and obligations, rules and procedures of making a complaint, format of complaint, terms of complaint submission, etc.).

139. The grievance redress mechanism shall deal with the issues of land and other assets acquisition (e.g. amount of compensation, suitability of residual land plots, loss of access roads, etc.) as well as the losses and damages caused by the construction works, e.g. temporary or permanent occupation of land by the contractor. Therefore the grievance redress mechanism shall be in place by the time the GSE starts negotiations with the APs and shall function until the completion of the construction.

140. At the RAP preparation stage during the consultations meetings and negotiations the APs shall be fully informed of the grievance redress mechanism, its functions, procedures, contact persons and rules of making complaints through oral information and booklets. Care will always be taken to prevent grievances rather than going through Stage 2. The achievement of this goal can be ensured through careful planning and preparation of RAP, active participation of APs, effective consultations, proper communication and coordination among local communities, GSE and local authorities.

7.2 Formation of GRC

141. A Grievance Redress Committee (GRC) is an informal grievance redress mechanism at Stage 1. This informal body will be established at community level in each Gamgeoba (village/community authority). The GRC shall include representatives of Rayon LAR Teams and local communities. The GSE representative in the Rayon LAR Team shall coordinate the GRC formation. He/she will then be responsible for the coordination of GRC activities and organizing meetings. In addition, GRC shall comprise village Rtsmunebuli or his/her representative, representatives of APs, women APs (if any), and appropriate local NGOs to allow voices of the affected communities to be heard and ensure a participatory decision-making process. If the complainants are not satisfied with the GRC decisions, they can always use the procedures of Stage 2 of grievance resolution process.

142. GRCs will be established at the community level at Gamgeoba with provision of 6 members of following composition²⁷:

(i) Representative of RMT of GSE	: Convener
(ii) Representative Rayon LAR team	: Member Secretary
(iii) Gamgebeli – concerned Gamgeoba (village level)	: Member
(iv) Representative of APs	: Member
(v) Representative of Women APs	: Member
(vi) Representative local NGO	: Member
(vii) LAR Specialist of Supervision Consultants	: Member

This informal structure could be established by simple protocol during the first working session.

For Stage 2 of grievance resolution process a commission comprising at least 3 members shall be established by order of the GSE. The Order shall also state that if necessary representative of local authorities, NGOs, auditors, APs and any other persons or entities can be included in the commission as its members.

7.3 Grievance Resolution Process

143. Stage 1 – The member secretary of GRCs and Rayon level LAR Team will be regularly available and accessible for APs to address concerns and grievances. The APs shall be informed of the details of contact persons to whom complaints were submitted. The contractor Rtsmunebuli and Sakrebulo shall be warned that all complaints they may be received from APs shall be immediately submitted to the contact persons of GRC (coordinator and secretary), which will then organize a meeting and informally review the complaint with the aggrieved AP. If the AP is not satisfied, the GRC shall assist him/her in lodging an official complaint to the Commission established by order of the GSE. The complaints and grievances from the APs will be addressed through the process described below in Table 7.1

²⁷ The role of the GRC is to be a mediator in negotiations between the Government (GSE) and the PAPs but not to give a mandatory solutions through any voting process. The members have equal rights. The decision is not made by mechanical voting, but on a consensus basis and is supported by documental materials explaining the details of the case and protocols of meetings with a brief review of expressed opinions and proposed solutions. Different proposals could be discussed. Out of proposed variety of solutions, the spectrum of alternatives acceptable for the Government is decided by GSE and then these alternatives are discussed with the PAP. In case if PAP proposes his new option of solution, this could be added to the agenda in case if it is deemed as acceptable for GSE. The role of the Committee is not to define a solution by any voting process. In case when the solutions are found acceptable both for GSE and PAPs, the informal negotiations under the GRC are deemed to be successful and in case if no agreement is achieved, the GRC cannot impose any decisions to the parties. Further grievance resolution process is (or could be) passed to Court.

