Public Disclosure Authorized

Public Disclosure Authorized

Urban Regeneration of Abastumani

Abbreviated Resettlement Action Plan

Third Regional Development Project

Prepared by Ltd „Eco-Spectri”
7 Chavchvadze Ave, room 4
Phone: +995 322 90 44 22;
Fax: +995 322 90 46 37
Web-site: www.eco-spectri.ge

September, 2017.

Table of Contents

ABBREVIATIONS **4**

Glossary **5**

1. Introduction **8**

2. Resettlement minimization **13**

2.1 Introduction **13**

2.2 Scales of resettlement envisaged by the sub-project **13**

3. Socio-economic survey **15**

3.1 Introduction **15**

3.2 Affected population **15**

3.2.1 Demographics 15

3.2.2 Ethnic background 16

3.2.3 Rural and urban residents 16

3.2.4 Education 17

3.2.5 Real estate 18

3.3 Economic activities **18**

3.3.1 Major sources of income 18

3.3.2 Loans 20

3.3.3. Domestic items 20

3.3.4 Existing infrastructure 21

4. The World Bank Policy, Safeguards and Georgian Legislation **22**

4.1 Introduction **22**

4.2 Resettlement Related Legislation of Georgia **22**

4.3 The World Bank Safeguards and Involuntary Resettlement Policy **23**

4.4 Comparison of Georgian Legislation on LAR and WB Resettlement Policy **24**

4.5 Principles of Resettlement and Land Acquisition Adopted for the Regional Development Project III **27**

4.6 Eligibility and Entitlements **28**

4.6.1 Eligibility 28

4.6.2 Entitlements 28

4.6.3 Assessment of Compensation Unit Values 29

4.6.4 Allowances for Vulnerable Groups 33

5. Political and administrative Structure **34**

5.1 Institutional Responsibilities **34**

5.2 Land Registration Organizations **34**

5.3 Land Acquisition and Resettlement Organizations **35**

5.4 Other Organizations and Agencies **37**

5.5 Capacity Building on LAR 38
6. Consultation and Participation 40
6.1 Introduction 40
6.2 Consultation Process and Methodology 40
6.3 The Consultations with APs at the Stage of Preparation of the Resettlement Action Plan 41
6.4 Consultation and Participation Plan 42
6.5 Information publication 43
6.6 Public Consultation 43
7. Grievance Redress Committee (GRC) 44
7.1 Objectives 44
7.2 Formation of GRC 45
7.3 Grievance Resolution Process 45
8. RAP Implementation Steps and Responsibilities 47
8.1. Data Collecting Phase 50
8.2. Planning Phase 50
8.3. Implementation Phase 51
8.4. Monitoring and Evaluation Phase 51
9. Costs and financing 52
9.1 Introduction 52
9.2 Itemized budget 52
9.3 Categorization of the buildings 52
9.3 Methods to calculate the compensation 55
9.4 Vulnerability compensation 58
9.5 Legal entities 58
9.6 Costs of transportation 59
9.7 Costs of transportation and temporal storage of the library books 59
10. Monitoring and Evaluation 61
10.1 Monitoring 61
Annex 2: Information Booklet 63
Annex 3: Questionnaire 69
Annex 4 Synopsis of Selected Georgian Laws and Regulations on RAP 73
Annex 5: Public Consultation 82

ABBREVIATIONS

AH	Affected Household
AB	Affected Business
PAP	Project Affected Person
BP	Bank Procedure
EA	Executing Agency
NARP	National Agency for Public Registration
LARP	Land Acquisition and Resettlement Plan
PAP	Project Affected Person
RPF	Resettlement Policy Framework
MDFG	Municipal Development Fund of Georgia

Glossary

1. **Affected Person (or household)** - People (households) affected by project-related changes in use of land, water or other natural resources. These include permanent and temporary loss of land, assets, and income. Affected persons entitled for compensation or at least rehabilitation provisions under the Project are: all persons losing land, or access to land, permanently or temporarily either covered by legal title/traditional land rights or without legal status; tenants and sharecroppers whether registered or not; owners of affected buildings, crops, plants, or other objects attached to the land; and affected persons losing business, income, and salaries;
2. **Asset Inventory** - A complete count and description of all property that will be acquired;
3. **Compensation** - Loss reimbursement for the Project affected persons; Cash payment or in-kind compensation in the due amount in return for the loss of assets (property), resources or income;
4. **Direct impact** - When privately owned land parcels are physically affected by the project;
5. **Economic Rehabilitation** - Economic Rehabilitation implies the measures taken for income restoration or economic recovery so that the affected population can improve or at least restore its previous standard of living;
6. **Eligibility** - The criteria for qualification to receive benefits under a resettlement program;
7. **Eminent Domain** - The right of the state to acquire land, using its sovereign power, for public purpose. National law establishes which public agencies have the prerogative to exercise eminent domain;
8. **Expropriation** - Process whereby a public authority, usually in return for compensation, requires a person, household, or community to relinquish rights to land that it occupies or otherwise use;
9. **Grievance Procedures** - The processes established under law, local regulations, or administrative decision to enable property owners and other displaced persons to redress issues related to acquisition, compensation, or other aspects of resettlement;
10. **Initial Baseline Survey** - The population census, asset inventory, and socioeconomic survey together constitute the baseline survey of the affected population;
11. **Income restoration** - Re-establishing income sources and livelihoods of people affected;
12. **Involuntary** - means actions that may be taken without the displaced person's informed consent or power of choice;
13. **Involuntary resettlement** - Development project results in unavoidable resettlement losses that people affected have no option but to rebuild their lives, income and/or assets bases elsewhere;
14. **Land** includes anything growing on or permanently affixed to land, such as buildings and crops;

15. **Land Acquisition -** The process of acquiring land under the legally mandated procedures of eminent domain.
16. **Land parcels under project impact -** When only privately owned land parcels are physically affected by the project activities;
17. **Land parcel with residential house attached under project impact -** When privately owned land parcels as well as residential houses are physically affected by the project activities and require demolition of the house;
18. **Land parcel with supplementary structure under project impact -** When privately owned land parcels as well as any non-residential and non-commercial structures are physically affected by the project activities and may require demolition of the residential house as well;
19. **Population Census -** A complete and accurate count of the population that will be affected by land acquisition and related impacts. When properly conducted, the population census provides the basic information necessary for determining eligibility for compensation;
20. **Project Cycle -** the cycle of project development from initial phases of identification and assessment of feasibility, until its final implementation. From standpoint of the Project implementing agency, it is convenient to represent the project cycle as consisting of following phases: Pre-feasibility Assessment, Feasibility Studies, Project Design and Appraisal, Project Implementation;
21. **Rehabilitation -** Re-establishing incomes, livelihoods, living, and social systems;
22. **Relocation -** Rebuilding housing, assets, including productive land, and public infrastructure in another location;
23. **Replacement rates -** Cost of replacing lost assets and incomes, including cost of transactions**;**
24. **Resettlement -** Term – "Resettlement" in accordance to the World Bank Involuntary Resettlement Operational Policy Document 4.12 considers alienation of land parcels and/or physical relocation (moving to other place) of households being appeared within the Project affected area;
25. **Resettlement Entitlements -** Resettlement entitlements with respect to a particula eligibility category are the sum total of compensation and other forms of assistance provided to displaced persons in the respective eligibility category;
26. **Resettlement effects -** Loss of physical and non-physical assets including homes, communities, productive land, income-earning assets and sources, subsistence, resources, cultural sites, social structures, networks and ties, cultural identity, and mutual help mechanisms;
27. **Resettlement plan -** A time-bound action plan with budget setting out resettlement strategy, objectives, entitlements, action, responsibilities, monitoring and evaluation Resettlement (Action) Plan - A resettlement action plan [RAP] is the planning document that describes what will be done to address the direct social and economic impacts associated with involuntary taking of land.
28. **Resettlement Strategy (Rehabilitation Strategy) -** The approaches used to assist people in their efforts to improve (or at least to restore) their incomes, livelihoods, and

standards of living in real terms after resettlement. The resettlement strategy typically consists of payment of compensation at replacement cost, transition support arrangements, relocation to new sites (if applicable), provision of alternative income-generating assets (if applicable), and assistance to help convert income-generating assets into income streams.

29. **Socioeconomic Survey (SES) -** A complete and accurate survey of the project-affected population. The survey focuses on income-earning activities and other socioeconomic indicators;
30. **Stakeholders -**A broad term that covers all parties affected by or interested in a project or a specific issue—in other words, all parties who have a stake in a particular issue or initiative. Primary stakeholders are those most directly affected—in resettlement situations, the population that loses property or income because of the project and host communities. Other people who have an interest in the project—such as the project authority itself, the beneficiaries of the project (e.g., urban consumers for a hydro-power project), and interested NGOs are termed secondary stakeholders;
31. **Task Manager or Task Team Leader -** In Bank parlance, the officer in charge of a Bank-supported project or activity;
32. **User** - Physical person not registered as the owner at the Public Register, or holding the right to use the land;
33. **Usufruct** - The right to use and profit from land belonging to other person, or group of persons but in difference with the owner he/she will have no right to alienate, mortgage or bequeath of the land parcel;
34. **Vulnerable groups** - Vulnerable people – Project affected people, especially these below the poverty line, families lead by single women, lonely edarly, refuges or family leaded by disabled;
35. **Micro business -** A status of a micro-business may be assigned to a physical entity doing economic activity on his own and having the total income of maximum 30 thousand GEL per calendar year. A physical entity with the status of a micro-business is exempt from paying the income tax. The entities with this status are exempt from the obligation to use a cash register.
36. **Small business -** A status of a small business may be assigned to an entrepreneuring physical entity whose income from the economic activity does not exceed 100.000 GEL per calendar year. The taxable income of the small business is taxed by 5%.

1. Introduction

The Government of Georgia has asked the World Bank to support financing of the Third Regional Development Project (RDP III) in Samtskhe-Javakheti and Mtskheta-Mtianeti regions. The proposed program of interventions will emphasize tourism and agriculture as two key pillars and drivers of economic growth. The proposed initial project will focus on support for the tourism sector and enabling the environment for the private sector to invest in the above-mentioned regions. The Municipal Development Fund of Georgia is the Implementing Agency of the Third Regional Development Project and its sub-projects.

The town of Abastumani is located in Samtskhe-Javakheti area, Adigeni Municipality, on the South slope of the Meskheti mountain range, on valley of river Otskhe at distance of 28 km from Akhaltsikhe town, 25 km from Adigeni town, 1340 m above the sea level.

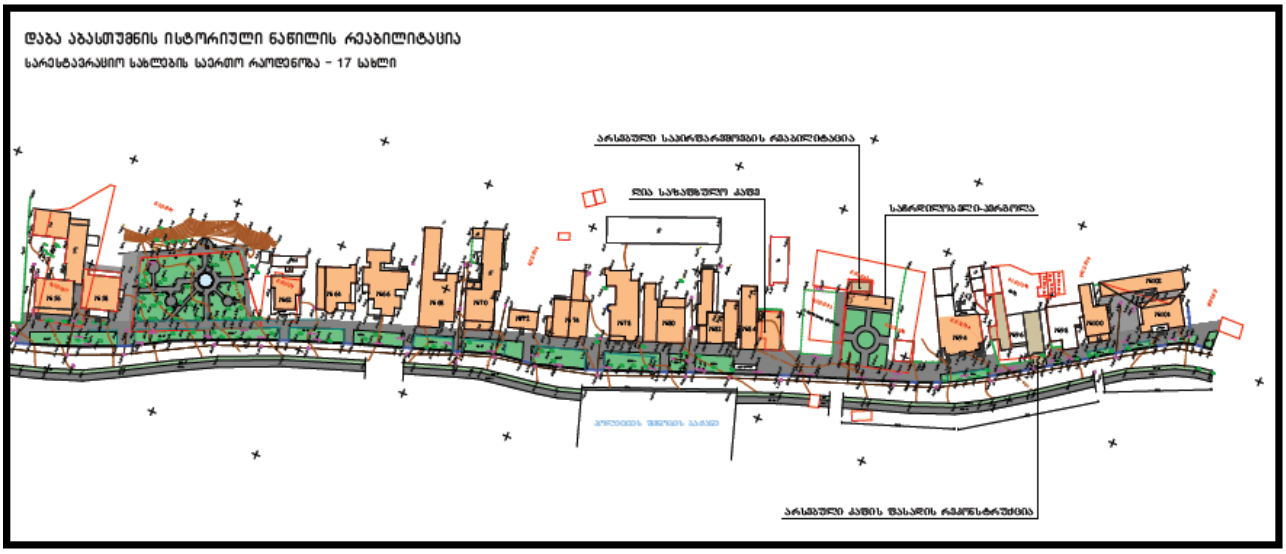
Construction works have to be implemented on Rustaveli street, 520 longtitude meters on smooth terrain. The construction area - Abastumani's main street - is bordered by a mountain slope on the West side, and by Rustaveli street and Otskhe River on the east side. According to the Project full rehabilitation works have to be carried out on 17 houses[1] (residential buildings)[2]. The buildings represent monuments of cultural heritage and after implementation of activities they should retain to the maximum extent, their initial historical appearance Some of them are two-storied buildings constructed with broken stones. They involve wooden decorative details. Their full restoration, to the original state, is possible. Others have unattractive out-buildings (extensins) constructed later, whose removal is impossible. Several houses have unique architectural style and are distinguished by art decorations (Houseso NN56,58,66,68,94,100,104) and the Project envisages their restoration up initial original state in maximum. Some buildings need strengthening works (Houses NN 56,58,62,64,80). The roof coverage and plywood adjustment will be changed in all houses; the wooden constructions of roofs will be changed partially. Finishing-rehabilitation works on facades will be carried out for all houses.

In parallel with above mentioned works, night electrical lighting will be installed around the houses. On both sides of Rustaveli Street, the pavements will be finished with basalt tiles. Present borders will be substituted by basalt borders. The territories between houses will be covered by reinforced concrete. There are 17 buildinds and premises in the project zone (See Fig. 1).

[1] Address: Rustaveli Street # 56,58,62,64,66,68,70,72, 76,78,80,84,94, 96,100,102,104

[2] These houses were originally constructed as single-family homes but most of them are currently used by more than one household. These houses were constructed in XIX century.

Figure 1 locations of houses in the project zone and its adjacent areas



These 17 buildings and premises are divided into 84 independent areas with 85 owners (3 PAPs own two structures each and 5 PAPs own 1 structure). 4 areas of these 84 areas are owned by the state, while other 80 areas are privately owned.

2 out of 4 state-owned area are the property of Adigeni Municipality and are at present abandoned and unusable for living. As for other 2 structures, they house libraries: (i) a children's' library and (ii) a public library. The two libraries have 4 employees (2 employees each of them).

2 objects of the privately owned 80 buildings are the property of legal entities (1 structure is owned by an Ltd. company[3] - Ltd., 1 structure is owned by a general partnership[4] - GP).

At present, One company does not use the structure owned by it. The building is unusable for living (Figure 7) .

One General Partnership runs a pharmacy in her building. The company has 5 founders, who work as sellers as well.

The other 78 privately owned areas are residential and have 75 owners (3 AH's own two structures each).

Each building is divided into sub-spaces ("areas"). The table below lists the following information for each building:

- The building address (in this RAP buidings will be referred to by their address);

[3] Company limited is a company, whose responsibility to its creditors is limited to its assets. Such company may be established by a single person (Entrepreneurs Law of Georgia, Article 44).

[4] A general partnership is a company where several persons (partners) conduct entrepreneurial activity jointly, under one common company name, and are jointly and severally liable with all their assets to the creditors as joint debtors (Entrepreneurs Law of Georgia, Article 20).

- Number of areas in each building;
- Number of privately-owned residential areas in each building;
- Number of privately-owned commercial [or business] areas in each building;
- Number of public / state-owned areas in each building;
- Number of affected households in each building.

Table 1: The areas in the rehabilitation buildings and their ownership

#	Address	Number of areas	Privately owned /residentialareas	Privately owned / commercial areas	Public / state owned areas	Affected persons
1	Rustaveli 56	1	-	-	1	-
2	Rustaveli 58	6	5		1	5 AH
3	Rustaveli 62	1	-	1	-	1 AB
4	Rustaveli 64	5	5	-	-	5 AH
5	Rustaveli 66	8	8	-	-	8 AH
6	Rustaveli 68	6	5	-	1	5 AH and 2 pubilc employees which are working in library
7	Rustaveli 70	12	12	-	-	11 AH (1 AH – has additional part in #68)
8	Rustaveli 72	4	4	-	-	4 AH
9	Rustaveli 76	7	6	-	-	6 AH (1 AH owns 2 parts)
10	Rustaveli 78	4	4	-	-	4 AH
11	Rustaveli 80	5	5	-	-	5 AH
12	Rustaveli 84/86	10	9	-	1	9AH and 2 pubic employees which are working in library)
13	Rustaveli 94	6	6	-	-	6 AH
14	Rustaveli 96	1	1	-	-	1 AH
15	Rustaveli 100	3	3	-	-	2 AH (1 AH has additional part in #72)
16	Rustaveli 102	4	4	-	-	4 AH

17	Rustaveli 104	1	-	1	-	5 AB
Summary		84	**78**	**2**	**4**	**75 AH, 6 AB and 4 public employees.**

The rehabilitation works needed for the 17 buildings in the project zone differ in their scale depending on the existing state of the buildings. Following the building activities planned for each building, the categories of the buildings were identified. The classification of the buildings allows to identify the scale of temporary resettlement prior to the onset of the construction.

The practice of classification of the rehabilitation buildings was adopted in accordance with the methodology developed for the sub-projects within the scope of RDP I (see the thorough description of the methodology in Chapter 9.2).

Under this methodology, there are three categories of impacts depending on the scope of rehabilitation works to be conducted: (i) Category I: minor repairs, the residents of the buildings will not be subject to temporary resettlement, (ii) Category II: medium-scale repairs, temporary resettlement is optional and depends on the choice of the residents; and (iii) Category III: substantial repairs; if the building is inhabited/used, temporary resettlement of the residents is obligatory.

The process of categorization of the buildings and premises involves the work of the project designer, engineers and resettlement consultant. At the stage of the rehabilitation works, it may become necessary to accomplish additional works what may make it necessary to change the category of a building. This decision will be made by the group made up of a project architect, engineer and resettlement specialist of the Municipal Development Fund.

Under this methodology, 6 out of the 17 buildings in the project zone belong to the I category, 2 buildings are in II category, and the remaining 9 buildings are in the III category either partially or fully.

It should be noted that the process of the buildings classification was mainly undertaken based on visual studies. After the onset of the rehabilitation works, need for additional works may be discovered which may necessitate a change in the category classificaiton. Due to this “reserve amounts” are indicated in the budget for this RAP to ensure that additional compensation funding can be accomodated.

Table 2: Due compensations for different buildings

Address	Category	Number of areas	Number of structures unusable for living	Number of AH/ABs to be resettled temporarily	Possible additional number of AH/ABs[5]
Rustaveli 56	III	1	1	0	0
Rustaveli 58	III	6	5	1	0
Rustaveli 62	III	1	1	0	0
Rustaveli 64	I-III	5	2	1	2
Rustaveli 66	I-III	8	0	2	6
Rustaveli 68	III	6	0	5 [6]	0
Rustevali 70	I-III	12	0	4	8
Rustaveli 72	I	4	0	0	4
Rustaveli 76	I-III	7	0	2	5
Rustaveli 78	I	4	0	0	4
Rustaveli 80	I-III	5	1	2	2
Rustaveli 84/86	I-II	9	0	0	8[7]
Rustaveli 94	I-II	6	0	0	6
Rustaveli 96	I	1	0	0	1
Rustaveli 100	III	3	0	3	0
Rustaveli 102	I	4	0	0	4
Rustaveli 104	I	1	0	0	1
			9	20	51

Within the scope of the project, 20 AH's will be subject to temporary resettlement. If, during the rehabilitation, it becomes necessary to vacate all structures, additional 51 AH's will be subject to resettlement.

Maximum time needed for the rehabilitation of each building is three months. Consequently, the compensation for each PAP was calculated for 3 months and amounts to 1200 GEL (See the detailed methods of the compensation calculation in Chapter 9.3).

Table 2 shows the scales of temporal resettlement to be undertaken within the scope of the project in case of both, planned activities and alternative actions.

A PAP subject to temporary resettlement within the scope of the project, will be given compensation of 300 GEL to cover the cost of transportation of his furniture.

[5] In the event that more substantiual works are needed on some of the buildings

[6] One area owned by Library

[7] One area owned by Library

There are two libraries in the project zone: (a) a children's' library (with 17000 books), which is in the building of the III category, and (ii) a public library in the building of the I category. Following the consultations with the library employees and local authority, taking the books from the children's' library during the rehabilitation and placing them temporarily at the public library was considered the best option (See the discussion of alternatives in Chapter 9.4). The amount of compensation for temporal taking and later, returning the books to the children's' library is 2000 GEL (100 GEL for packaging of 1000 books + costs 300 GEL for transportation of 17 000 books).

2. Resettlement minimization

2.1 Introduction

Usually, the number of visitors to Abastumani is great. A lot of people visit this area to see ancient architectural monuments and observatory, and most importantly, for treatment with unique thermal waters. All around the year, Abastumani is the main place in Georgia – and one of the best known in the region – for treatment of tuberculosis. The data about its thermal waters are found not only in Georgian, but also Iranian legends and folklore of the Middle East.

The military authority showed interest in the mineral waters of Abastumani at the beginning of the XIX century, and were given the waters to them for exploitation. The soldiers from Akhaltsikhe battalion were sent here for treatment. The doctors working there shortly appreciated not only the balneal potential of Abastumani, but also its wonderful climate. In the 1930s, Abastumani was declared the all-Soviet Union resort for the patients with tuberculosis.

There are three springs of hot (thermal) waters in Abastumani: Bogatirskyi, Zmeilyi and Zolotushnyi with up to 1 mln. daily flow rate of water. These are silicium, sulfate-chloride or calcium-sodium waters with 0.6 g/dm^3 general mineralization. The resort is mainly for curing lung tuberculosis and upper respiratory tracts. Mineral water baths are prescribed to cure locomotor apparatus, peripheral nervous system and gynecological profile diseases.

It should also be noted that until the 1990s, Abastumani was a close-type resort to treat tuberculosis.

At present, Abastumani has no status of a resort. Despite this, most of the holiday-makers come here for health reasons. As the data of 2014 census suggest, 937 people live in settlement Abastumani (the census of 2002 evidenced 1.386 residents here).

2.2 Scales of resettlement envisaged by the sub-project

The project does not envisage purchasing land plots, buildings and premises or annual/perennial plants. Only the rehabilitation of 17 buildings, mostly their facades is planned within the scope of the project. However, following the hazardous state of most of the buildings, certain proportion of the population must be subject to temporary resettlement. The maximum scale of temporal resettlement (for 3 months) within the scope of the project is 71 households or businesses.

The buildings in the project zone are several decades old and most of them are hazardous. For years, the population used to repair these buildings at their own expenses. Besides, most of the buildings have illegal extensions.

As already mentioned, the main goal of the project is to rehabilitate the existing buildings and give them their original historical appearance. As a result, in order to give the buildings their original historical view within the scope of the project, it will be necessary to remove the illegal extensions to them. This will reduce the residential areas of the PAPs and will deteriorate their state consequently.

The major appeal of the population both, at the social survey stage and during the personal meetings was not to remove the extensions.

The project implementing group considered the appeal of the population and decided not to remove any extensions within the scope of the project, but merge them visually with the historical buildings at the expense of façade changes to the extent possible.

3. Socio-economic survey

3.1 Introduction

As already mentioned, no land plots, buildings and premises or fruit trees will be purchased in the course of the project. Under the updated design (See Chapter 2), the implementation phase of the project lead temporary resettlement. The buildings and premises found in the project zone and in its adjacent area are used as permanent or temporal residences or for commercial purposes. There are also state objects found on this. 31 PAPs own permanent residences, 6 PAPs own two commercial objects, 4 objects belong to the state with 4 employees and 40 PAPs have temporary residences.

The social-economic survey was held on May 22-29 of 2017. therefore, May 25 was declared a cut of day date, after which an entity starting his business in the project zone will not be entitled to compensation.

81 PAPs participated in the social survey; 2 PAPs does not wish to participate in the project and other 2 PAPs were impossible to contact what is 95,4% of the persons under direct or indirect project impact.

3.2 Affected population

3.2.1 Demographics

The project is implemented in village Abastumani, Adigeni Municipality, at Rustaveli avenue, #56 to #104, inclusive and covers 81 families with 291 members in total with their age distribution given in Table 4. A family consists of 3.6 members on average being close to the total indicator of the country.

81 PAPs participated in the social survey; 2 PAPs did not wish to participate in the project and other 2 PAPs were impossible to contact what is 95,4% of the persons under direct or indirect project impact.

71 APs, 6 business representatives and four hired employees, total of 81 respondents participated in the social survey.

Table 4: Age distribution of the affected PAPs

Age group	Women		Men		Total		Average per family
	No.	%	No.	%	No.	%	
Children <6 years	17	10,83	7	5,22	24	8,25	0,29
Young people (6-18 years)	20	12,74	20	14,93	40	13,75	0,48

Adults (19-64 years)	100	63,69	98	73,13	198	68,04	2,36
Pensioners (>65 years)	20	12,74	9	6,72	29	9,97	0,35
Total	157	100,00	134	100	291	100	3,6

3.2.2 Ethnic background

The 85% people living in the project zone are Georgians. In the project zone also presented representatives of Armenian nationalists - (15% of PAPs) and 1 Russian. The detailed information about the ethnic background is given in Table 5.

Several generations of the representatives of Armenian and Russian nationality, who, in the project zone, own the property, live on the given territory. They speak Georgian fluently.

Table 5. Ethnic groups

N	Ethnic group	Number of PAPs	%
1	Georgian	238	84,7
2	Russian	1	0,4
3	Armenian	42	14,9
	Total	281	100

3.2.3 Rural and urban residents

Following the fact that the project zone is located in the village, which was a resort zone at one time, the majority of its residents live in the cities, while others live in the rural area. 46 AHs of the PAPs (56,8%) are rural residents, while 35 AHs (43,2%) are urban residents.

Table 6: Rural and urban residents

N	Location	Number	%
1	Tbilisi	16	20
2	Rustavi	2	2,5
3	Kutaisi	4	4,9

4	Tskaltubo	1	1,2
5	Samtredia	1	1,2
6	Ozurgeti	2	2,5
7	Akhaltsikhe	5	6,2
8	Adigeni	2	2,5
9	Batumi	1	1,2
10	Germany, Hanover	1	1,2
11	Settlement Abastumani	41	50,5
12	Ude	1	1,2
13	Aral	1	1,2
14	Varhan	2	2,5
15	Village Abastumani	1	1,2
	Total	81	100

3.2.4 Education

Almost half of the affected persons and their families (44%) have either primary, or secondary education. The percentage ratio of the people with higher education is also high (40%). The detailed information is given in Table 7.

Table 7: Education of PAPs

N	Category	Women		Men		Total	
		No.	%	No.	%	No.	%
1	Primary/secondary	55	39,9	59	48,4	114	43.8
2	Secondary vocational (vocational training)	27	19,6	15	12,3	42	16.2
4	Higher	56	40,5	48	39,3	104	40
5	Uneducated (illiterate)	0	0	0	0	0	0

	Total	138	100	122	100	260	100

3.2.5 Real estate

46 AHs making 56,8% of the affected families live in the rural areas, while 35 AHs (43,2%) live in the urban areas.

24 AHs own one land plot each, and 1 1 AH owns 2 land plots (Land plots outside the project zone).

21 AHs own 2-storey buildings in the rural areas with auxiliary farming. 18 AHs live in the cities, in the buildings of flats. 35 AHs permanently live on the territory of Abastumani.

Table 8: Plot ownership

N	Families	Number of families	%
1.	Families owning one plot	24	28.57
2.	Families owning two plots	1	1.18
3.	Families owning more than two plots	0	0
	Total number of families	25	
	Each family owns 0.5 ha of land on average		

3.3 Economic activities

3.3.1 Major sources of income

The major source of 28,3% of AP families is permanent wages at public offices. Besides, 14,8% of APs are employed by private businesses. The detailed information about the major sources of the main income is given in Table 9.

Table 9: Information about the major income sources

N	Type of activity	Major source of income	
		Number	%
1	Agriculture	3	3.7

2	Pension	16	19.8
3	Permanent wage at a public office	23	28.4
4	Permanent wage at a private business	12	14.8
5	Periodic compensation	13	16.0
6	One's own business	14	17.3
	Total	81	100

31 HPs (38,3%) have one source of income, 33 HPs (40,7%) have two sources, 12 HPs (14,8%) have three sources of income, 4 HPs (4,9%) have four sources of income, and 1 HP (1,3%) have five sources of income. A source of additional income for 17 HPs is renting the residential building what is seasonal and is the case in summer (21%).

The major source of 10 HPs (12,3%) is pension, while the major source of income of 9 HPs (11,1%) is social allowance. The major source of income for 2 HPs (2,5%) is pension plus social allowance.

The maximum income fixed in the project area is 20,000 GEL (average annual) and the least income is 2,500 GEL (average annual). At the stage of the social survey, 10 HPs named pension as the major source of their income amounting to 216 GEL, including the legal supplement for the mountainous regions.

As the results of the survey show, the average monthly income of the families is 475 GEL, but following the climatic conditions and specifics of tourist industry in the project zone, this income is not stable. The people gain the income from business in summer months only.

The project affected persons state that they spend almost half of the family budget for food and spend the rest of the money for other items. The information about the family expenses is given in Table 10.

Table 10: Average annual expenses

N	Consumption model	Average annual expenses	% total expenses
1	Food	3100	46.9
2	Other (except food)	3500	53.1
	Average	3300	100

3.3.2 Loans

Almost half of 37 PAPs (45,7%) have bank or private persons' loans. 35 PAPs out of 37 making 95% of the total number have bank loans, and two PAPs (4%) have received the loans from private entities. The amount of maximum loan is 200 000 EUR and the minimum loan is 2000 GEL.

3.3.3. Domestic items

Despite the fact that certain number of HPs live in private houses and own land plots, they are not engaged in cattle-breeding. Only 4APs out of 25 APs (4.7% of the total property) owing the land plots have one cattle each, and 20 APs (23,5%) have few poultry.