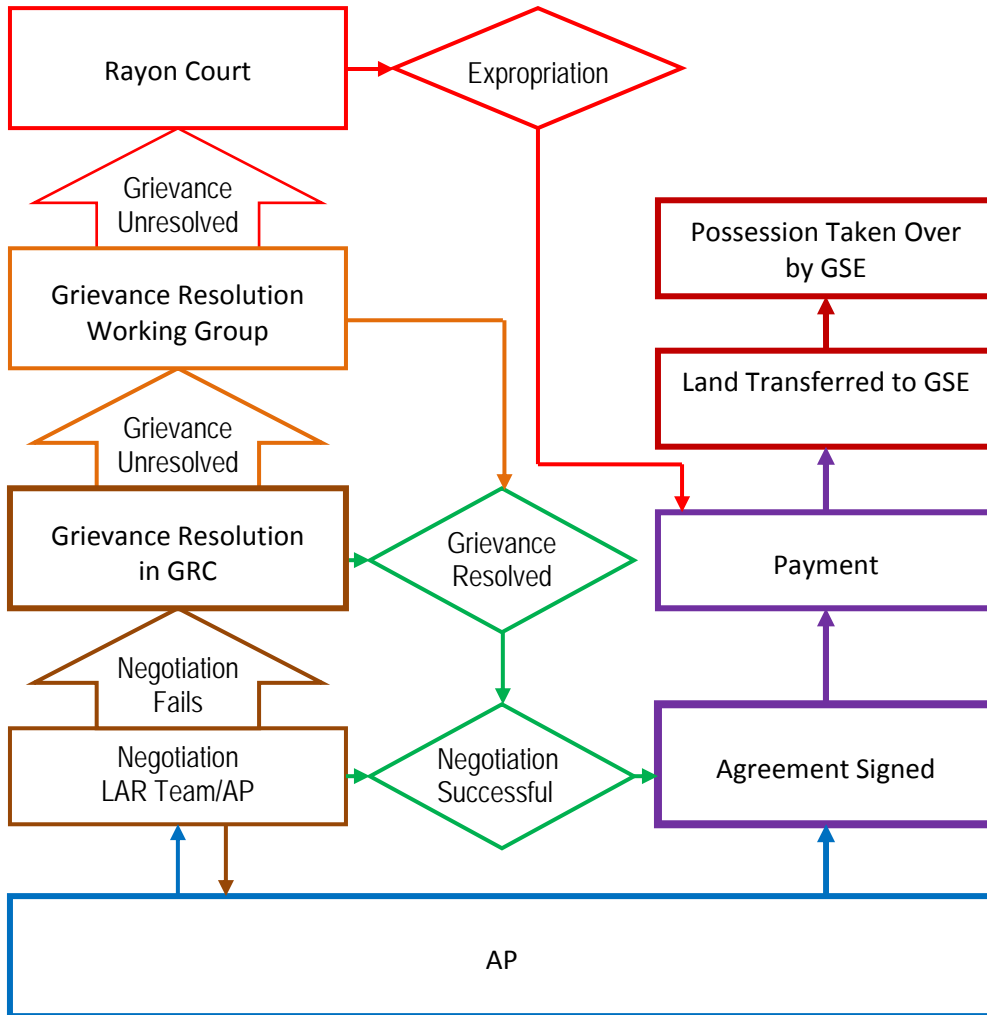
Table 7.1: Grievance Resolution Process

Steps	Action level	Process
Step 1	Negotiations with APs	The complaint is informally reviewed by the GRC, which takes all necessary measures to resolve the dispute amicably.
Step 2	GRC Resolution	If the grievance is not solved during the negotiations, the GRC will assist the aggrieved APs to formally lodge the grievances to the GRC.
		<p>The aggrieved APs shall submit their complaints to the GRC within 1 week after completion of the negotiations at the village level. The aggrieved AP shall produce documents supporting his/her claim. The GRC member secretary will review the complaint and prepare a Case File for GRC hearing and resolution. A formal hearing will be held with the GRC at a date fixed by the GRC member secretary in consultation with Convener and the aggrieved APs.</p> <p>On the date of hearing, the aggrieved AP will appear before the GRC at the Gamgeoba office for consideration of grievance. The member secretary will note down the statements of the complainant and document all details of the claim.</p> <p>The decisions from majority of the members will be considered final from the GRC at Stage 1 and will be issued by the Convener and signed by other members of the GRC. The case record will be updated and the decision will be communicated to the complainant AP.</p>
Step 3	Decision from central GSE	<p>If any aggrieved AP is unsatisfied with the GRC decision, the next option will be to lodge grievances to the GSE at the national level. The GSE shall review the complaint in compliance with the procedures specified in the Administrative Code of Georgia.</p> <p>GRC should assist the plaintiff in lodging an official complaint (the plaintiff should be informed of his/her rights and obligations, rules and procedures of making a complaint, format of complaint, terms of complaint submission, etc.).</p> <p>The plaintiff shall be informed of the decision.</p>
Step 4	Court decision	<p>If the GSE decision fails to satisfy the aggrieved APs, they can pursue further action by submitting their case to the appropriate court of law (Rayon Court).</p> <p>The aggrieved AP can take a legal action not only about the amount of compensation but also any other issues, e.g. occupation of their land by the contractor without their consent, damage or loss of their property, restrictions on the use of land/assets, etc.</p>

7.4 GRC Records and Documentation

144. RMT of GSE headquarters will keep record of complaints (Grievance Logs) received for its use as well as for review by the WB during regular supervisions.

Figure 7.1 Grievance Resolution and Acquisition Process



8. IMPLEMENTATION SCHEDULE

145. The time bound implementation schedule of the RAP has been prepared in consultation with the GSE. All activities related to LAR have been planned to ensure that compensation is paid prior to displacement and commencement of construction. The most important acquisition activity, relating to the privatization process in Georgia, is the legalization of legalizable owners of the identified land parcels for acquisition. The legal status of the project affected land parcels that belong to Keda and Shuakhevi Municipality has been identified through title search during the land acquisition and resettlement survey and documentation work. The titled and non-titled but legalizable owners of land parcels to be acquired have been identified during the survey.

146. The present RAP is subject to updates and changes, although changes are expected to be minimal. GSE has reviewed and approved this document including compensation package and compensation rates and forwarded to the WB for approval. Tasks for the RAP are divided into (i) Final Preparation including RAP approval and various Initial tasks including legalization of legalizable APs and signing of contracts with APs; (ii) RAP implementation including processing and making payment of compensation and allowances and (iii) evaluation of implementation. Public consultation, internal monitoring and grievance redress will be undertaken intermittently throughout the project duration. The LAR milestones include (i) approval of RAP, (ii) Signing of contract awards, (iii) letter to proceed for construction and (iv) start of physical construction. A post –implementation evaluation will be carried out after completion of RAP implementation.

8.2 RAP Approval and Initial Tasks

147. The Resettlement Management Team (RMT) of the GSE sets up relevant institutions and line up LARC, Working Group/LAR Team, GRC and the like for the Project. The draft RAP and supplemented technical attachments will be submitted to the Government to initiate review of these documents and taking the decision by the Government regarding the form and legal procedures needed for paying compensation to the category of land owners classified as legalizable (Category 2). It is advised and expected that a special Decree will be issued by the Government to regulate the matter and ensure that a mechanism for executing compensation payments is established²⁸.

148. Upon completion of the design from the detail design consultant, GSE will update the RAP and prepare Final RAP including compensation rates. GSE will submit the approved RAP to WB for approval. Meanwhile, GSE will implement actions for legalization of legalizable owners listed in the ACS of RAP (ACS-I) at the field level. All arrangements will be set for signing the contract agreement with the APs and the process will be executed for land purchase and compensation agreements. The capacity building exercise will be enhanced during this stage. Representatives of the APs and NGOs may be involved in LAR training at this stage. After completion of legalization of all legalizable land parcels under RAP, and compensation of all PAPs the GSE will award construction contracts (signing of contract awards). The initial LAR activities will be the following:

- (i) Establishment of LAR Institutions and GRM;
- (ii) Legalization of Rightful owners of land parcels;
- (iii) Agreement with APs and signing contract agreements;
- (iv) Updating of LAR Budgets and ACS;
- (v) Confirmation of updated impact data and of compensation amounts;
- (vi) Approval of RAP by WB and Government.

²⁸ The Government Decree is required specifically for Adjara, since there is no legal basis of legalization of the most part of agricultural land plots. The Decree been issued after the completion of the RAPs 1, 2 and 3. However, the update of this Decree is discussed currently. The Decree will be issued for the moment of completion of the final RAP.