The detailed information about the kinds of domestic animals and essential commodities owned by the PAPs is given in Table 11.

Table 11: Ownership of domestic items

N	Item	Number of families	%
1	Radio	6	7.1
2	Bicycle	0	0
3	TV	80	95.2
4	Gas stove	62	73.8
5	Fridge	80	95.2
6	Washing machine	63	75
7	Motorbike	0	0
8	Vehicle	35	41.7
9	AC unit	3	3.6
10	Cow/buffalo cow	2	2.4
11	Poultry	20	23.8

3.3.4 Existing infrastructure

As already mentioned, almost half of the project affected people (50,5% in particular) live in settlement Abastumani, and 6.1% live in the nearby villages. These areas are quite distanced from the central mains. There are secondary schools and kindergartens in them. The settlements have power-supply and central water-supply systems. The APs have no central water drainage system. These settlements use the services of the regional hospital and polyclinic.

43,2% of Aps live in the town-like settlement and thus, they have access to all kinds of infrastructure.

4. The World Bank Policy, Safeguards and Georgian Legislation

4.1 Introduction

The legal and political framework of the project is based on the Georgian legislation about the land compensation/purchase and resettlement and World Bank (WB) OP 4.12 "Involuntary Resettlement Policy". By considering the requirements of these laws and WB Policy, as well as the Resettlement Policy Franework of the Third Regional Development project, the principles of this Abbreviated Resettlement Action Plan were established.

4.2 Resettlement Related Legislation of Georgia

This section provides a brief summary of the normative and legislative acts In Georgia regulating the issues of land acquisition and resettlement, obtaining State ownership rights to privately owned land parcels based on the public needs, social issues caused due to project activities:

- Constitution of Georgia, 1995;
- Law of Georgia on Motor Roads, 1994;
- Organic Law of Georgia, Local Self-Government Code, 2014;
- Civil Code of Georgia, 1997;
- Law of Georgia on Cultural Heritage, 2007;
- Law of Georgia on Notary, 2009;
- Law of Georgia on State Property, 2010;
- Law of Georgia on Ownership Rights to Agricultural Land, 1996;
- Law of Georgia on Legalization of Property, 2007;
- Law of Georgia on Public Register, 2008;
- Law of Georgia on Recognition of the Property Ownership Rights Regarding the Land Plots Owned (Used) by Physical Persons or Legal entities, 2007;
- Law of Georgia on Rules for Expropriation of Ownership for Necessary Public Need, 1999;
- Civil Procedural Code of Georgia, 1997;
- Law of Georgia on Social Assistance, 2006;
- Law of Georgia on Social Protection of Disabled Persons, 1995;
- Law of Georgia on Internally Displaced Persons from Occupied Territories – Refugees, 2014.

A more expanded review of the Georgian legislation pertinent to the resettlement issues is provided in the Annex 1 of this document.

Below we will present a brief summary:

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 indicates that compensation is to be given for loss of physical

assets. The law makes no provision for income/livelihood rehabilitation, allowances for severely affected or vulnerable APs, or resettlement expenses. Finally, these laws place strong emphasis on consultation and notification to ensure that the Project Affected People (PAP) participate in the process. As in practice, public opposition to expropriation is very strong; eminent domain is very rarely used by public authorities, to be exercised only when negotiations between the agency acquiring the land and the owners fail. The acquiring agency resorts to expropriation only with a limited number of land owners with whom negotiation failed.

4.3 The World Bank Safeguards and Involuntary Resettlement Policy

All projects funded by WB must comply with the WB social and environmental safeguards. The WB financed projects, in their turn, require compliance with the WB safeguards and guidelines. WB BP/OP 4.12 Involuntary Resettlement is one of the most important safeguards guiding land acquisition and related resettlement/compensation issues during project implementation. In line with the principles of host-country responsibility, Georgia is committed to implement the WB financed projects in compliance with the requirements of WB BP/OP 4.12.

Generally, the Georgian legislation is compatible with the major provisions of the WB Resettlement Policy but a few important differences are to be noted. The WB resettlement policy is directed at improving (or at least restoring) incomes and living standards, rather than merely compensating people for their expropriated assets. This improvement of incomes and living standards broadens the objective of the policy to include the restoration of income streams and retraining of people unable to continue their old income-generating activities after displacement. The emphasis on incomes and living standards, in contrast to the conventional emphasis on expropriated property, expands the range and number of people recognized as adversely affected and affects the kind of compensation and other assistance that must be provided. Recognition of this broader range of adverse impacts leads to a greater appreciation of the issues to be considered in resettlement and consequently requires careful delineation of responsibilities, elaborate risk management and explicit and distinct resettlement planning.

The WB policy complements the Georgian legislation/regulation with certain additional requirements, which are mandatory for the WB financed projects. In particular, appropriate planning/management instruments must be developed prior to project appraisal, like Resettlement Policy Framework (RPF) and Resettlement Action Pan (RAP), as appropriate.

Resettlement Policy Framework (RPF). A policy framework needs to be prepared if the extent and location of resettlement cannot be known at appraisal because the project has multiple components, as typically happens in projects with financial intermediaries or multiple subprojects. The policy framework establishes resettlement objectives and principles, organizational arrangements, and funding mechanisms for any resettlement operation that may be necessary during project implementation. The framework also assesses the institutional capability to design, implement, and oversee resettlement operations.

Resettlement Action Pan (RAP). All projects that entail involuntary resettlement require a RAP. “The scope and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement” (OP 4.12, Annex A, para. 2).RAP is location-specific and

comprehensive action plan including preliminary studies (socio-economic assessment, sociological survey, census, valuation of impacts, and consultation with affected persons), a set of compensation/mitigation measures for each affected person/household, and detailed implementation plan with indication of responsible parties and schedule.

The WB Policy on Involuntary Resettlement, as defined in the OP/BP 4.12, is based on the following principles:

- Involuntary resettlement is to be avoided or at least minimized.
- Compensation/Rehabilitation provisions provide affected persons with opportunity to improve, or at least restore, pre-project incomes and living standards.
- Affected Persons should be fully informed and consulted on Land Acquisition and Resettlement compensation options.
- Affected Persons' socio-cultural institutions should be supported/used as much as possible.
- Compensation will be paid at replacement cost to affected persons, without deduction for depreciation or any other purpose.
- Lack of legal title should not be a bar to compensation or alternative forms of assistance as needed to achieve policy objectives.
- Particular attention should be paid to households headed by women and other vulnerable groups.
- Land Acquisition and Resettlement 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.
- Compensation and resettlement subsidies will be fully provided prior to clearance of right of way/ ground leveling and demolition.

4.4 Comparison of Georgian Legislation on LAR and WB Resettlement Policy

Overall, the legislation of Georgia adequately reflects the major provisions of the WB OP 4.12, 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 OP 4.12 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 Safeguards policy on Involuntary Resettlement complement the Georgian legislation/regulation with additional requirements related to (i) the economic rehabilitation of all AP/AF (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 Table1 below:

Table 10: Comparison of Georgia Laws/Regulations on LAR and WB Resettlement Policy

Georgia Laws and Regulations	**WB OP 4.12**	**Corrective Action**
Only registered houses/buildings are compensated for damages/demolition caused by a project.	All affected houses/buildings are compensated for buildings damages/demolition caused by a project.	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 MDFG team will upervise the processes
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, salvaged materials and should also include registration and transaction costs and taxes and fees, labor and transportation costs. 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 and the cost of salvaged materials, Including registration and transaction costs, taxes and fees, labor and transportation costs. 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
Executive Agency (MDFG) is the only prelitigation final authority to decide disputes and address complaints	Complaints & grievances can also be resolved informally through a project- level grievance redress mechanism	The MDFG resettlement team will have in place a mechanism to receive, register and process

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.	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).	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 such occurs) at the community level, however if solution could not be found, the case will be processed in accordance to legislation of Georgia.
No provision for income/livelihood rehabilitation, allowances for severely affected or vulnerable APs, or resettlement expenses.	WB policy requires income/livelihood restoration and provision of rehabilitation for income/livelihood, severe losses, and for expenses incurred by the APs during the relocation process	MDFG 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.

To reconcile the gaps between Georgian laws/regulations and WB's OP 4.12 MDF has drafted a RPF for the Project, ensuring compensation at replacement cost of all items, the rehabilitation of informal settlers, and the provision of subsidies or allowances for AFs that may be relocated, suffer business losses, or may be severely affected.

"The legislation of Georgia shall correspond to universally recognized principles and rules of International law. An international treaty or agreement of Georgia unless it contradicts the

Constitution of Georgia, the Constitutional Agreement, shall take precedence over domestic normative acts[8]"

Signing a legal agreement with the Bank implies that WB safeguards policies over-rule.

4.5 Principles of Resettlement and Land Acquisition Adopted for the Regional Development Project III

The overarching objective of the Project in relation to land and asset acquisition is to assist the project affected populations (PAPs) in restoring their livelihoods at least to the level equal to the pre-project level. Therefore, during implementation of the the Regional Development Project III MDFG is committed to ensure that:

1. For each subproject that involves acquisition of private land, temporary or permanent income loss, physical displacement of households or businesses, or other impact that triggers the OP 4.12, a Resettlement Action Plan (RAP) will be developed in compliance with policies and procedures set out in this RPF, the WB OP 4.12 and Georgian legislation;
2. Municipalities that propose subprojects to the MDF will be responsible to support the MDFG in the implementation of the relevant RAP and in the preparation of the RAP;
3. No civil works can start at the section where impacts that trigger OP 4.12 occur before a RAP implemented and compensation is paid;
4. PAP will receive compensation or support of various kinds in accordance with the entitlement matrix included in this RPF and in compliance with the active legislation of Georgia and the World Bank safeguard policy;
5. PAP will be informed about their rights and existing alternatives;
6. PAP will be consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives;
7. PAP will be offered effective compensation at full replacement cost for losses of assets relying of the information received from the Independent authorized valuation company hired by MDFG;
8. PAP will be offered additional support (see section 7.3) to support their livelihood during the transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living;
9. PAPs with livelihood impacts will be provided with development assistance in addition to compensation measures described, such as land preparation, credit facilities, training, or job opportunities;
10. Special attention will be paid to the needs of the most vulnerable groups of the population – children, women, the elderly, those below the poverty line, disabled, IDPs, refugees, etc.;
11. A fair and accessible grievance redress mechanism will be developed;

[8] "Constitution of Georgia", Article 6 point 2.

12. Compensation measures are completed prior to start-up of the particular construction activities that trigger OP 4.12.

A Resettlement Action Plan (RAP) will be developed as per the RPF prepared for RDP III and Bank OP 4.12 as well as Georgian legislation for each sub-project of the Regional Development Project III.As discussed above, there are gaps between OP 4.12 and Georgian legislation If a discrepancy is observed between this RPF and OP 4.12 and Georgian legislation any land acquisition required for the Project will be carried out as per the principles and procedures laid out in OP 4.12.

A market survey will be conducted to assess the prevailing market prices of land, construction materials for affected structures, crops and other relevant items, which will be used to find adequate replacements when necessary. After this is done, each individual PAP's property will be valued by an independent valuation company. This will additionally ensure that the market prices will allow PAPs to purchase replacement land.

Loss of income and assets will be compensated on a net basis without tax, depreciation or any other deduction. The final RAP should be submitted to, cleared by the Bank, and it should be implemented and PAPs should be fully compensated prior to the execution of civil works for relevant sections.

4.6 Eligibility and Entitlements

4.6.1 Eligibility

PAPs entitled for compensation or at least rehabilitation provisions under the Project are:

- All PAPs losing land, or access to land, permanently or temporarily either covered by legal title/traditional land rights or without legal status;
- Tenants and sharecroppers whether registered or not;
- Owners of affected buildings, crops, plants, or other objects attached to the land; and
- PAPs losing business, income, a source of livelihood, and salaries.

Compensation eligibility will be limited by a cut-off date to be set for each subproject on the day of the ending of the Census. Persons who settle in the affected areas after a locally publicized cut-off date will not be considered project-affected, and persons initiating improvements to land or structures after a locally publicized cut-off date will not be eligible for additional compensation.

They, however, will be given sufficient advance notice, requested to vacate premises or 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**.**

4.6.2 Entitlements

At present, the following categories of people are expected to be affected by the project:

- PAPs (including formal and informal businesses) who experience temporary loss of income or asset as a result of restriction of access to land or assets during civil works.
- PAPs (including formal and informal businesses) who experience permanent loss of income or asset as a result of purchase or expropriation of land for implementation of subprojects.
- Leaseholders (individual and enterprise) who have lease agreements with the Municipalities or other owners in existing and alternative alignments and sites
- Informal occupants and land users on existing rights of way and new alignments and sites.

Affected persons will be compensated for land purchased for permanent structures and for servitude agreements (i.e. easements) on existing and new alignments for land they own or use, formally or informally. Affected persons (i.e. owners, informal users and leaseholders) will also be compensated for damages and structures, standing crops, trees and other economic assets that are affected. If permanent relocation is involved, whenever possible, and when acceptable to MDF, the affected persons will be relocated to new properties of equal quality identified by the Project. Affected persons will be compensated for transportation costs if relocation is involved.

Persons affected temporarily by construction activities will be compensated for any lost income, assets and damages.

4.6.3 Assessment of Compensation Unit Values

The methodology for assessing unit compensation values of different items is as follows:

Agricultural Land will be valued at replacement rates according to two different methodologies depending on whether in affected areas active land markets exist or not.

Where active land markets exist, loss of land will be compensated at the replacement rate based on a survey of land sales in the year before the impact survey. Where active land markets do not exist, loss of land will be compensated based on the cost of reproduction of a plot with equal Landowners without legal documentation for land and whose land ownership cannot be legalized are considered informal occupants. characteristics, access and productivity to the plot lost. A clear valuation methodology for these cases will be detailed in RAPs.

If damages to residences or commercial structures occur, houses/buildings will be valued at replacement value based on the cost of materials, types of construction, labor, transport and other construction costs. No deductions will be applied for depreciation, salvaged materials and transaction costs. Compensation will be for the value of the loss of the entire structure.

Annual crops will be valued at net market rates at the farm gate for the first year crop. In the event that more than one-year compensation is due to PAPs, the crops after the first year will be compensated at market value (total farm gate sales value minus input costs).PAPs will not have to pay taxes on this amount.

The unit compensation rates will be assessed by Project consultant or by the MDF authorized independent evaluator on clear and transparent methodologies acceptable to WB. The assessed compensation rates will then be verified and certified by the Environmental and Resettlement Unit of MDFG.

Table 11: Compensation Entitlement Matrix

Type of Loss	**Application**	**Definition of AP**	**Compensation Entitlrmrnts**
Compensation for Temporary Resetlement			
Temporary loss of residence -	**Household living in appartments in category III above.**	All AHs regardless of formal and informal status.	**All AH will be compensated for temporary relocation for three months.** Monthly compensation amount makes 1200 GEL. Consequently, all AHs will receive the compensation for 3 months making 3600 GEL. The entities having the residential areas, which are presently useless to live in, will not receive the compensation within the scope of the Project. The calculation of the said daily compensation amount was done during the tourist season peak, i.e. the month of June in settlement Abastumani. In other months, the number of tourists is less and consequently, the given compensation is maximum possible for settlement Abastumani.
	Household living in appartments belongs to II or I category.	All AHs regardless of formal and informal status.	The mentioned entities will receive the compensation in the following cases: (i) the residents of the buildings of the II category have expressed their wish for temporary resettlement, or (ii) at the stage of the Project implementation, it turned out that it was necessary to accomplish additional works for the I category buildings

			having changed the category of the buildings in question converting them to the objects of the III category. Monthly compensation is 1200 GEL. Consequently, each of them will receive the compensation for 3 months making 3600 GEL. The entities having the residential areas, which are presently useless to live in, will not receive the compensation within the scope of the Project.
Temporary loss of income	**All affected person running business in project area.**	All ABs regardless of formal and informal status.	The compensation will be calculated based on the Tax Declaration presented by the business owner. If a business owner is unable to present the declaration, his monthly compensation will be calculated by considering the subsistence minimum fixed for a 5-member family under the legislation of Georgia. In case the official profit of a legal entity is less than 338.3 GEL, the same amount will be considered as his profit and his due compensation will be calculated based on 338.3 GEL for 3 month. The ABs owning the commercial objects which are presently useless to run the business, will not receive the compensation within the scope of the Project. For #104 compensation reserve category
Employees	**All affected persons employeed by state in the project**		All affected employees are library staff. During the project implementation, they will receive their due wages. Consequently, no additional

	area.		compensation is envisaged for them.
Allowances			
Transportation Costs	**Household living in appartments belongs to III category.**	All AH,s regardless of formal and informal status.	All of them will receive the transportation compensation amounting to 300 GEL.
	Household living in appartments belongs to II or I category.	All AH,s regardless of formal and informal status.	If it becomes necessary to resettle the residents from the buildings of the I or II category, all of them will receive the transportation compensation amounting to 300 GEL.
	Library located in the building of the III category.	Children's library, 17000 books	The compensation will be given out depending on the number of books. 100 GEL will be given for collecting, packing and returning every 1000 books following the completion of the project. The total amount of for the books kept at the library (17000 books) is 1700 GEL, plus the cost of transportation for the purpose of temporary storage of books amounting to 300 GEL. The total cost of transportation makes 2000 GEL.
	Library located in the building of the I category.	Public library, 24000books	The books from the library will be transported only if at the stage of the project implementation, it turns out that it is necessary to accomplish additional works and consequently, the building was attributed t the II or III category.
Vulnerable Persons Allowances (below		AHs below poverty line, female-headed, leaded by disabled,	Allowance equivalent to 3 months of minimum subsistence income for a family of five* and employment priority in project-

the poverty line, families lead by single women, refuges, disabled belongs I and II groups and elderly)		refuges or lonely eldary.	related jobs. This is additional allowance for vulnerability status on top of that of other entitlements in this matrix.
Accidental damages			
Temporary impact during construction			Due compensation will be assessed and paid based on this RPF during construction.
Unforeseen impact			MDFG and the construction contractor will address and mitigate/compensate unforeseen resettlement impact occurring during the project.

4.6.4 Allowances for Vulnerable Groups

According to the WB and IFC guidelines and the baseline socio-economic survey, vulnerable groups could include: Families below the poverty line[9], families lead by single women, refugees, disabled belongs I and II groups and elderly. Allowance equivalent to 3 months of minimum subsistence income for a family of five* and employment priority in project-related jobs. This is additional allowance for vulnerability status on top of that of other entitlements in this matrix.

The above mentioned persons will receive 338.3 GEL x 3 months i.e. 1015 GEL.

Note: In case of a substantial change of the Subsistence Minimum by the moment of hampering in the accomplishment of the Resettlement Action Plan or giving out compensation, the compensation will be given by considering the data available at the given moment.

[9] Families under the poverty threshold (officially registered in Social Services as poor: with rating less than 57000 – extremely poor receiving social allowances and with rating more than 57000 but less than 70000 – receiving polices).

5. Political and administrative Structure

5.1 Institutional Responsibilities

The Municipal Development Fund of Georgia (MDFG) is the executing agency (EA).MDFG is responsible for managing construction/rehabilitation activities in scope of the RDP III project as well as resettlement of the PAPs.

MDFG 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, the National Agency of Public Registry (NAPR) within the Ministry of Justice is in charge of the recognition of ownership rights of rightful owners, registration of ownership, based on verification and certification from village communities, notaries, property rights recognition commissions at local administration/municipalities. The Ministry of Environmental and Natural Resources Protection (MoENRP) is responsible for environmental issues.

Various sub-projects of the RDP III Project are located in the municipalities Samtskhe-Javakheti and Mtskheta-Mtianeti Regions. All corresponding Sakrebulo, Gamgeoba, Registration Offices and PRRCs will be involved in RAP. Local Sakrebulos and Rtsmunebuli of villages are involved for local level LAR activities.

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

5.2 Land Registration Organizations

Government agencies active at various levels in the process of legalization of privately owned land parcels are described hereunder.

Rtsmunebuli and Gamgeoba at Village (Community) Level

The 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 the ownership of affected land plots, the parameters of land plots and endorses the cadastral maps and related data prepared in cases of legalization1. Gamgebeli plays an important role in the 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 the power to authorize2 details of the occupied land parcel and 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 Borough Abastumani will be involved in RAP process of implementation.

Property Rights Recognition Commission

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 for registration. The PRRC verifies and authorizes the application of ownership for registration with the NAPR. The PRRC authorizes the application of only those PAPs who are not registered but have

residential land or agricultural plots adjacent to the project affected area ("non-rightful land owners", according to definition of Georgian regulations).

Rayon Registration Office

NAPR is in charge of the registration of land ownership and its transfer through purchase agreementfrom landowners to the MSFG. Rayon Archives are now transferred in the possession of the Rayon Registration Offices of the NAPR. Rayon Archive is used for cross verification of ownership document and validity of physical possession of land by persons seeking registration as legalizable owner, in the case, owner does not have available documentation proving ownership rights on the adjacent land plot or in case there is any doubt regarding the plot.

Rayon Registration Office of the NAPR is the Rayon level authority for executing registration of land parcels in the name of the applicants based on package of application documents provided by rightful owners (PAPs possessing ownership documents but with title formalization pending) or by non-rightful owners after receiving appropriate certificate from PRRC as the case may be. The owners submit both soft copy and hard copy of plot maps with geometric details for record in the Rayon and Central NAPR.

5.3 Land Acquisition and Resettlement Organizations

MDFG – Municipal Development Fund of Georgia

MDFG has the overall responsibility of design, land acquisition and resettlement, construction, construction monitoring and supervision of the RDP III Project. This also includes financing and executing land acquisition and resettlement tasks and cross-agency coordination. MDFG 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 MDFG. One Social Safeguards/Resettlement Specialists will be hired and a Social / Gender Specialist have been hired and engaged for WB financed projects. The staff have received professional on-the-job training as a part of the World Bank's technical assistance to the MDFG. For each separate project, including the present one, MDFG will hire a local specialist as a consultant assisting in implementation of RAP.

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. The RMT is responsible for supervision of all technical work to accomplish RAP preparation and implementation tasks and coordination within the MDFG, as well as at central and local government levels.

The specific tasks of the MDFG RMT will be to (i) supervise preparation of RAPs for construction contracts and implement it after concurrence from donor IFI; (ii) establish land acquisition and resettlement (LAR) capacity at the regional level; (iii) ensure proper internal monitoring; and (iv) hire, following the donor IFI recommendation, the external monitoring agency.

The RMT will also provide all necessary documentation to ensure the prompt allocation of land acquisition and resettlement compensation to the PAPs and will maintain the coordination of all land acquisition, resettlement and livelihoods-restoration related activities.

The MDFG will be responsible for ensuring that an independent consultant/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 detailed engineering design for each sub-project.

An external and independent consultant will also be responsible for writing/updating RAPs.

Based on the MDFG'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 MDFG Resettlement Management Team later will take decision to start expropriation.

The RMT will also be responsible for all livelihoods restoration activities. This will include ensuring that consultations are held with PAPs who are losing livelihoods/whose incomes will decrease, helping them to develop alternatives for livelihoods restoration, linking these PAPs with government programs to promote employment/livelihoods, and developing tailored assistance to PAPs that may need this assistance to return to their pre-project income level.

Rayon LAR Team

Rayon LAR Team will be an informal group established for each sub-project through participation of rayon and village authorities and PAPs in order to provide technical assistance to the MDFG in the preparation and implementation of the RAP. The assistance includes identification of the affected landowners and users, defining the boundaries of land parcles, obtaining data on ownership, relations with PAPs, settling disputes in an informal way, ensuring unimpeded legalization of legalizable land plots, etc.The rayon level team is represented by the Gamgebeli, head of the local office of NAPR (National Agency of Public Registry), representatives of affected villages and Resettlement Management Team (RMT) of the MDFG. By instructions of the Rayon LAR Team, LAR Working Groups comprising village representatives (Rtsmunebuli), 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 MDFG Consultant in attendance of land owners. The staff of NARP 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, the resettlement unit of the MDFG shall start negotiations with the PAPs on the purchase of affected land plots and other assets in order to compensate for the loss of land and property (for both formal and informal users) Simultaneously, the MDFG will ensure proper consulations with the PAPs in assesing their individual needs for full restoration of their livelihoods and propose respective matrix for different types of livelihoods losses and mitigation measures. In case of agreement, PAPs 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 MDFG shall be assisted by LAR group members, including village Rstmunebuli, NAPR local office staff, etc. A purchase agreement is the basis for compensation payment. The compensation amount is decided by an authorized independent valuation company selected by the MDF.If the negotiation between an PAP and MDFG fails, the MDFG 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.

In case of private investors will be involved in project implementation will be obligated to carry out all their actions according Georgian legislation and World Bank safeguard policy requierments.

5.4 Other Organizations and Agencies

Civil Works Contractor

A Civil Works Contractor to be appointed by the MDFG to undertake the construction will be responsible for mitigating impacts resulting from the construction activities. The construction activities shall be monitored closely by the MDFG to ensure compliance to the temporary mitigating measures.

Court of Georgia

The Court of Georgia shall be the last resort for issues and concerns regarding the implementation of the aspects of the RAP relating to Georgian Law. In the case that there is no agreement between the MDFG and the PAPs concerning the acquisition of private properties, the MDFG with the mandate for expropriation based on existing legislations will submit to the Court a request for expropriation. Upon its approval and following prescribed procedure, MDFG will then take over the concerned property after having been given by the Court the right of the Expropriator. 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 PAPs will have the right to appeal the case to the Court. According the constitution of Georgia: “Acts of courts shall be obligatory for all state bodies and persons throughout the whole territory of the country.

Ministry of Finance

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

Ministry of Justice

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 ownership.

Donor WB

Besides supervising the Project periodically, the WB will review RAPs and provide clearance to contract awards signing and initiation of civil works for construction under the Project.

5.5 Capacity Building on LAR

Initial capacity building for relevant agencies was carried out during the preparation of RAP at the feasibility study stage. Close consultations were held with all the concerned departments. MDFG has established the 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, MDFG, donor IFIs. Capacity building training will also be initiated through a series of consultations and informal training sessions at the local administration level. Rayon level LAR Teams will be formed at each rayon that will be responsible for LAR activities assisting the LARC of the MDFG in the process of RAP implementation.

In terms of capacity and manpower resources within Resettlement Team of the MDFG, 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 Resettlement Safeguards Unit comprises the following staff units: Head of the Unit, three (3) Environmental Specialists, two (5) Resettlement Specialists and one (1) Social and Gender Specialist. LARC, at Rayon 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 (Training will be financed under RDP III):

(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, compensation and disbursement mechanisms;

(vi) Grievance redress; and

(vii) Monitoring of resettlement operations.

Table 12: State Institutions that may be involved in resettlement process

#	Ministries and Departments	Responsibilities
3	Ministry of Environmental Protection and Natural Resources	Resolves the issues related to the changes of the designation of land. Site approval within the Construction Permit.
4	Tourism Department	Site approval within the Construction Permit. Certain restrictions on construction in a sanitaire protection zones of resorts
5	Ministry of Culture, Monuments Protection and Sports	Site approval within the Construction Permit. Certain restrictions on construction in archaeologically valuable sites.

6. Consultation and Participation

6.1 Introduction

Consultation and participation is a process through which stakeholders influence and share control over development initiatives and decisions that affect them. It is a two way process where the executing agencies, policy makers, beneficiaries and PAP 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 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 PAP participate in the process.

The focus of these consultations are to ensure that the PAP and other stakeholders are informed, educated, consulted and allowed to participate actively in the process of project 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 PAP and communities to incorporate their views, needs and aspirations into the Project components. The consultation process has begun at Feasibility Study stage and was continued through public consultation meetings and individual contacts during land compensation/acquisition and resettlement surveys in April in 2017.

6.2 Consultation Process and Methodology

Consultation with local communities and government bodies in the project process was instrumental for project alignment demarcation and selection. 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.

Consultation with the PAPs in the project affected areas were conducted during the Feasibility Study stage and was continued through public consultation meetings and individual contacts during land acquisition and resettlement surveys between May 22-29 of 2017. The methodology includes walk-through informal group discussion, focus group discussions, individual interviews, key informant interviews, and informal discussion. The PAPs, their community, and local government officials were consulted to inform, educate and provide feedback in the project design.

Specifically for this RAP the PAPs were consulted through individual contact during the census survey during the preparation of this RAP, all likely AP persons were consulted through community level meeting and through individual contact at the time of census, socioeconomic survey and detail measurement survey.

Various methods used for stakeholder's consultation and participation with concerned stakeholders are described in Table 13.

Table 13. The Report of the Consultations Held and Methods of Consultations

Concerned Parties	Goal	Method
Potential APs and their communities	Informing the APs, reviewing their views about the possible impact, compliance and rights of property, as well as giving out compensation, displacement and rehabilitation procedures	• Meetings with all AHs during the socio-economic survey • Discussions with specific groups and meetings at a village level
Municipal Development Fund of Georgia, including its resettlement team (RMT)	Taking advice about the government policy, project guiding priorities and works	Frequent individual meetings with the MDF officials
National Agency of Public Registry of the Ministry of Justice of Georgia	Obtaining a cadaster map and information about the land plots and people in the impact zone. Obtaining the information about the official statuses of the entities running business in the project zone.	Consultations and discussions with the officials.
Local authorities at the regional level (regional municipality), confidant	Benefiting from their cooperation in the impact assessment study and discussing the problems associated with the status of overlooked land plots and rent.	Individual meetings with the officials of the relevant regions and discussions.

6.3 The Consultations with APs at the Stage of Preparation of the Resettlement Action Plan

The process of consultation reached the stage of the feasibility study and was continued with public consultations. Social survey held in. May 22-29 of 2017.

At the stage of preparing the presented documents and social survey, the persons affected by the project implementation were given the possibility to express their views and remarks regarding

the project and inform the project implementing organizations about the expectations and wishes. A relevant question was included in the social questionnaire developed within the scope of the project. Many issues were considered during the consultations, and as a result, a number of changes were made to the final decisions (for the detailed information see Chapter 2.2).

In the process of RAP preparation, the leaflets were distributed in the communities under the potential project impact and thus, the residents learned about the project features and World Bank resettlement principles. The leaflets were distributed through the regional and rural municipalities and were also given immediately to the business owners under the potential impact..