8.3 RAP Implementation

149. Payment of compensation and allowances under RAP will commence after a number of preparatory tasks have been completed. These preparatory tasks are from (i) to (v), according to the entire list of RAP tasks presented below:

- (i) Disclosure and consultation
- (ii) Capacity building training of LAR institutions, APs and NGOs
- (iii) Establishment of a grievance redress mechanism
- (iv) Signing of contracts with APs
- (v) Transfer of compensation and allowance to APs' bank account and registration of land in PR on GSE name
- (vi) Compliance review and reporting
- (vii) Notice to proceed for Construction
- (viii) Relocation of affected structures/ assets
- (ix) Monitoring

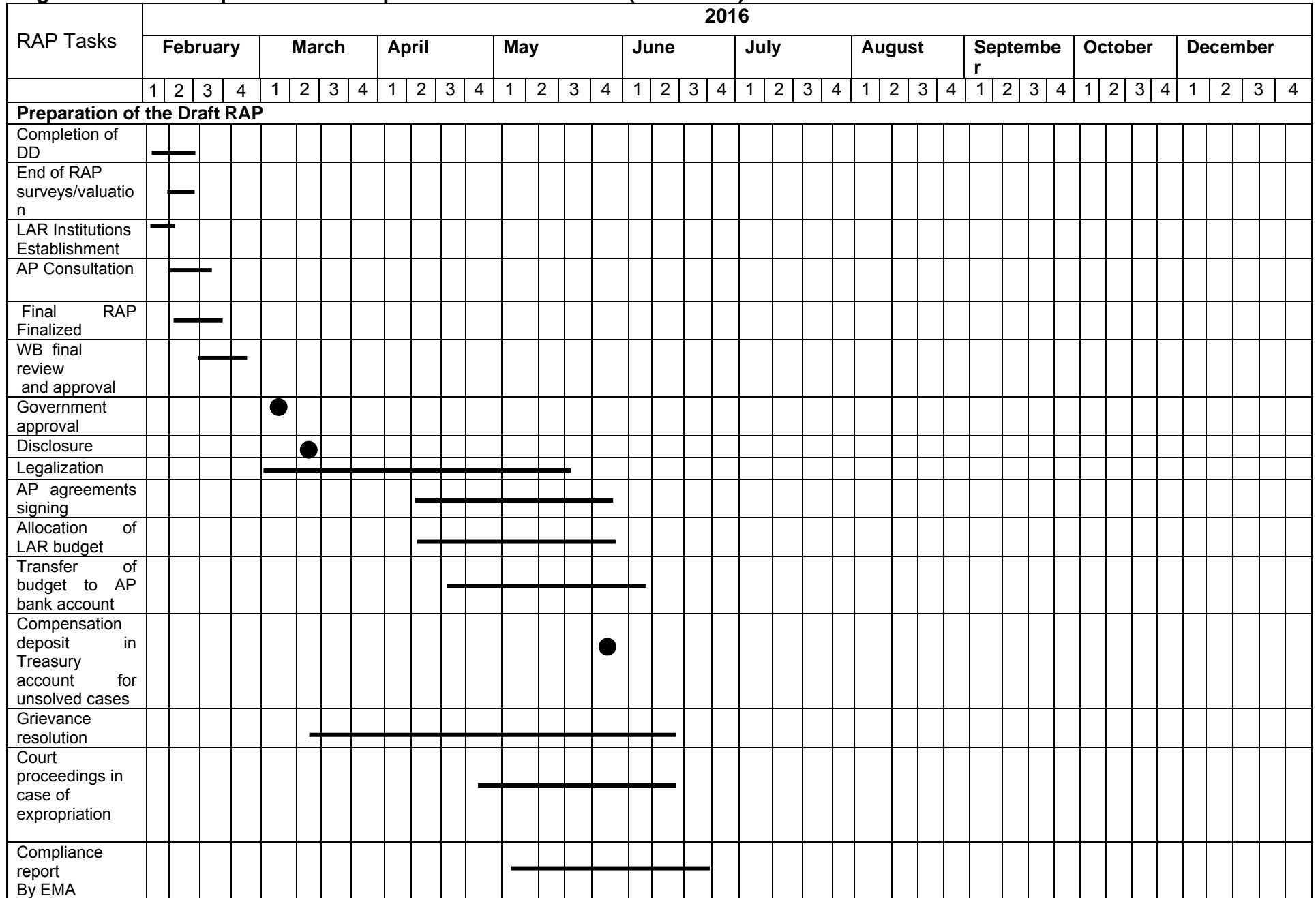
8.4 Post Implementation Evaluation

150. I phase of the post-implementation evaluation (Compliance Report) will be conducted immediately after completion of the RAP implementation and before start of the construction; Phase II post-implementation evaluation will be conducted after completion of construction. An independent External Monitoring Agency (EMA) will carry out the evaluation. The EMA will carry out interim monitoring on a quarterly basis. In case, if the CSC is engaged at the stages when external monitoring is required, the CSC may have the responsibility for the external monitoring and post implementation evaluation.

8.5 RAP Implementation Time Schedule

151. The time bound RAP implementation is presented in Figure 8.1. Land purchase agreements and payment of compensation and allowances will go simultaneously and a sequence of one week time from offer of compensation to agreement, agreement to requisition and requisition to payment transfer is considered. A buffer period of one month has been included in the schedule for relocation of housing. Relocation of housing will also go by sections. Under the circumstances, the implementation schedule may include phased approach for construction. Compensation will be deposited in the Treasury account for unsolved cases and to deal with absentee owners or cases taken to court. In case if despite the all efforts, the absentee owners are not available for compensation during the project life-time, the deposited sum will be relocated from the project budget line, to the GSE account in the Treasury and compensation will be paid to the land owner, as soon as he becomes available.