6.4 Consultation and Participation Plan

RMT on behalf of MDFG 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 municipal Gamgeoba. An information leaflet (in Georgian) is distributed among the APs and their community. A copy of the English version of RAPLeaflet is attached in Annex 2

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

- Final RAP will be disclosed in Georgian and English languages upon receiving approval from the WB;
- MDFG will organize public meetings and will inform the communities about the progress in the implementation of resettlement, and social activities;
- MDFG through its RMT will organize public meetings to inform the community about relocaiton alternatives/optoins, the compensation and assistance to be paid in the event of permanent or temporary loss of business or income. Regular update of the progress of the resettlement component of the project will be placed for public display at the local level MDFG office and at local Municipal Office;
- All monitoring and evaluation reports of the RAP will be disclosed to the community;
- Key features of the entitlements will be disclosed along the project corridor;
- MDF 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;
- Attempts will be made to ensure that vulnerable groups understand the process and to take their specific needs into account;
- Prior to beginning of civil works at each building / property a walk-through will be organized on site with PAPs, MDF resettlement specialist, and engineer to go over the detailed plan of works, activities to be included and not included in the building rehsabilitaiton, and address specific questions PAPs may have on the upcoming works on their property. MDF will keep records of these on-site discussions / walk-through including dates, names of participants, brief description of quesiton and issues riased and solutions found, ‘before photos’ of the residence to be able to compare with the state of the residence after the project.
- During the RAP implementation all affected households will be addressed individually. They will be informed in details about the project impacts and compensation values by

separate tallies. Explanation will be given regarding the valuation methodology and other issues, including on available grievance redress mechanisms.

6.5 Information publication

The final e-version of the Resettlement Action Plan will be uploaded on the MDF web-site. A copy of RAP (Georgian version) will be available at Adigeni Municipality and building of Abastumani Administration. The final document will be submitted to WB for approval and signing. The construction contracts will be signed after the Resettlement Action Plan is approved by WB. No construction activities shall begin before resettlement compensation has been received by PAPs.

6.6 Public Consultation

On October 5, 2017, a public consultation meeting was conducted in the Public School of Abastumani to discuss the Abbreviated Resettlement Action Plan developed within the scope of the Sub-Project. The meeting was attended by the representatives of the Municipal Development Fund of Georgia, Representatives of Local Municipality, Consultation Company "Eko-Spectri" Ltd and PAPs.

The representatives of the Municipal Development Fund of Georgia informed the meeting attendees about the requirements of the Georgian legislation and WB policies used to develop the said Plan.

The presentation continued with question-and-answer session when the representatives of the Municipal Development Fund of Georgia, Consultation Company "Eko-Spectri" Ltd answered the PAPs' questions. See the detailed information about the held public meeting in Annex 5.

7. Grievance Redress Committee (GRC)

7.1 Objectives

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

Stage 1 – informal (oral) review of the PAP's complaint (wither written or oral). At this stage the PAP's complaint shall be reviewed by Grievance Redress Committee 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 PAP's complaint is not resolved the PAP should be informed about grievance resolution procedures of Stage 2. PAP has the right to use the procedures of Stage 2 without applying to Stage 1 procedures.

Stage 2 – review of PAP's complaint. For the whole period of the project implementation. GRC shall review the written complaints of PAPs, which were not satisfied at Stage 1. At stage 2 the PAP's complaint shall be resolved and GRC shall make a decision in compliance with the Administrative Code of Georgia.

Grievance redress procedures of Stage 1 are an informal tool of dispute resolution allowing the PAPs 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 PAP is not satisfied, the grievance redress mechanism should assist him/her in lodging an official compliant 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.).

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 MDFG starts negotiations with the PAPs and shall function until the completion of the construction.

At the RAP preparation stage during the consultations meetings and negotiations the PAPs 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 PAPs, continued consultations with PAPs thorugh regular site visits by MDFG safeguard representative.

7.2 Formation of GRC

A Grievance Redress Mechanism will be established to allow a PAP to complain about any decision about activities regarding, assets or source of incomes and their compensation, as well as other problems or concerns regarding the project.

A Grievance Redress Committee (GRC) is an informal grievance redress mechanism at Stage 1. This informal body will function at the community level in Abastumani Gamgeoba (village/community authority).. Additionally, GRC can comprise representatives of PAPs, women PAPs. If the complainants are not satisfied with the GRC decisions, they can always use the procedures of Stage 2 of grievance resolution process.

For Stage 2 of grievance resolution process a commission comprising at least 3 members established by order of the MDFG Chairman.

At the stage of the social survey, which was held on May 22-29 of 2017, the APs were given the information leaflets, which informed them thoroughly about the instructions of both, the Project and the World Bank, including the necessity for establishing a Grievance Redress Committee (GRC) within the scope of the project and members of the Committee. At the stage of conducting the said study, all APs had to name two people as candidate members of GRCN (a relevant question was included in the social survey questionnaires – Annex 3). As the survey results suggest, the following representatives among the displaced people were elected the members of GRCN: (1) Naira Abuladze, a representative of the displaced women, and (2) Dato Partsakhashvili, a representative of the affected people. Contact person from the Municipalirty will be Mr. Giorgi Gedevandze. Information about the contact persons wll be provided to PAP's during the public meeting. Contact Person from MDF during the greavence resolution process - Nutsa Gumbaridze. At MDF level a feedback email address (feedback@mdf.org.ge) and telephone (598 88 20 19) will be disseminated during the consultation and posted in a visible location throughout the course of the project.

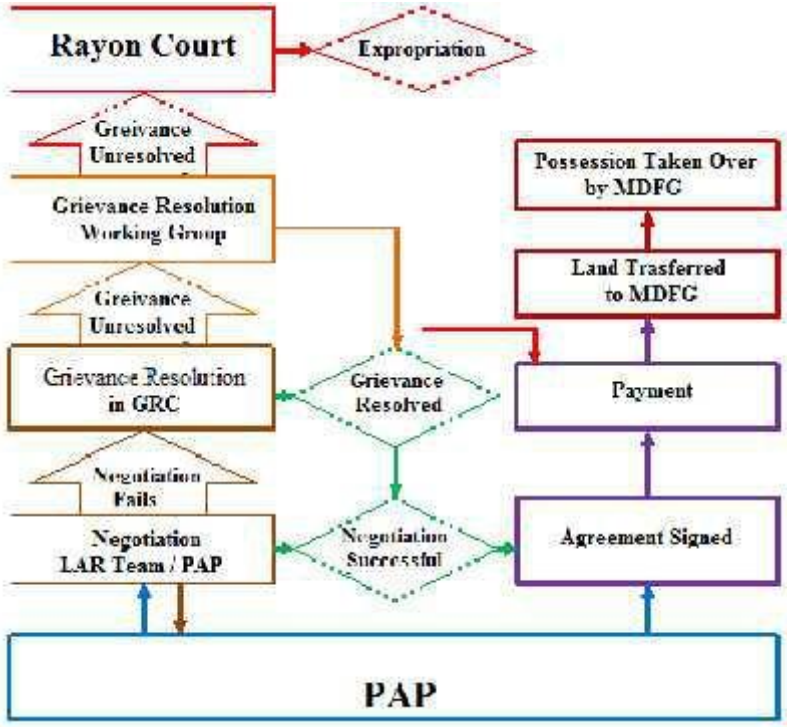
7.3 Grievance Resolution Process

Stage 1 – The member secretary of GRCs will be regularly available and accessible for PAPs to address concerns and grievances. The PAPs 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 receive from PAPs shall be immediately submitted to the contact persons of MDFG (coordinator and secretary), which will then organize a meeting and informally review the complaint with the aggrieved PAP. If the PAP is not satisfied, the GRC shall assist him/her in lodging an official complaint to the relevant body (i.e. MDFG). RT of MDFG headquarters will keep record of complaints received for its use as well as for review by the WB during regular supervision. The complaints and grievances from the APs will be addressed through the process described below in Table 14.

Table 14: Grievance Resolution Process

Steps	Action level	Process
I	Negotiations with PAPs	The complaint is informally reviewed by the GRC, which takes all necessary measures to resolve the dispute amicably.
II	GRC Resolution	A Grievance Redress Committee (GRC) is an informal grievance redress mechanism at Stage 1. This informal body will function at community level in Abastumani Gamgeoba (village/community authority). Additionally, GRC will comprise representatives of PAPs, women PAPs. If the complainants are not satisfied with the GRC decisions, they can always use the procedures of Stage 2 of grievance resolution process. MDF will maintain records (via the GRC) of all complaints lodged, responses provided, resolution, or follow-up actions needed.
III	Decision from MDFG	If any aggrieved PAP is unsatisfied with the GRC decision, the next option will be to lodge grievances to the MDFG. The MDFG shall review the complaint in compliance with the procedures specified in the AdministrativeCode of Georgia. MDF will respond to the complaints in writing and keep records of how the complaint was responded to, resolved, or follow-up action needed. 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.). The plaintiff shall be informed of the decision.
IV	Court decision	If the MDFG decision fails to satisfy the aggrieved PAPs, they can pursue further action by submitting their case to the appropriate court of law (Rayon Court). The aggrieved PAP 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.

Table 15: Grievance Resolution and Acquisition Process



8. RAP Implementation Steps and Responsibilities

Based on experience in Georgia the Preparation and implementation of a RAP may take up to a few months. The RAP implementation schedule will be agreed and approved by MDFG and the WB after detailed design and are finalized. The basic steps for the preparation and implementation of a RAP are summarized the table 15 below.

Table 15: The basic steps for the preparation and implementation of a Land Acquisition and RAP

	step	Action	Responsibility	Dates
A	RAP PREPARATION			25 Days
1	Preparation of RPF		MDFG	Completed
2	Conduct social impact assessment	Data collection process and preparation of a draft version of the Resettlement Action Plan	Consultant	Completed
3.	Preparation draft of Resettlement Action Plan	Preparation of the final Resettlement Action Plan, taking into consideration the MDFG and the World Bank comments;	Consultant	15 days after receiving comments
		Conduct public hearings;	MDFG	10 days after approval of the document by the World Bank and the MDFG
4	Minutes of meeting	Final agreement with WB	WB	5 Days
B	**Planning Phase**			15 Days
1		taking stock of the legal framework for compensation		7 Days

2		settling institutional arrangements and mechanisms for payment of compensation;		
3		defining tasks and responsibilities of each stakeholder		7 Days
4		establishing a work plan		7 days
C	Implementation Phase			40 days
1		Send notifications about compensation for PAP.	MDF Resettlement Management Group /Land Acquisition and Resettlement Worker Group	10 days
2		Issue of business delay or / or de-suspension compensation	MDF Resettlement Management Group	20 days
3		Issuing other types of compensations.	MDF Resettlement Management Group	20 days
4		Assessment of implementation the Resettlement Plan based on Compliance Reports	MDFG/World Bank	10 days
5		Issuance construction permit in case of resettlement plan satisfactory.	World Bank	
D	Monitoring and Evaluation Phase			
1		Internal monitoring. Quarterly reporting to WB	MDFG	Once in quartile

2		2 External Monitoring. Semi-annual reporting to WB	IMA or Social Safeguard Consultant/Supervision Consultant	Twice in year
3		Internal monitoring after completion of the project	MDFG	After completion of the project
4		External monitoring after completion of the Project	IMA or Social Safeguard Consultant/Supervision Consultant	After completion of the Project

Relocating or compensating people implies communication or dialogue with the stakeholders. The consultation and participation process will include four phases: (i) data collecting; (ii) preparation and planning of operations; (iii) implementation of operations; and (iv) monitoring and evaluation. The MDFG will coordinate all four operations.

8.1. Data Collecting Phase

Actors: MDFG, independent consultants

The actors constitute the main task force in the data-collecting phase. This process include consultations with PAPs and other relevant stakeholders. The data collected serve as instruments for the monitoring of the social mitigation measures applied.

PAPs were consulted to participate in the data-collecting phase by providing socio-economic information about their livelihoods. Also, PAPs consulted through meetings with village committees to share information about the MDFG, discuss the social impacts of project operations and the mitigation measures suggested. The contributions of the PAPs integrated into the subproject implementation process, from planning to evaluation.

8.2. Planning Phase

Actors: MDFG, PAPs (planning inputs, sounding board and advice-giving), representatives of local communities. Planning and coordination of the tasks of the various actors is the key to a successful implementation of the expropriation/compensation arrangements. The PAPs will be consulted with the aim to obtain their positions on issues at stake. The requirements of their work programs/businesses activities will be incorporated into the expropriation/compensation plans.

The work will focus on: (a) taking stock of the legal framework for compensation; (b) settling institutional arrangements and mechanisms for payment of compensation; (c) defining tasks and responsibilities of each stakeholder; and (d) establishing a work plan.

8.3. Implementation Phase

Actors: The principal actor is the MDFG. Also WB, PAPs (endorsement of arrangements).

The execution of the expropriation/compensation operations will be conducted by the MDFG, by their specialist. PAPs will be consulted about the compensation arrangements prepared. Cash compensation amount and will be presented to each eligible PAP for consideration and endorsement before cash payment can be effected.

8.4. Monitoring and Evaluation Phase

Actors: MDFG, PSC, independent consultants, NGOs, PAPs.

The MDFG will organize project completion workshops with government agencies, NGOs and representatives of PAPs after completion of the expropriation/compensation operations but prior to the closure of the mitigation measures. The aim of that exercise is to assess progress in the operations executed, suggest corrective measures where needed and solve pending issues. After completion of all expropriation/compensation operations, PAPs will be consulted in a household survey. The aim of that survey is to assess the impacts of the social mitigation measures implemented. Likewise, rural communities with PAPs will be consulted to provide their assessments of the impacts of the social mitigation measures applied.

The findings of the survey and the workshops will be presented in the project completion report, which will be established by the MDFG.

This RAP in Georgian will be disclosed on the MDFG website and at MDFG office before Project appraisal. The RAP in Georgian will also be disclosed to the APs at the relevant Municipality office (Gamgebeli) and at village administration (Sacrebulo) once subprojects are identified. Its English version will be disclosed on the WB website prior to Project appraisal and after the RAP is endorsed by the Executing Agency (EA) which will be MDFG in this case. Once a RAP for a subproject has been prepared and approved by MDFG and WB it will be disclosed at relevant Sacrebulo office (Gamgeoba and at village administration (Sacrebulo). A pamphlet in Georgian, summarizing compensation eligibility and entitlement provisions, will be sent to all AP/AFs before the initiation of the compensation/rehabilitation process and before signing contract awards. The consultation process will be continued throughout the project cycle.

9. Costs and financing

9.1 Introduction

The presumable costs of resettlement within the scope of the rehabilitation sub-project of historical reconstruction of settlement Abastumani cover the compensation amounts for temporal displacement, transportation costs and costs of transportation and temporal storage of books. Additional compensation for vulnerable population is also envisaged within the scope of the sub-project.

MDF, as the project owner, is responsible for the timely allocation of the funds needed to realize of the policy. The fund assignment must be checked twice a year based on the budget specified in the Resettlement Action Plan. The compensation and rehabilitation budget must be paid directly by the Municipal Development Fund of Georgia.

9.2 Itemized budget

The following section is dedicated to the calculation of different types of compensation and allowance as per the entitlement matrix. The Resettlement Action Plan (RAP) gives the minimum amounts of compensation; however, corrections can be made at the stage of negotiations to be ehld before signing the contract.

9.3 Categorization of the buildings

The rehabilitation works to be accomplished for 17 buildings in the project zone differ with their scales depending on the present state of the buildings. Following the planned construction activities, the category of each building was identified. The categorization of the buildings allows identifying the scales of temporal resettlement before the construction starts.

The practice of categorizing the buildings was adopted in line with the methods developed for the sub-projects within the scope of RDP I.

Under this methodology, (i) the residents of the buildings of the I category will not be subject to temporal resettlement, (ii) temporal resettlement/non-resettlement of the residents of the buildings of the II category depends on the owner's wish, and (iii) temporal resettlement of the residents of the buildings of the III category is obligatory.

Category	**Category description**
I	This category covers the rehabilitation works not resulting in significant limitation of the population's living conditions, discomfort or disturbance of the sanitary norms. The accomplishment of these works does not affect the population safety. Consequently, there is no need for resettlement.
II	This category covers the rehabilitation works, which limit the population's living conditions to a certain degree; in addition, the sanitary norms are expected to be violated in some cases. The accomplishment of these works may entail minor impact on the

	population safety. Therefore, it may become necessary to resettle the population.
III	This category covers the construction activities limiting the living conditions and leading to the disturbance of the sanitary norms. In the course of these works, the population safety cannot be observed. Therefore, it is necessary to resettle the population.

The table below shows 20 criteria used to categorize the buildings within the scope of the project.

#	**Work description**
1	Finishing the facade
2	Installing doors and windows
3	Putting the balconies to order
4	Reinforcing the foundation and retaining walls from the outside of the building
5	Reinforcing the foundation of the non-residential area
6	Putting the seismic belt in the attic to order
7	Changing the roofing
8	Changing the attic structure partially
9	Changing the fences and gate
10	Reinforcing the foundation and retaining walls from the inside of the building
11	Changing the retaining walls partially
12	Changing the attic structure completely
13	Building a new store
14	Improving the attic
15	Improving the balcony and stairs hampering the access to the building
16	Extending and reinforcing the openings
17	Laying a new reinforced concrete floor
18	Making a seismic belt at the floor level
19	Replacement of all walls
20	Disassembling the whole building

Criteria 1- 9 - I category
Criteria 10-16 - II category
Criteria 17 -20 - III category

In the case if during project implementation on the first category buildings, one of the following activities from the list (10-16) is required to carry out the building will be transfered in the second category and the resettlement will depend on the wishes of the resident;

In the case if during project implementation on the first or second category buildings, one of the following activities from the list (17-20) is required to carry out the building will be transfered in the third category and the PAP will be resettled;

During the Project implementation, if a building is classified as the I-category building, but the Executive Agency considers that the realization of the planned works may have a certain negative impact on the PAP and besides, the PAP applies to the EA with relevant request about temporal resettlement, the management of the Municipal Development Fund will be authorized to organize the temporal resettlement of the PAP and use reserve funds for this purpose.

As already mentioned, the buildings on the territory of settlement Abastumani are old and sometimes, hazardous. From year to year, the population repaired these buildings at their own expenses. In addition, there are many illegal extensions to the existing buildings. Both, the repairs and extensions were done in different years. As every building has at least 5 or 6 owners, who take care of their property and territory, in some cases, it is difficult to identify the exact category of the whole buildings.

An example is the building at Rustaveli #64 (Figures 2 and 3). with 5 families living in it.

Figures 2 and 3. Building at Rustaveli #64

There is an extension to the left façade of the building, which is in good condition and by considering the works needed for it, it belongs to the I category.

The second floor of the building (Figure 4) and areas on the rear façade (Figure 5) are hazardous and unusable to live in. These areas need capital repairs and ვbelong to the III category; however, as it is impossible to live in them, their owners will not receive relevant compensation.

Figure 4. Second floor of the building

Figure 5. Apartment on the rear façade

As for the fifth area, it is located on the right façade of the building and according of the assessment of the necessary works, it belongs to the III category. As the owner uses this area, he will be given relevant compensation for temporal resettlement.

As the said methodology suggests, 6 houses out of 17 ones in the project area belong to the I category. 2 buildings belong to the I-II category, and other 9 buildings belong to the to the III category either partially, or fully.

Prior to the onset of the rehabilitation works, a group with the following members: an architect, engineer and resettlement specialist, will organize a meeting with the owners of the owners of all buildings in the project zone, by giving due explanation about the works to accomplish with the building owned by them and registering the contemporary state of the building (by means of photo materials).

9.3 Methods to calculate the compensation

The number of tourists to settlement Abastumani has always been high. However, following the climatic conditions of the area, the tourist season is short and lasts for approximately 3 or 4 months. There are several hotels in settlement Abastumani. In addition, most of the population lets out their apartments on a daily basis. None of the entities letting out their apartments daily are registered with the Revenue Service as either legal, or physical entity. Consequently, it is impossible to receive official data of them.

The rent prices were identified based on the applications on the internet and private conversations. Table 19 shows the information about the renting prices of apartments in settlement Abastumani obtained from the internet.

Table 19. Information about the apartment rent prices in settlement Abastumani

N	Contact information	Web-site	Price on the web-site (House/daily)	Price quoted during the private conversation	Note
1	593525026 Ketevan	http://place.ge/ge/ads/view/767216	40 GEL/day	-	
2	599430780 Nana	http://place.ge/ge/ads/view/752557	The sum is not specified	40 GEL	
3	598865808	http://place.ge/ge/ads/view/569506	The sum is not specified		
4	592933215	http://place.ge/ge/ads/view/569506	The sum is not specified	50 GEL	
5	595580336	http://place.ge/ge/ads/view/569506	The sum is not specified	60 GEL	
6	558710336 Natela	http://www.eqo.ge/show.php?page_id=207618	40 GEL		
7	558458420 Mediko	http://www.eqo.ge/show.php?page_id=209620	50 GEL		At the same time it sells.
8	593000596 Irina	http://www.eqo.ge/show.php?page_id=212001	50 GEL		
9	555746427 Eka	http://www.eqo.ge/show.php?page_id=211672	50 GEL		
10	599180786	http://www.eqo.ge/show.php?page_id=208379	The sum is not specified	60 GEL	
11	598899928 Vakho	http://www.eqo.ge/show.php?page_id=211953	50 GEL		
12	577657976 Kakhi	http://www.eqo.ge/show.php?page_id=209633	100 US $		
13	577445578	http://www.eqo.ge/show.	The sum is not	60 GEL	

	Nana	php?page_id=209781	specified		
14	598303766 Tea	http://www.eqo.ge/show.php?page_id=208364	The sum is not specified	60 GEL	
15	599245811 Tsisana	http://www.eqo.ge/show.php?page_id=203044 http://www.eqo.ge/show.php?page_id=203039	The sum is not specified	50 and 60 GEL	Has 2 flats
16	577144122 Lasha Chagiashvili 591909509 David Chagiashvili	http://abastumani.ge/2017/03/10/orsartuliani-dacha/-	120 GEL		Hotel
17	577144122 Lasha	https://ka-ge.facebook.com/DasvenebaAbastumanshi/ green hotel	60 GEL		
18	598865808 Tamar	http://binebi.info/?cont=9&id=67577&lang=ge	50 GEL		
19	599767019 Natia	http://binebi.info/?cont=9&id=38820&lang=ge	40 GEL		
20	599002289	http://binebi.info/?cont=9&id=10733&lang=ge	30 GEL		
21	079029122 2Sergo	http://binebi.info/?cont=9&id=9164&lang=ge	25 GEL		
22	577445578 Keti	http://binebi.info/?cont=9&id=4496&lang=ge	30 GEL		
23	555410147 Izolda	http://binebi.info/?cont=9&id=2306&lang=ge	55 GEL		
24	Nomber not idicated	https://hotel24.ge/ka	From 180 GEL		Hotel
25	593946582	http://places.georgia.travel/index.php?sortName=n	The sum is not	80GEL	Hotel “Iveria

		ame&sortType=asc&layers_id=1&wImages=false&record_id=106561&lookups_id=2&lang=geo	specified		Abastumani ”
26	577237701 ; 592959993;	http://places.georgia.travel/index.php?sortName=name&sortType=asc&layers_id=1&wImages=false&record_id=106499&lookups_id=2&lang=geo	The sum is not specified	60 GEL	Hotel
27	599182299	http://sastumroebi.ge/abastumani-residence	From 80 US $-		Hotel “Abastumani rezidance”
28	577144122 ; 568333636	http://ideals.ge/bestdeal/shvidi-game-abastumanshi	25 GEL		Hotel “Hori”
29	59920240; 598171894;	http://abastuman.ge	From 60 GEL		Hotel “Villa Abastumani ”

As the table shows, if not considering some exceptions from the upper and lower limits of the quotted prices, average daily price varies from 40 to 60 GEL daily.

The calculation of the said daily compensation amount was done during the tourist season peak, i.e. the month of June in settlement Abastumani. In other months, the number of tourists is less and consequently, the given compensation is maximum possible for settlement Abastumani.

As 80% of the tourists to Abastumani rent the apartments for 2 or 3 days, with maximum 10% or 15% renting for maximum 1 month, the monthly compensation amount for temporal resettlement was fixed at 1200 GEL.

The analysis of the existing situation has evidenced that it is possible to rent an apartment in Abastumani and temporary rent is not a problem.

9.4 Vulnerability compensation

9 out of 85 APs are vulnerable. Following the specifics of settlement Abastumani, all of them are disabled persons. Each of them will receive additional 1015 GEL compensation.

9.5 Legal entities

2 objects of the privately owned 80 buildings are the property of legal entities (1 structure is owned by a company limited - Ltd., 1 structure is owned by a general partnership - GP).

At present, One Company does not use the structure owned by it. The building is useless to live in (Figure 7). The building belongs to the III category. The company owners are not entitled to the compensation.

One General Partnership runs a pharmacy in her building. The company has 5 founders, who work as sellers as well. The building belongs to the I category, and it is planned to rehabilitate its façade only.

The company does not stop operations and so, is not entitled to compensation.

Figure 7.

Figure 8.

9.6 Costs of transportation

The costs of transportation needed by each PAP to transport his/her furniture to and fro at the stage of the temporal resettlement, was fixed at 300 GEL.

9.7 Costs of transportation and temporal storage of the library books

There are two libraries in the project zone: (a) a children's' library (with 17000 books), which is in the building of the III category, and (ii) a public library in the building of the I category.

At the consultation stage with the library employees and local authority, two options of transporting and temporal storing the books were considered: (i) as not both libraries will be rehabilitated at the same time, it is possible to transport the books from one library to another for temporal storage, and (ii) to rent additional area for the temporal storage of the books.

Following the fact that the books would be safer on the territory of the buildings of the existing libraries and as the libraries are adapted for the storage of books, it was decided to choose the first option.

Packing 1000 books properly, storing them temporarily and returning to their original site was evaluated at 100 GEL (following the consultation with the library employees), while the cost of transportation in both directions was fixed at 300 GEL.

Consequently, the compensation amount to transport the books from the children's library to the public library and returning them back afterwards was assessed at 2000 GEL, while the compensation amount for the transportation of the books from the public library to eh children's library in case of necessity was assessed at 2700 GEL.

Taking the books from the children's' library to the public library in the course of the rehabilitation works was considered the best option (See the discussion of alternatives in Chapter 9.4). The compensation amount for taking the books from the children's' library to the public library for temporal storage and later, returning them back is fixed at 2000 GEL (100 GEL for 1000 books + 300 GEL for transportation costs).

10. Monitoring and Evaluation

The main objective of implementation of RAP is to improve or at least restore the social and livelihood resources of the PAPs 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 PAPs has been designed as an integral part of the overall functioning and management of the Project. Environmental and Resettlement Unit of MDFG through its Resettlement Team will ensure the execution of timely monitoring of the monitoring and evaluation indicators (process, delivery and impact indicators) of land acquisition and resettlement 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 PAPs 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.

Monitoring of RAP in the Project will be carried out. The Head of Resettlement Team will carry out regular internal monitoring for the MDFG social safeguards specialist through regular site visits and with inputs from LAR teams at field operation. Local Resettlement Consultant (LRC) will assist MDFG Resettlement Team during the RAP implementation and will be responsible for internal monitoring.

10.1 Monitoring

Internal monitoring will be carried out routinely by MDFG either directly or through the services of Head of Resettlement Team or Local Resettlement Consultant. The results will be communicated to WB through the quarterly project implementation reports. Indicators for the internal monitoring will be those related to process and immediate outputs and results. This information will be collected directly from regional MDFG level and reported monthly to MDFG 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 WB. Specific monitoring benchmarks will be:

- Information campaign and consultation with APs;
- Status of land acquisition and payments on land compensation;
- Compensation for affected structures and other assets;
- Relocation of APs;
- Payments for loss of income;
- Selection and distribution of replacement land areas;
- Income restoration activities, and

- Grievances and their resolution

Within the scope of the Sub-Project, MDF is authorized to carry out rehabilitation activities step by step, before the fully completion of aRAP, only on the building(s), whose owners receive total amount of compensations. The rehabilitation activities will not be conducted until payments on each (given) building are done. MDF will ensure that all stakeholders (PAPs, local authorities, contractors, supervisors, engineering staff, etc.) are aware of this requirement.

The above information will be collected by MDFG which is responsible for monitoring the day-to-day resettlement activities of the project through the following instruments:

1. Review of census information for all APs;

1. Consultation and informal interviews with APs;
2. In-depth case studies;
3. Sample survey of APs;
4. Key informant interviews; and
5. Community public meetings.
6. Grievances and their resolution

Annex 2: Information Booklet

Third Regional Development Project

Urban regeneration of Abastumani

The Government of Georgia has asked the World Bank to support financing of the Third Regional Development Project (RDP III) in Samtskhe-Javakheti and Mtskheta-Mtianeti regions. The proposed program of interventions will emphasize tourism and agriculture as two key pillars and drivers of economic growth. The proposed initial project will focus on support for the tourism sector and enabling the environment for the private sector to invest in the above-mentioned regions. The Municipal Development Fund of Georgia is the Implementing Agency of the Third Regional Development Project and its sub-projects.