Figure 8.1: RAP Preparation and Implementation Schedule (Final RAP)



9. COSTS AND FINANCING

9.1 General

152. The land acquisition and resettlement cost estimate under RAP includes eligible compensation, resettlement allowances and support cost for implementation of LAR tasks. The support cost, which includes administrative expense, is part of the overall project cost. Contingency provisions (@ 10% of the total cost) have also been included to take into account variations from this estimate at the negotiation for contract agreement level. In case of any over- run in cost, GSE will provide additional funds as needed in a timely fashion. GSE through the approval of Ministry of Finance will be responsible for allocating the RAP Budget in advance as part of their overall annual budget planning. Items of LAR cost estimate under the RAP are as follows:

- (i) Compensation for agricultural, residential and commercial land at replacement value
- (ii) Easement payments for imposed limitation on land use (prohibition of planting trees or construction of buildings within the RoW)
- (iii) Compensation for structures and buildings at their replacement cost
- (iv) Compensation for crops and trees
- (v) Assistance for severely affected AH
- (vi) Assistance for vulnerable groups for their livelihood restoration
- (vii) Cost for implementation of RAP.

9.2 Itemized Budgets

153. The following section deals with calculations for various types of compensation and allowances as per the entitlements and as per the rates determined at current market cost. Compensation will be provided at least at the rates detailed in this RAP although some modification in excess will be possible during the discussions preceding the signing of the contract.

9.2.1 Compensation for Land

154. Compensation and easement prices for land has been derived based on the feedback from the affected people and from the independent evaluator. The compensable land is categorized in to 5 types such as agricultural and non-agricultural (commercial or residential), located close to the Batumi-Akhaltshikhe mainline road and land parcels located far from the road. Cost of residual land unviable for cultivation is included in the costs. The costs for various categories of land loss are given in Table 9.1.

155. The easement price for type 1, 2 and 3 land is derived as a difference between the market cost of this type of land at present (before the project) and after the project impact (land use restrictions imposed) In case of agricultural land used as residential or commercial (type 1, 2, 3) the imposed restrictions on existence of structures in fact result in changing status of the land from type 1 to type 4²⁹. Accordingly the price of land changes from 16.50 Gel to 8 Gel. The difference is about 50% of the initial cost. For the agricultural land plots of type 4 and 5 imposed restrictions are not tangible: They lose not more than 15% of initial market value due to partial restriction on growing tall trees (higher than 4m).

²⁹ As a result of easements to be exercised through servitude agreements, land use restrictions to project affected land parcels (residential and arable) will limit potential best use of these land parcels. This means that PAPs will maintain ownership/possession rights to project affected land parcels and still be allowed to cultivate for agricultural purposes, but no structures/tall trees (more than 4m) will be allowed. As a result, pre-project market value of a land parcels will be diminished to some extent; more specifically, residential land parcels will only be valid for growing annual crops and species of perennial crops that do not grow higher than 4 meters. Thus, the best potential use of residential land parcels will change to arable after the completion of construction activities.

For example:

Current market value of rural residential land: 1 sq.m - 16.50 GEL

Current market value of arable land: 1 sq.m - 8.00 GEL

The difference (8.50 rounded to 8.00 GEL /sq.m) between these two rates was determined as the unit rate for cash compensation for type 1 land parcels subject to easements.

Table 9.1.A. Cost for Permanent Land Acquisition

Tenure Categories	Permanently Affected Land to be Acquired (land plots under the towers)		Cost of 1 sq.m of land GEL	Cost of the Land to be acquired GEL
	Plots No.	Area (sqm)		
Compensable land				
Type 1. The land plots of non-agricultural status, located close to the main road (from 5 to 50m) and used for residential or commercial needs. Cost of 1 m2 of Type 1 land is 16.5 GEL	0	0	16.5	0
Type 2. The land plots of agricultural status, located close to the main road (from 5 to 50m) and currently used for agricultural needs. Cost of 1 m2 of Type 1 land is 15 GEL	6	3980	15	59700
Type 3. The land plots of agricultural status, located remotely from the main road but within the borders of villages and settlements used for residential purposes. Cost of 1 m2 of Type 1 land is 12.5 GEL	3	11210	12.5	140125
Type 4. The land plots of agricultural status, located remotely from the main road and used for agricultural needs. Cost of 1 m2 of Type 1 land is 8 GEL	7	913	8	7304
Type 5. The land plots of agricultural status, located remotely from the main road and not used for agricultural needs (usually these are land plots located on steep slopes and often covered by bushes). Cost of 1 m2 of Type 1 land is 5 GEL	7	1992	5	9960
TOTAL	23	18095		217089

Table 9.1.B. Cost Of Easement Payments for the Partially Affected Plots

Tenure Categories	Partial Impacts (Land Plots within the RoW/ Servitude)		Cost of Easement Payments for 1 sq.m of land GEL	Cost of the Easement Payments for Partially Affected Land GEL
	Plots No.	Area (sqm)		
Compensable land				
Type 1. The land plots of non-agricultural status, located close to the main road (from 5 to 50m) and used for residential or commercial needs. Cost of 1 m2 of Type 1 land is 8.50 GEL	4	4628	8.5	39338
Type 2. The land plots of agricultural status, located close to the main road (from 5 to 50m) and currently used for agricultural needs. Cost of 1 m2 of Type 1 land is 7 GEL	40	64426	7	450982
Type 3. The land plots of agricultural status, located remotely from the main road but within the borders of villages and settlements used for residential purposes. Cost of 1 m2 of Type 1 land is 4.5 GEL	18	24790	4.5	111555
Type 4. The land plots of agricultural status, located remotely from the main road and used for agricultural needs. Cost of 1 m2 of Type 1 land is 1.20 GEL	30	36004	1.2	43204.8
Type 5. The land plots of agricultural status, located remotely from the main road and not used for agricultural needs (usually these are land plots located on steep slopes and often covered by bushes). Cost of 1 m2 of Type 1 land is 0.75 GEL	36	48756	0.75	36567
TOTAL	128	178604		681646.8

Total Cost for land including cost of permanent land acquisition and easement payments is equal to **898735.8** GEL.

9.2.2 Compensation for Structures

156. Compensation of structures is based on the current market price of materials, transportation and construction works needed for construction of similar structure-buildings. Condition of basement, bearing structures, roof, materials, decoration, sanitation, water and power supply, external lighting systems are considered. Detailed valuation is given in technical annexes. Some details break up is given in Table 9.2. Provided costs include expenses on relocation of the movable facilities.