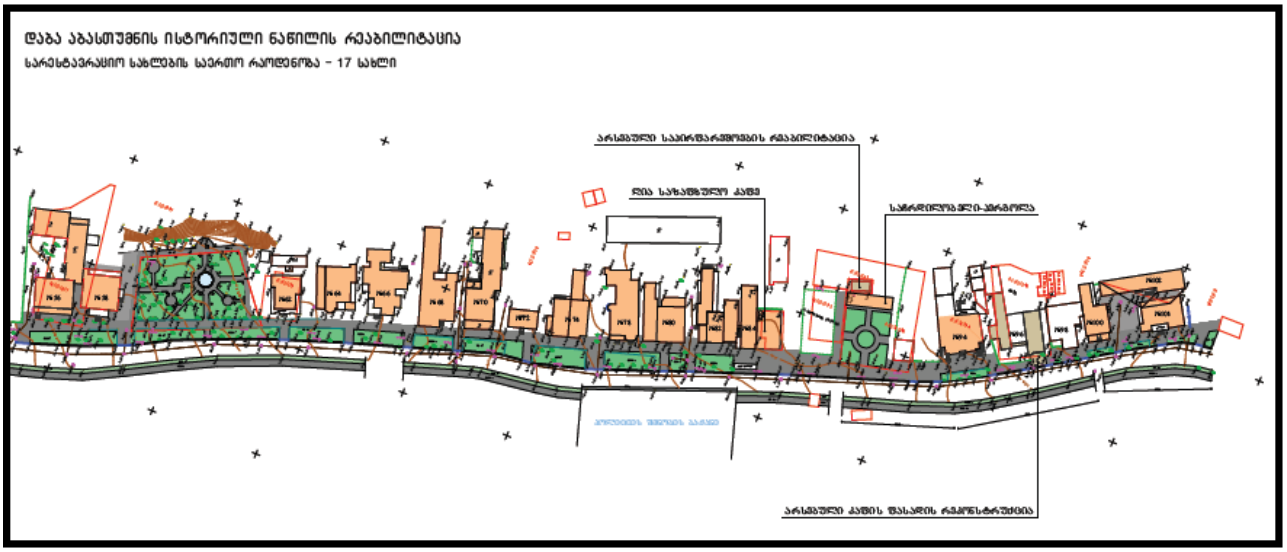
Abastumani borough locates in Samtskhe-Javakheti area, Adigeni Municipality, on South slope of Meskheti range, on valley of river Otskhe at distance of 28 km from Akhaltsikhe town, 25 km from Adigeni town, 1340 m above the sea level.

Construction works have to be implemented in Rustaveli street, 520 longtitude meters on smooth terrain. Construction site on the West side is bordered by mountain, on the East side Rustaveli street and river Otskhe. According to the Project rehabilitation works have to be carried out for 17 houses completely. The buildings represent monuments of cultural heritage and after implementation of activities they should retain initial historical appearance in maximum. Rehabilitation works will be fulfilled for houses NN 56, 58, 62, 64, 66, 68, 70, 72, 76, 78, 80, 84, 86, 94, 100, 102, 104 in Rustaveli street. Some of them are two-storied constructed with broken stones. They involve wooden decorative details. Their restoration is possible up to initial state. Some of them have unattractive outbuildings and their removal is impossible. Several houses have unique architectural style and are distinguished by art decorations (Houseso NN56,58,66,68,94,100,104) and the Project envisages their restoration up initial original state in maximum. Some buildings need strengthening works (Houses NN 56,58,62,64,80), the roof coverage and plywood adjustment are changed in all houses, wooden constructions of roofs will be changed partially. Finishing-rehabilitation works on facades will be carried out for all houses.

The park situated between houses NN 58 and 62 will be also reinstated together with decorative swimming pool located nearby. Next to house N 86 will be arranged Open Air Café, sports ground, pergola and the park.

In parallel with above mentioned works will be done night electrical lighting around the houses. On both sides of Rustaveli Street, the pavements will be finished with basalt tiles. Present borders will be substituted by basalt borders. The territories between houses will be covered by reinforced concrete. There are 17 buildinds and premises in the project zone (See Fig. 1).

Figure 1 locations of houses in the project zone and its adjacent areas



All projects funded by WB must comply with the WB social and environmental safeguards. The WB financed projects, in their turn, require compliance with the WB safeguards and guidelines. WB BP/OP 4.12 Involuntary Resettlement is one of the most important safeguards guiding land acquisition and related resettlement/compensation issues during project implementation. In line with the principles of host-country responsibility, Georgia is committed to implement the WB financed projects in compliance with the requirements of WB BP/OP 4.12.

Generally, the Georgian legislation is compatible with the major provisions of the WB Resettlement Policy but a few important differences are to be noted. The WB resettlement policy is directed at improving (or at least restoring) incomes and living standards, rather than merely compensating people for their expropriated assets. This improvement of incomes and living standards broadens the objective of the policy to include the restoration of income streams and retraining of people unable to continue their old income-generating activities after displacement. The emphasis on incomes and living standards, in contrast to the conventional emphasis on expropriated property, expands the range and number of people recognized as adversely affected and affects the kind of compensation and other assistance that must be provided. Recognition of this broader range of adverse impacts leads to a greater appreciation of the issues to be considered in resettlement and consequently requires careful delineation of responsibilities, elaborate risk management and explicit and distinct resettlement planning.

The WB policy complements the Georgian legislation/regulation with certain additional requirements, which are mandatory for the WB financed projects. In particular, appropriate planning/management instruments must be developed prior to project appraisal, like Resettlement Policy Framework (RPF) and Resettlement Action Pan (RAP), as appropriate

Table 1: Compensation Entitlement Matrix

Type of Loss	Application	Definition of AP	Compensation Entitlrmrnts
Compensation for Temporary Resetlement			
Temporary loss of residence -	**Household living in appartments in category III above.**	All AHs regardless of formal and informal status.	**All AH will be compensated for temporary relocation for three months.** Monthly compensation amount makes 1200 GEL. Consequently, all AHs will receive the compensation for 3 months making 3600 GEL. The entities having the residential areas, which are presently useless to live in, will not receive the compensation within the scope of the Project. The calculation of the said daily compensation amount was done during the tourist season peak, i.e. the month of June in settlement Abastumani. In other months, the number of tourists is less and consequently, the given compensation is maximum possible for settlement Abastumani.
	Household living in appartments belongs to II or I category.	All AHs regardless of formal and informal status.	The mentioned entities will receive the compensation in the following cases: (i) the residents of the buildings of the II category have expressed their wish for temporary resettlement, or (ii) at the stage of the Project implementation, it turned out that it was necessary to accomplish additional works for the I category buildings having changed the category of the buildings in question converting them to the objects of the III category. Monthly compensation is 1200 GEL. Consequently, each of them will receive the compensation for 3 months making 3600 GEL. The entities having the residential areas, which are

			presently useless to live in, will not receive the compensation within the scope of the Project.
Temporary loss of income	**All affected person running business in project area.**	All ABs regardless of formal and informal status.	The compensation will be calculated based on the Tax Declaration presented by the business owner. If a business owner is unable to present the declaration, his monthly compensation will be calculated by considering the subsistence minimum fixed for a 5-member family under the legislation of Georgia. In case the official profit of a legal entity is less than 338.3 GEL, the same amount will be considered as his profit and his due compensation will be calculated based on 338.3 GEL for 3 month. The ABs owning the commercial objects which are presently useless to run the business, will not receive the compensation within the scope of the Project. For #104 compensation reserve category
Employees	**All affected persons employeed by state in the project area.**		All affected employees are library staff. During the project implementation, they will receive their due wages. Consequently, no additional compensation is envisaged for them.
Allowances			
Transportation Costs	**Household living in appartments belongs to III category.**	All AH,s regardless of formal and informal status.	All of them will receive the transportation compensation amounting to 300 GEL.
	Household living in appartments	All AH,s regardless of formal and	If it becomes necessary to resettle the residents from the

	belongs to II or I category.	informal status.	buildings of the I or II category, all of them will receive the transportation compensation amounting to 300 GEL.
	Library located in the building of the III category.	Children's library, 17000 books	The compensation will be given out depending on the number of books. 100 GEL will be given for collecting, packing and returning every 1000 books following the completion of the project. The total amount of for the books kept at the library (17000 books) is 1700 GEL, plus the cost of transportation for the purpose of temporary storage of books amounting to 300 GEL. The total cost of transportation makes 2000 GEL.
	Library located in the building of the I category.	Public library, 24000books	The books from the library will be transported only if at the stage of the project implementation, it turns out that it is necessary to accomplish additional works and consequently, the building was attributed t the II or III category.
Vulnerable Persons Allowances (below the poverty line, families lead by single women, refuges, disabled belongs I and II groups and elderly)		AHs below poverty line, female-headed, leaded by disabled, refuges or lonely eldary.	Allowance equivalent to 3 months of minimum subsistence income for a family of five* and employment priority in project-related jobs. This is additional allowance for vulnerability status on top of that of other entitlements in this matrix.
Accidental damages			
Temporary impact during construction			Due compensation will be assessed and paid based on this RPF during construction.
Unforeseen impact			MDFG and the construction contractor will address and mitigate/compensate unforeseen resettlement impact

			occurring during the project.

Consultation Company "Eco-Spectri" Ltd. hired within the scope of the project will accomplish the social-economic study of the project zone and will develop a Resettlement Action Plan.

Attention!

The study will be accomplished on May 18-25 of 2017. therefore, May 25 was declared a critical date. Under the World Bank requirements, it is inadmissible to make any changes or amendments to the social-economic study accomplished following the critical date.

Contact Information:

"Eco-Spectri" Ltd
Tbilisi, Chavchavadze Ave 7,
Phone: 2 90 44 22;
Fax: 2 90 46 39;
Mail: info@eco-spectri.ge

Contact Persons:
Irakli Kaviladze
Project Manager
Mob: 5 99 979748;
Social Team:
Zurab Revazishvili: 555 26 81 08;
David Kaviladze: 599 99 01 61

Annex 3: Questionnaire

Family member interviewed
Date
Checklist #
Name of the respondent
Date - - -

The information booklet of the project was delivered:
Signature

Name of the Head of Household

1. Household Characteristics

Name, Surname	**Gender**	**Age**	**Ethnic Group**	**Religion**	**Education**				
					Incomplete Secondary)	Completed Secondary	Professional /Technical	High School	Illiterate
Head of Household (HoH)									
Other Members of Family (with notes on relationship with the HoH)									

2. Residence area

Residence area	
Urban	Rural

3. Social Status (Vulnerability)

Any Social Allowances from the Government	Lower than poverty line 57000 scores	Medical Policy Lower than 70000 scores	Other social allowances

4. Women headed household (without breadwinner male)

Yes	No

5. Income Sources

Major Income	Agriculture	Permanent salary in the public service	Permanent salary in the private company	income from Own business	Periodic wages (workings)	Pension
Additional Income						

6. Credit and its structure (Yes/No and bank or individual credit)

Bank	Private Person	No

7. Real estate of the affected households[10]

Property	Category	Characteristics
Land	Agricultural/residential/commercial	area
Land plot 1		
Land plot 2		

[10]This table is related to all assets of AHs but not only affected assets

8. Movable Property (number)

Radio	TV	Refrigerator	Washing Machine	Car	Motorbike	Bicycle	Gas stove	Heating devices	Conditioner

9. Livestock (How many)

Cattle	Pig	Sheep	Horse/donkey	Poultry

10. Current and basic expenses of the family (GEL per a year)

For food	Not food	Totally

11. Availability of infrastructure and communal services (Yes/No)

Centralized water supply	Well	Spring	Centralized sewage	Septic tank in the yard	Electric power supply	Natural gas	Gas balloons	Liquefied fuel	firewood

12. Medical Services and Education (Yes/No)

Local Policlinics	Local Hospitals	Municipal Hospitals	Kindergarten	Secondary School	High School	Local Road	Central roads

13. Have you any recommendation or comment related with the project:

1	
2	

14. At the stage of the project development and realization, a working team considering the complaints and proposals filed within the scope of the project and is established. A 6-member team will include two representatives of APs. Please, feel free to name candidates to be the members of the working team:

1. Representative of Women PAPs: _____;

2 Representative of PAPs: _____;

Interviuer Signuter:

Annex 4 Synopsis of Selected Georgian Laws and Regulations on RAP

Constitution of Georgia. The Constitution determines the essence of private ownership and defines presumption of inviolability and also regulates the issues related to compensation and expropriation of land and immovable property for necessary public need. The Constitution of Georgia ensures the publicity of information. Pursuant to Article 21 of the Constitution of Georgia "the right of ownership and inheritance is declared and secured". Nobody is eligible to cancel the universal right of ownership and legacy. Throughout of the necessary public need or if the urgent necessity has emerged, the Article 21.3 of the Constitution allows the expropriation of the private ownership however, only according to the Court Decision or under the rules identified in the organic law7 on basis of the appropriate and fair reimbursement.

Other articles of the Constitution of Georgia also establish legislative basis in respect with the resettlement measures related to infrastructure projects. This considers the State actions for expropriation of land for urgent public need, i.e. exercising the right of expropriation (power of eminent domain), also information disclosure and public consultations, protection of cultural heritage and grievance redress related to land acquisition and resettlement of population. The stated regulations create the set of procedures that allow obtaining the permit on road construction from private owners.

In the process of construction and rehabilitation of infrastructure elements, the significant attention shall be paid to the protection and care of cultural heritage so that they are not damaged and deteriorated. In accordance to the Article 34 of the Constitution of Georgia, "each and every citizen of Georgia is obliged to care for the protection and maintenance of cultural heritage. The State protects cultural heritage by the Law".

The Constitution ensures the right of a citizen to live in safe and healthy environment and use natural and cultural environment. The State undertakes environment protection measures to secure safe environment for people. People have the right to obtain "full, true and timely information" in regard with their work place and residential environment.

The Article 42 of the Constitution makes the citizens eligible to claim, in particular protects them and encourages appealing to the court for protection of their rights and freedom.

Organic Law of Georgia, Local Self-Government Code. The code defines the legal basis for self-government's operation, authorities of local self-government bodies, their establishment and duty rules, their finances and properties, relations with citizens, state authorities, as well as with public and private legal entities. Local self-government is carried out by municipalities: in self-governed cities and in self-governed communities. The law establishes the categories of municipal property, the way of establishment and property rights (with the exception of natural resources, as their use, ownership and management is regulated by the Georgian legislation), as well as municipal property privatization issues.

Municipalities have their own property that could include non-agricultural lands, agricultural lands (with or without buildings), as well as shares and stocks. Property of municipality consists of two categories: the basic (inalienable) property and the additional property. The basic (inalienable) property can only be used for the public functional use by municipality and for carrying out duties. The basic (inalienable) property is inalienable, besides the exceptional cases. The additional property is inalienable. If it is necessary property of municipality can be transferred free of charge to the State.

Civil Code of Georgia regulates private civil relationships, and evolves property rights, the law of obligations, family law and the law on inheritance. Regulations of the Civil Code that are particularly relevant to the property law section, where the ownership, construction and servitude rights are discussed, and other type rights directly related to the project are elaborated below:

- **Ownership Right.** The ownership right entitles its beneficiary to freely possess and use the property. The ownership right can be limited based on legislation or other agreement. Ownership on the land parcel gives implicit right to the land owner to implement construction activities if it is not restricted by any agreement or law;
- **Construction Right**. The owner is allowed to transfer a land plot to another person for temporary use (not to exceed 59 years) for charge or free of charge. The transferee obtains the right to build a building/construction on or under the land plot, as well as to assign and transfer this right under inheritance or tenancy, borrowing or renting. The construction right may cover such part of a land plot that is not necessary for the actual construction but allows a better use of the facility constructed on the basis of the construction permit. Termination of the construction right requires consent from the landowner;
- **Necessary Right-of-Way**. Another possibility is the use of "Necessary Right-of-Way", a legal alternative to expropriation, which is regulated by the Civil Code of Georgia (Article 180). Per Civil Code, Necessary Right-Of-Way can be invoked "if a land plot lacks access to public roads, electricity, oil, gas and water supply lines that are necessary for its adequate use". The owner may then claim for using a neighbour's land parcel "for the purpose of providing the necessary access". "Necessary Right-Of-Way" is granted by a District Court based on an application by the "neighbour" that must contain a justification of the urgency. Compensation may either be amicably agreed or be decided by the judge further to the decision granting "Necessary Right-of-Way". Fundamentally "Necessary Right-Of-Way" is intended to allow a landowner to obtain right of way through a neighbouring land parcel for utilities serving his/her land parcel. It can be used where amicable agreements cannot be reached due to refusal or absence of affected landowners;
- **Servitude.** Servitude Right on the property establishes the limits on land parcel or on other property in favour to other land parcel or owner of the property (beneficiary). The Beneficiary is granted with the right to use land parcel under restriction with some conditions on land parcel under restriction and/or restrict concrete activities or prohibit land owner in regard of this land under significant

rights. However, in regard with this project, any rights (among them ownership, construction, inevitable road or servitude) the terms and conditions for transfer the right for constriction shall be defined against each land parcel in accordance to the identified rules and on the basis of registered agreement entered by a landowner and the party holding the corresponding right of construction.