Table 9.2: Cost of Affected Structures

Major Structures				
No	Type of Structure	Characteristics	Area sq.m	Cost GEL
41a	2 Storey Residential Building 2 storey wooden building with galvanized tin roofing	sq.m.	62.15	40,300
116	2 Storey Residential Building 2 storey concrete building with metal roofing	sq.m.	128	183,400
	Subtotal		190.15	223700
Remnants of not finished or old buildings and Ancillary Structures				
No	Type of Structure	Characteristics	Area sq.m	Cost GEL
82	1 Storey Residential Building 1 storey concrete building with metal roofing	sq.m.	65.51	26,620
34	Granary	sq.m.	14.49	2440
36			14.52	6140
78			7	1910
116			19	3260
123			9.31	3990
84	Former Shop	sq.m.	19.87	9060
86			148.68	59470
89			17.6	15100
78	Former gas filling station	sq.m.	8.89	1025
79	Former repair shop for vehicles	sq.m.		3630
87	Walls of unfinished building	sq.m.	306.98	21,280
116	Cattle Shed/Toilet	sq.m.	20.78	9700
116	Pool	sq.m.	47.74	18000
116	Garage	sq.m.	22.71	3555
	SubTotal		723.08	185180
	TOTAL		913.23	408880

Total cost of compensations to be paid for structures is **408880 GEL**.

9.2.3 Compensation for Income Losses (Business and Job losses)

157. Land acquisition and resettlement will not affect actually active businesses.

9.2.4 Compensation for Crops

158. Crop compensation will be paid to all APs in cash at full market rate. The major crop found in the project route is Potato, maize and beans. The detail on crop compensation is described in Table 9.4.

Table 9.4: Cost of Affected Crops

Crop	Number of Land Plots	Area sq.m	Compensation for crops harvested on 1 sq,m GEL/sq.m	Total Crop Compensation
Maize	21	13520	0.4	5408
Beans	9	3040	0.4	1216
Potato	2	270	1.56	421.2
Pepper	1	400	0.06	24
Tobacco	4	3285	0.12	394.2
Vegetables	10	2270	0.5	1135
Total	22	19145*		8598.4

*The total number and area of land plots used for crop cultivation is less than a sum of numbers and areas used for separate types of crops, as on many land plots several crops are cultivated).

9.2.5 Compensation of Trees

159. The non-productive young fruit trees will be compensated at the price of seedling. Partially productive trees will be compensated at aggregated cost of seedling price and fruit income calculated based on productivity of partially productive tree and compensation years needed to grow up the same age tree from the seedling of age starting productivity. For example, 4 years old walnut will be compensated at the cost of the 1 year seedling plus the income of partially productive tree (for 2 years needed to grow up 4 years old tree, from the 2 year seedling, when the tree starts to bring fruits). The fully productive trees will be compensated based on price of seedling plus income of fully productive tree for the years needed to grow up fully productive tree from the 1 year seedling. Tables with the calculation of trees costs are given in Table 9.5 below.

Table 9.5: Compensation for Productive Fruit Trees

Type	Groups by Age	Cost for 1 seedling	Wholesale Market price 1 kg, GEL	Years to be compensated	Average productivity in 1 year, kg.	Annual income, GEL	Cost of 1 Tree, GEL	No of trees	Cost GEL
1	2	3	4	5	6	7	8	9	10
Black Cherry /Sweet Cherry	Seedling (<5)	5	2	5	3	6,0	35	88	3080
	5-10	5	2	5	10	20,0	75	94	7050
	10-20	5	2	5	16	32,0	117	36	4212
	20+	5	2	5	10	20,0	75	5	375
Subtotal								223	14717
Peach	Seedling (<5)	6	1,5	5	4	6,0	27	13	351
	5-10	6	1,5	5	15	22,5	85	0	0
	10-20	6	1,5	5	40	60,0	216	0	0
	20+	6	1,5	5	25	37,5	137	2	274
Subtotal								15	625
Walnut	Seedling (<5)	10	5	5	4	20,0	80	20	1600
	5-10	10	5	10	15	75,0	535	59	31565

Type	Groups by Age	Cost for 1 seedling	Wholesale Market price 1 kg., GEL	Years to be compensated	Average productivity in 1 year, kg.	Annual income, GEL	Cost of 1 Tree, GEL	No of trees	Cost GEL
1	2	3	4	5	6	7	8	9	10
	10-20	10	5	10	25	125,0	1235	159	196365
	20+	10	5	10	30	150,0	1510	83	125330
Subtotal								321	354860
Quince	Seedling (<5)	4	1,5	5	3	4,5	20	9	180
	5-10	4	1,5	5	15	22,5	83	54	4482
	10-20	4	1,5	5	30	45,0	162	50	8100
	20+	4	1,5	5	20	30,0	109	22	2398
Subtotal								135	15160
Pear	Seedling (<5)	4	1,2	5	7	8,4	33	10	330
	5-10	4	1,2	7	20	24,0	122	40	4880
	10-20	4	1,2	7	70	84,0	416	47	19552
	20+	4	1,2	7	45	54,0	269	29	7801
Subtotal								126	32563
Plum	Seedling (<5)	4	0,8	5	8	6,4	26	140	3640
	5-10	4	0,8	5	15	12,0	46	61	2806
	10-20	4	0,8	5	30	24,0	88	61	5368
	20+	4	0,8	5	20	16,0	60	36	2160
Subtotal								298	13974
Mulberry	Seedling (<5)	5	1,5	5	4	6,0	26	11	286
	5-10	5	1,5	5	10	15,0	58	37	2146
	10-20	5	1,5	5	16	24,0	89	30	2670
	20+	5	1,5	5	10	15,0	58	21	1218
Subtotal								99	6320
Hazelnut	Seedling (<5)	2	2	5	2	4,0	16	2119	33904
	5-10	2	2	5	5	10,0	37	632	23384
	10-20	2	2	5	6	12,0	44	58	2552
	20+	2	2	5	4	8,0	30	71	2130
Subtotal								2880	61970
Wild Plum	Seedling (<5)	3	0,8	5	7	5,6	23	16	368
	5-10	3	0,8	5	15	12,0	45	71	3195
	10-20	3	0,8	5	50	40,0	143	109	15587
	20+	3	0,8	5	25	20,0	73	55	4015
Subtotal								251	23165
Apple	Seedling (<5)	4	1	5	5	5,0	22	26	572
	5-10	4	1	6	25	25,0	109	68	7412
	10-20	4	1	6	70	70,0	298	82	24436
	20+	4	1	6	40	40,0	172	18	3096
Subtotal								194	35516
Grapes	Seedling (<5)	2	1,5	4	5	7,5	23	117	2691
	5-10	2	1,5	4	7	10,5	31	677	20987
	10-20	2	1,5	4	9	13,5	40	157	6280
	20+	2	1,5	4	5	7,5	23	189	4347

Type	Groups by Age	Cost for 1 seedling	Wholesale Market price 1 kg., GEL	Years to be compensated	Average productivity in 1 year, kg.	Annual income, GEL	Cost of 1 Tree, GEL	No of trees	Cost GEL
1	2	3	4	5	6	7	8	9	10
Subtotal								1140	34305
Cornel	Seedling (<5)	3	2	5	2	4,0	17	0	0
	5-10	3	2	5	3	6,0	24	0	0
	10-20	3	2	5	4	8,0	31	2	62
	20+	3	2	5	3	6,0	24	0	0
Subtotal								2	62
Persimmon	Seedling (<5)	2	1	5	5	5,0	20	186	3720
	5-10	2	1	6	10	10,0	44	56	2464
	10-20	2	1	6	30	30,0	128	86	11008
	20+	2	1	6	20	20,0	86	19	1634
Subtotal								347	18826
Fig	Seedling (<5)	3	1,5	5	5	7,5	29	11	319
	5-10	3	1,5	6	10	15,0	66	20	1320
	10-20	3	1,5	6	30	45,0	192	20	3840
	20+	3	1,5	6	20	30,0	129	6	774
Subtotal								57	6253
Pomegranate	Seedling (<5)	4	2	5	5	10,0	39	2	78
	5-10	4	2	6	10	20,0	88	1	88
	10-20	4	2	6	30	60,0	256	0	0
	20+	4	2	6	20	40,0	172	0	0
Subtotal								3	166
Chestnut	Seedling (<5)	7	1	5	30	30,0	112	0	0
	5-10	7	1	10	50	50,0	357	5	1785
	10-20	7	1	10	120	120,0	1057	3	3171
	20+	7	1	10	120	120,0	847	29	24563
Subtotal								37	29519
Laurel	Seedling (<5)	1	4	5	1	4,0	15	0	0
	5-10	1	4	5	2	8,0	29	3	87
	10-20	1	4	5	2	8,0	29	0	0
	20+	1	4	5	1	4,0	15	0	0
Subtotal								3	87
Cherry Laurel	Seedling (<5)	2	0,25	8	2	0,5	23	0	0
	5-10	2	0,25	8	4	1,0	67	0	0
	10-20	2	0,25	8	10	2,5	130	5	80
	20+	2	0,25	8	7	1,75	67	6	72
Subtotal								11	152
Medlar	Seedling (<5)	4	1,5	6	3	4,5	23	0	0
	5-10	4	1,5	6	10	15,0	67	0	0
	10-20	4	1,5	6	20	30,0	130	0	0
	20+	4	1,5	6	10	15,0	67	1	67
Subtotal								1	67
Sweetbrier	Seedling (<5)	5	2	5	3	6,0	26	0	0

Type	Groups by Age	Cost for 1 seedling	Wholesale Market price 1 kg., GEL	Years to be compensated	Average productivity in 1 year, kg.	Annual income, GEL	Cost of 1 Tree, GEL	No of trees	Cost GEL
1	2	3	4	5	6	7	8	9	10
	5-10	5	2	5	5	10,0	40	0	0
	10-20	5	2	5	7	14,0	54	0	0
	20+	5	2	5	5	10,0	40	4	160
Subtotal								4	160
Total								6147	648467

Total cost of compensation for **6147** trees is **648467 Gel**.

It should be stressed that the provided figures of impacts on fruit trees and compensation are excessive and represent worst case scenario. The impact and compensation figures represent all perennials that are located within the impact zone (permanent land take at tower locations and partial impact zone between the towers). In reality the technical regulations impose only partial restriction on the land use within the OHL protection corridor: only tree species growing higher than 4m are subject for felling and removal. The fruit trees of lower height than 4m could be maintained in the RoW. Yet, part of the low trees within the corridor will be cut during the construction of the OHL (stringing activities). However, the damage will not extend for 62m corridor, but will be limited to 6 - 10m corridor, depending on the construction methodology and equipment. The precise location of the construction impact corridor and number of affected trees will be known only at the detailed design stage. At this stage we can only make a statement, that during the project implementation the impact on fruit trees will be minimized and compensations will be paid according to the actual damages reflected in the compliance report.

9.2.6 Allowances

160. There are three type of allowances being provided to the AH. These are: (i) Severe Impact Allowance, and (ii) Allowance for vulnerable and (iii) Relocation Allowance. The costs for relocation of movable business facilities have been incorporated in the compensation cost for structures. Following are the description of each category of unit rates proposed for various allowances.

- (i) The allowance for vulnerable AP is three months of minimum subsistence income at the unit rate of 327 per month per AH or 981 GEL for the AH. Total allowances for 9 vulnerable AHs is equal to 8829 GEL.
- (ii) 3 AHs are considered to be severely affected due to loss of more than 10% of their productive agricultural land. No one of AHs is losing their jobs and related incomes. Total allowances for severe impact – 6299 GEL.
- (iii) AHs relocated from their residential house are eligible for provision of allowance covering transport expenses and a livelihood expenses for the transitional period for 3 months equal to 3 months of minimum subsistence income. 200 GEL as vehicle hire charge + 327 GEL as minimum subsistence income x 3 months = 1181 GEL per AH. In total 2362 GEL will be paid under this item.

161. Details of calculations on various types of allowances are described in **Table 9.6**.

Table 9.6: Cost for Allowances

No.	Item	Unit	Unit rate (GEL)	Quantity	Cost (GEL)
1	Severely Affected Ahs	Numbers	equivalent to crop compensation or 981 Gel	3	6299
2	Vulnerable Households	Numbers	981	9	8829
3	Relocated AH	numbers	1181 GEL per AH	2	2362
Total					17490

* Indemnity for lost wages equal to 3 months of minimum subsistence income for the family consisting of 5 persons (327 GEL as of January 2016).

9.3 RAP Management Cost

162. The Construction Supervision Consultant will conduct external monitoring. However, RU, GSE will need to employ one independent monitoring agency for external monitoring of RAP implementation for a period of 2 months (in case the CSC is not in place during updating and implementation of the RAP. Miscellaneous expenses have been kept as a provision to cover the administrative cost as may be incurred during implementation of the RAP. Details of the RAP implementation management cost is given in Table 9.7

Table 9.7 Capacity Building and Management Cost

No.	Item	Unit	Quantity	Unit Cost(GEL)	Total Cost (GEL)
1	Cost for EMA (Social Safeguards Consultant)	Months	24	4000	96,000
2	Miscellaneous Administrative Cost	Months	24	1000	24,000
Total					120,000

9.4 Summary LAR Cost and Flow of Funds

163. The total LAR cost calculated for the implementation of this RAP constitutes **GEL 2,326,808 (USD 934461)**. The summary LAR cost estimate is given in Table 9.8. All LAR related funds will be spent in one full year before the start of construction. If the implementation of this RAP covers two fiscals, the allocation of funds will be sought accordingly. GSE is responsible for financial management of external financed projects. GSE will get funds directly from the Ministry of Finance allocated for the project and disburse to APs following requisition.

Table 9.8: Summary Estimate of LAR Costs

No.	Item	Cost in GEL	Cost in USD
A	Compensation		
1	Compensation for Permanently Acquired Land	217089	
2	Compensation Easement for Partially Affected Land	681647	
3	Compensation for Structures/Buildings	408880	
4	Compensation of Affected Businesses	0	
5	Compensation of job losses	0	
6	Compensation of crop	8598.4	
7	Compensation for 6147 productive and semi-productive Fruit Trees	648467	
	Sub Total A	1,964,681	
B	Allowances		
1	Severely Affected AHs	6299	
2	Vulnerable Households	8829	
3	Relocated AH	2362	
	Sub Total B	17490	
C	Support Cost for RP Implementation		
1	Cost for EMA (Social Safeguards Consultant)	96,000	
2	Miscellaneous Administrative Cost	24,000	
3	Land Parcel Registration	13109	
	Sub Total C	133,109	
	Total R&R Cost (A+B+C)	2,115,280	
	D. 10% Contingency	211,528	
	Grand Total	2,326,808	934461

1 USD = 2.49 GEL

9.5 Justification of Cost Estimates and Updating RAP Budget

164. Land acquisition and resettlement surveys included a valuation survey of affected land and assets. The survey consulted relevant transactions in case of land and local markets in case of building, trees and crops. In determining allowances to vulnerable households, the existing minimum salary rates have been considered.

165. A detail measurement survey was conducted to assess the affected buildings and structures and subsequently a detailed market survey for valuation of construction costs for each type of affected structure.

166. As for compensation to crops, the actual market price has been considered for valuation of crops.

167. The prices are, therefore, replacement value at current market value and ensures full replacement cost to the affected land, building/structures, crops and trees. Detailed methodology followed for determining replace value of affected assets is given in Annex 2.

9.6 Source of Financing

168. All funds for compensation and allowances commensurate to RAP will be provided from the Government of Georgia's public fund. GSE will ensure the allocation of funds for compensation to be paid for land acquisition and resettlement. GSE will get the budget approved from the Ministry of Finance and allocate in advance the funds for implementation of RAP.

10. MONITORING AND REPORTING

10.1 Introduction

169. The main objective of implementation of RAP is to improve or at least restore the social and livelihood resources of the APs at their pre-project level. The process of implementation should ensure that this objective is achieved over a reasonable time with allocated resources. Therefore, monitoring of the process of updating RAP, its implementation and delivery of institutional and financial assistance to the APs has been designed as an integral part of the overall functioning and management of the Project. RMT of GSE will ensure the execution of timely monitoring and evaluation (M&E) indicators (process, delivery and impact indicators) of LAR tasks. The purpose of the Monitoring and Evaluation (M&E) is to provide feedback to all stakeholders on progress made in view of a timely and comprehensive implementation of the RAP and to identify problems as early as possible to facilitate well-timed adjustment of implementation arrangements. The objectives are to: (i) ensure that the standard of living of APs are restored or improved; (ii) ascertain whether activities are in progress as per schedule and the timelines are being met; (iii) assess whether the compensation, rehabilitation measures are sufficient; (iv) identify problems or potential issues; and (v) identify methods to rapidly mitigate problems.

10.2 Monitoring and Evaluation Indicators

170. Compliance of the RAP policy and targets in the implementation process will be monitored against set indicators. These indicators and benchmarks will be judged for implementation process, outcomes and impacts.

10.3 Level of Monitoring

171. Monitoring of LAR task in the Project will be carried out at two levels. The RMT will carry out regular internal monitoring for the GSE with inputs from LAR teams at field operation. Local Resettlement Consultant will assist GSE during the RAP implementation and will be responsible for internal monitoring. The LRC will also carry out supervision and monitoring to assist GSE and WB in relation with the resettlement impacts at the construction stage. External monitoring will be commissioned by GSE employing Social Safeguards Consultant.

10.4 Internal Monitoring

172. Internal monitoring will be carried out routinely by RMT during implementation of the RAP. The key person in this process will be the Local Resettlement Consultant. The results will be communicated to the LARC and WB monthly. Indicators for internal monitoring will be those related to process, immediate outputs and impacts. This information will be collected directly from the RMT representatives in the municipal level LAR Teams and Working Group and reported to LARC to assess the progress and results of RAP implementation, and to adjust the work program, if necessary. The monthly reports will be quarterly consolidated in the standard supervision reports to the WB.

173. The report of internal monitoring will contain: (i) accomplishment to-date, (ii) objectives attained and not attained during the period, (iii) problems encountered, and (iv) suggested options for corrective measures. The internal monitoring report will primarily be prepared by the Resettlement Specialists.

10.5 External Monitoring

174. According to the tasks, external monitoring will be carried out by a Social Safeguards Consultant hired by GSE. The tasks assigned to the SSC will be the external monitoring of RAP implementation and the preparation at its end of a compliance report which will be the basis for WB to provide 'No Objection' to the start of construction.

10.5.1 EMA Tasks

175. For each subproject involving land acquisition/resettlement, the SSC will closely monitor the implementation of the RAP and engage in the following tasks: (i) review of RAP and Information pamphlet disclosure; (ii) review of action taken by GSE to compensate the APs with particular attention to the way this action fits the stipulation of the RAP; (iii) review all compensation tallies; (iv) verify whether the compensation is provided thoroughly to all APs and in the amounts defined in the RAP and in the AP contracts; (v) assess the satisfaction of the APs with the information campaign and with the compensation/rehabilitation package offered to them; (vi) review the legalization process and assess its effectiveness; (vii) review complaints & grievances case; (viii) carry out an AP satisfaction survey with a 20% sample of the APs. Immediately after the implementation of the RAP the SSC will prepare the Compliance Report. The report will include well-argued sections on the following:

- (i) Assessment of the way the compensation has been carried out in relation of the stipulations of the RAP;
- (ii) Verification that all APs have been compensated in the amounts stipulated in the RAP
- (iii) Assessment of the accuracy of survey and asset valuation
- (iv) Assessment of the effectiveness and thoroughness of the Legalization process
- (v) Review of complaint and grievance cases and of their solution
- (vi) Assessment of the rehabilitation program for severely affected and vulnerable APs
- (vii) Assessment of the satisfaction of the APs
- (viii) Lesson learned to be applied to the next projects, and;
- (ix) General assessment of RAP implementation and recommendations to WB regarding the provision of 'No Objection' Letter to start the construction.

176. The SSC will carry out its activities in close communication with GSE and will engage in desk activities and field activities and for this he/she will hire an appropriate number of assistants to carry out the AP satisfaction survey and to review the compensation tallies. The monitoring activities assigned to the consultant will start immediately after Government approval of the Resettlement Action Plan Reports and will last until RAP implementation is concluded.

10.5.2 Post-Implementation Evaluation

177. The resettlement specialists will carry out a post- implementation evaluation of the RAP about a year after completion of its implementation. The compelling reason for this study is to find out if the objectives of the RAP have been attained or not. The benchmark data of socioeconomic survey of severely affected APs conducted during the preparation of the RAP will be used to compare the pre and post project conditions. The post- implementation evaluation will recommend appropriate supplemental assistance for the APs should the outcome of the study show that the objectives of the RAP have not been attained. For this task the Supervision consultants will:

- (i) Review as needed the survey indicators
- (ii) Assess the livelihood impact of the land acquisition/resettlement on the APs through formal and informal surveys with the population in project areas affected and non-affected. The SSC shall conduct a formal survey of a representative sample of men and women APs to determine changes that have occurred on the APs. In parallel the SSC will also compare the situation of the APs with non- affected neighbours similar in terms of livelihood level to the APs. Focus group discussions and other unstructured data gathering methods

and consultation with APs, officials and community leaders will also be involved in carrying out the evaluation to supplement the findings from the formal survey. Finally the assessment will look into potential differential impact or benefit that men and women APs have experienced from the resettlement activities. The result of the surveys will serve as the end term review report of the SSC for the Project.

- (iii) Assess again satisfaction on the valuation of assets and entitlements, timing of payments, fund availability and disbursements. In the same post-RAP survey, the SSC shall ascertain the satisfaction of APs on the valuation of assets, as well as, the scope and timing of assistance provided under the RAP.
- (iv) Assess the long-term efficiency, effectiveness and sustainability of the land acquisition/resettlement program, drawing lessons for future resettlement policy formulation and planning and future RAP planning and implementation. Should the outcome of the study show that the RAP objectives have not been attained, the SSC will recommend appropriate supplemental assistance for the APs.
- (v) Preparation of the valuation report. Prior to submission of the post-RAP report, the SSC shall ensure that informal and formal meetings are held with the men and women representatives from the APs, community leaders and other key officials and seek feedback on the contents/analysis in the review report. Highlights of these consultations will also be attached as annex to the report.

10.5.3 Monitoring Indicators for Task 2

178. Task 2 will be based among others on the monitoring indicators listed in table in Table 1.

Table 10.1: Monitoring Indicators for Task 2

Monitoring Indicator	Basis for Indicators
Basic Information on AP Households	<ul style="list-style-type: none"> • Location • Composition and structure: ages, educational and skill levels • Gender of household head • Ethnic group • Access to health, education, utilities, and other social services • Housing type • Land and other resource ownership and utilization patterns • Occupations and employment patterns • Income sources and levels • Agricultural production data (for rural households) • Participation in neighbourhood or community groups • Access to cultural sites and events • Value of all asset forming entitlements and resettlement entitlements
Benefit Monitoring	<ul style="list-style-type: none"> • What changes have occurred in terms of patterns of occupation, production, and resource use compared to the pre-project situation? • What changes have occurred in income and expenditure patterns compared to the pre-project situation? • What have been the changes in cost of living compared to the pre-project situation? • Have APs' incomes kept pace with these changes? • What changes have taken place in key social and cultural parameters relating to living standards?

Table 10.1: Monitoring Indicators for Task 2

Monitoring Indicator	Basis for Indicators
Restoration of Living Standards	<ul style="list-style-type: none"> • Were house compensations made free of depreciation, fees or transfer costs to the APs? • Have perceptions of community been changed? • Have the AP achieved replacement of key social and cultural elements?
Restoration of Livelihood	<ul style="list-style-type: none"> • Were compensation payments free of deduction for depreciation, fees or transfer costs to the AP? • Were compensation payments sufficient to replace lost assets? • Was sufficient replacement land available of suitable standard? • Did transfer and relocation payments cover these costs? • Did income substitution allow for re-establishment of enterprises and production? • Have enterprises affected received sufficient assistance to re-establish themselves? • Do jobs provided restore pre-project income levels and living standards?
Levels of AP Satisfaction	<ul style="list-style-type: none"> • How much does the AP know about resettlement, procedures and entitlements? • Do they know if these have been met? • How do the AP assess the extent to which their own living standards and livelihoods • Have been restored? • How much does the AP know about grievance and conflict resolution procedures? • How did resettlement implementers deal with unforeseen problems?
Effectiveness of Resettlement Planning	<ul style="list-style-type: none"> • Were the AP and their assets correctly enumerated? • Were land speculators assisted? • Was the time frame and budget sufficient to meet objectives? • Were entitlements too appropriate (wide or narrow)? • Were vulnerable groups identified and assisted?
Other Impacts	<ul style="list-style-type: none"> • Were there unintended environmental impacts? • Were there unintended impacts on employment or incomes? • What was the number of grievances received? • What was a number of grievances resolved?