Law of Georgia on the Protection of Cultural Heritage. In addition to the Constitution of Georgia affirming the State's obligation to protect cultural heritage and requiring each citizen to care for, protect and preserve cultural heritage, the Law of Georgia on Protection of Cultural Heritage defines the legislative principals for protection of existing cultural heritage in Georgia.

According to the Law, State protection of cultural heritage is undertaken by the Ministry of Culture and Monuments Protection, Ministry of Justice of Georgia, local self-government bodies, as well as other State Institutions, Public and Legal Persons of Private Law. It is worth to be mentioned that the State and local self-government bodies exercise their authorities in the sphere of protection of cultural heritage in accordance to the Constitutional Agreement between the State and the Orthodox Church of Georgia. The Ministry of Culture and Monuments Protection of Georgia provides general coordination and manages the activities undertaken in this sector.

In respect with the ownership rights, the Law identifies some differentiations. Namely, the alienation of the State-owned land parcel - located within the zone of State-owned monument, considered as cultural value, or located within archeologically protected area - with the right to possess and use the Law considers the agreement with the Ministry of Culture, Monuments Protection and Sports with the terms and conditions of protecting and care being identified ahead. On the other hand, the Law directly restricts alienation of the monuments under private 36 ownership that can only be alienated under the right to possess, and use and with the terms and conditions to care-and protect.

Law of Georgia on Notary. The stated law defines the types of notary activities and rules of their implementation. The law also defines which institutions and authorized persons, except the Notaries, have the right to conduct notarial activities within the territory of Georgia and beyond it. According to the Article 42 of the Law, the local self-governments have the right to

implement notarial activities related to inheritance, verification of accuracy of the copy with the original document, proving the fact that a citizen is alive, proving the fact of a citizen’s certain

location. Rural population often applies to local self-governments to obtain certain notarial services. Especially, when it is required to identify a person and a document, or the notarial services are required to replace the deceased head of the household with another member. This rule is often utilized in registration of the land parcels, when as the owner of the land parcel the other member of the household is registered in place of the deceased member. The representatives of the Consulates of Georgia (consuls) also other key persons at the Consulates are eligible to conduct notarial activities on behalf of the State of Georgia

beyond the territory of the country (Article 43). Citizens being abroad may apply to the Consulate of Georgia in the county of their location.

Law of Georgia on State Property. This Law regulates issues connected to the Georgian state property management and usage transfer. This law does not apply to state property that includes useful materials that were left after reconstruction, repair or demolition of transferred in ownership property owned by the Georgian autonomous republics and local self-government and public legal persons. The law covers property which cannot be sold, including: water resources, territorial waters, continental shelf, state forest fund (except populated areas located in forests), air space, State Reserves, National Parks, Natural Monuments, recreation areas identified by the Government of Georgia and/or identified specific construction areas; objects of historical, cultural and artistic value, cultural and art facilities, as well as lands on which these objects are located, pasture (except for leased pastures until July 30, 2005), cattle trails, first section of sanitary protection zone of water supply units (maximum-security zone). The law of state property establishes rules of transferring ownership of state property and privatization. It also determines the competences of state authorities and local self-government in the privatization process.

Law of Georgia on Ownership Rights to Agricultural Land. The current law is completely different from the initial version adopted in 1996. The changes made to this law in different times (among them the amendments on the basis of the Law #389 dated July 14, 2000) have significantly changed its initial format and simplified to extent possible the procedures considered under the Law. The sphere of regulation of the Law mainly extends over the agricultural lands. Article 3.1. Defines that "a land parcel with or without household structure that is registered at the public register and used for cattle-breeding and plant cultivation is considered as an agricultural land parcel" with existing household and additional structures or without them. The law also refers to the share of a member of household community within the shared hay fields, grazing lands or forestry areas and the part of the agricultural land that may be the object "of separate ownership right" (Article 3.2).

The Law determines that the ownership right to agricultural land is granted to the State, physical person, household community (Komli) and legal entity registered in accordance to the legislation of Georgia, which carries out its activities in agricultural sphere. Besides, the Law declares the form of village and household community (Komli) ownership to state-owned grazing lands, private and form of community ownership in high mountain regions (Article 4.3).

According to the Articles 6 and 8, acquisition of agricultural land is allowed on the basis of ordinary rules and general restrictions. Ordinary rule considers land alienation without any permits and other limitations, and general restrictions consider land alienation only on the basis of the consent of co-owner of shared property.

Law of Georgia on Legalization of Property mainly refers to the lands, which are in private ownership, but are not registered in public register. The main purpose of this law is to additionally establish guaranties of defending private rights (article 21 of the Constitution, which presumes rights of private ownership) and develop international agreements. According to the

article 2, State agencies and officials are obliged to ensure the protection of private property rights and immunity. According to the law, property legalization means the confirmation of ownership on property, which only can be dispossessed in cases determined in the Article 21.

The Law on Legalization of Property applies to any property owned by the state or by the local government. This applies to properties for which ownership was purchased or the reason of purchasing the property appeared from legal act or deal before 22 July 2007. All the state agencies and officials are prohibited to purchase the property under the jurisdiction of the law or to control, to study, to observe in any other forms. Registration fee for the administrative boundaries of the city for one square meter of land is 15 GEL.

Property is legalized by the National Agency of Public Register under the control of Ministry of Justice. The procedures related to the legalization are regulated by the Law on Public Register.

Law of Georgia on Public Register regulates rights and obligations of National Agency of Public Register under the control of Ministry of Justice, in the process of property registration, also sets rules for registration of real and personal property. Article 11 defines which types of rights are registered in real estate register. According to this article real estate rights register records property, structure, usufruct, servitude, mortgage, rent, leasing, subleasing, borrowing, rights provided for use by the public law. According to the Article 16, movable property and Intangible Benefit of Property is registered in public register. According to this article, movable property and Intangible Benefit of Property registers pledge (excluding financial pledge), leasing, bank guarantee. Public register law also sets out the procedures and conditions for the registration of companies.

Public register law is not limited only to the rules of registration, its regulation area involves land registration and changes in land use, for example, changing the status of agricultural land to non-agricultural land.

Law of Georgia on Recognition of the Property Ownership Rights Regarding the Land Plots Owned (Used) by Physical Persons or Formal Entities. The main purpose of this law is to support land market development and mastering lands owned by government. This law defines the legal ownership and main terms and conditions about recognition of ownership rights on informally occupied lands. It also defines rights of involved state agencies in this process.

The law applies to informally occupied agricultural or non-agricultural lands owned by private and legal entities. Article 2 establishes the lands on which property rights can be recognized. In particular, it can be a piece of land on which the house or other building is located. Recognition of private property by the law takes place after paying a fee, but it also can be free of charge.

Lands are recognized free of charge only when they were held legally, but they were not recognized by the government in the past, in other cases recognition of land required fee. Ownership rights on payable or on non-payable lands are recognized by the commissions formed in municipalities.

Law of Georgia on Rules for Expropriation of Ownership for Necessary Public Need.

Existing laws provide that compensation for lost assets, including land, structures, trees and standing crops, should be at current market price without depreciation. They also identify types of damages eligible to compensation and indicate that both loss of physical assets and loss of income should be compensated. Income loss due to loss of harvest and business closure should be compensated to cover net loss.

Land acquisition for public interest may include eminent domain procedures, through a two-phase process as follows:

Phase 1: A negotiated settlement is sought in a first phase, based on a first compensation proposal at market/replacement value.

Phase 2: If no agreement is reached, land acquisition is further pursued through a judicial expropriation process (the implementing agency applies to Court to order expropriation and to fix compensation).

The Minister of Economy and Sustainable Development issues expropriation applications for each property where no agreement could be reached, based on dossiers filed by the implementing agency. On this basis, the implementing agency applies to Court, which, in a first stage, validates whether the application is justified by public interest and whether the appropriate procedures have been followed. Following this ruling validating the fact that eminent domain proceedings (expropriation) can be followed, the Court in a second stage appoints an expert to assess the compensation amount.

In the case of this project, eminent domain is applicable and expropriation will be sought where no amicable agreement is reached.

Civil Procedural Code of Georgia. The general courts of Georgia consider the cases according to the rules identified under the Procedural Civil Code of Georgia. The requirements of the procedural law are exercised during the lawsuit, during implementation of separate procedural actions or execution of the court decision.

The Procedural Civil Code of Georgia also regulates those cases when determination of the defendant is impossible. This may be important for the Project in the cases when the landowner is not found and correspondingly ownership to his/her land parcel cannot be obtained in legally valid manner, i.e. it is impossible to enter corresponding agreement with the landowner or him/her cannot sign other type of document.

The above listed laws and regulations give the possibility of applying the following two mechanisms for legal application of the property rights:

Obtaining the road right of way without expropriation through the payment of due compensation (on the basis of negotiations or a court decision) prior to commencement of the activities;

Obtaining the necessary right of way through paying due compensation based on the court decision.

If applied adequately the above listed mechanisms can ensure the appropriate consideration of lawful interests of all parties and the due observation of the existing legislations.

Law of Georgia on Social Assistance. The law regulates issues connected with the receiving of the Social welfare, determines types of the social support. It also defines the authority of administrative bodies in the field of social aid (Article 1). The law applies to the vulnerable persons permanently legally residing in Georgia. Article 2 sets list of socially unprotected people: persons in need of special care, poor families and the homeless.

Article 4 defines terms, which explains nature of social aid and identifies persons who should receive this aid. According to this article social support can be provided in form of monetary or non-monetary benefit for persons in need of special care, poor families and the homeless. Poor families consist of persons or groups of people whose socio-economical status is lower than minimum level set by Georgian government. A homeless person does not have a permanent place of residence, and he/she is registered with the local authority as homeless. Persons in need of special care include orphans and children deprived of parental care, persons with disabilities, adults with disabilities are who are deprived of family care, persons with lost breadwinner. According to the law a disabled person is a person who has been granted such status by the Law on Medical-social Expertise. Social security financing sources include Georgian state budget, budgets of Units of local self-government, the money paid by the beneficiary or his/her representatives, and contributions (Article 24).

Law of Georgia on Social Protection of Persons With Limited Abilities. According to Article 1 legal status of persons with limited abilities In Georgia is regulated by Declaration of the United Nations about "Rights of Persons With Limited Abilities from 9 December 1975, Constitution of Georgia and this law. The person With Limited Abilities is person of strong physical, mental, intellectual or sensory impairment, which may interfere with the interaction of a variety of obstacles to the full and effective participation in public life on equal terms with others (Article 2). According to the Article 8 it is not allowed of the design localities, educational, cultural and sports facilities, as well as infrastructure construction and of buildings and structures, if these objects are not suitable for people with disabilities and needs.

Government provides the necessary conditions for education and professional training for persons with limited abilities. Persons with limited abilities are socially supported by funds, pension, social assistance technical and other facilities (Article 24). Social security pensions and allowances are regulated by Georgian legislation on security pensions and allowances for persons with limited abilities.

Law of Georgia on Internally Displaced Persons from Occupied Territories – Refugees. According to the Article 2, the status of refugees is given to people who are citizens of Georgia or noncitizens without citizenship status of Georgia, who were forced to leave their permanent

place of residence due to occupation, armed conflict, communal violence and / or mass violations of human rights which became threat for person or person’s family members

lives or freedom by the other country. Any kind of discrimination of refugees is inadmissible. Refugee status is granted by the Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees (Article 8). According to the Article 14 refugees are not being evicted from their legal owned residential areas except the cases considered by the law when: (a) written document is formed with refugee about financial or non-financial compensation in accordance with his/her land area; (b) Refugee will be given relevant living area, which does not worsen his/her living conditions; (c) Natural or other disaster takes place, which will be compensated and is regulated by the general rule.

All refugees have their family unity respect right. Uniting or dividing refugee families without their will is inadmissible (Article 13). Refugee settlement, registration, and other social issues are organized by the Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees (Article 19).

Conditions for Expropriation and Legalization

The above-listed laws and regulations give the possibility of applying the following three mechanisms for legal application of the property rights: (i) Obtaining the road right of way without expropriation through the payment of due compensation prior to commencement of the activities; (ii) Expropriation which gives the possibility of obtaining permanent right to land and/or necessary road on the basis of Eminent Domain Law or a court decision through the payment of due compensation; (iii) Expropriation of private properties for urgent public necessity, which gives the possibility of obtaining permanent rights on land and/or necessary road for the purpose of national security or accident prevention. Expropriation is to be made on the basis of the 40 Presidential Decree on Expropriation through the payment of due compensation to affected people.

Expropriation. Land acquisition through expropriation entails lengthy procedures, which are often resisted. Such an approach will thus be pursued only in extreme cases if there is no agreement between APs and MDFG. In these cases the Project will not occupy the needed plots until: (i) the proper judicial process as defined by the law is initiated; (ii) a court injunction is obtained and communicated to the APs; and (iii) the compensation/rehabilitation amounts are deposited in an escrow account.

Using the Mechanism of Necessary Road means the right to demand necessary road by court in specific cases when owners location is unknown or/and person can’t be located, or there are some liabilities which interrupts land acquisition process.

According to the Article 180 of Civil Code, if land is not necessary needed for proper use of public roads, electricity, oil, gas and water supply networks, than the owner has right to demand from neighbour that he/she was the one whose land will be used for these necessary connections. Those neighbours on whose lands are necessary roads or wiring should be compensated. There is a certain mechanism set by the Georgian civil trial code about how the public message can be delivered to respondent whose location is unknown.

According to the Article 78 of Procedural Code in this case the message will be published publicly. After 7 days following its publication, the court notice will be considered as delivered. After making this information public, the trial has legal right to review this case and make a decision. In case of using the necessary road mechanism, compensation will be transferred to an escrow account. Compensation will be transferred to the owner of land once his/her location will be identified or after the person will do all the obligations connected to the land transaction.

Annex 5: Public Consultation

Adigeni Municipality 05.10.2017

Minutes of Meeting

Third Regional Development Project

(RDP III)

Urban Regeneration of Abastumani

Public Consultation meeting on Abbreviated Resettlement Action Plan

In order to discuss resettlement documentation (Abbreviated Resettlement Action Plan) prepared for the sub-project- "Urban Regeneration of Abastumani*",* on October 05, 2017 a public consultation meeting was conducted in the Public School of Abastumani. Before conducting the public consultation meeting, the venue has been chosen by locals as the most convenient place.

As for the Public Consultation Meeting, the information regarding date/time and location was published in MDF Official website, announcement paper was posted at the project site, entrance of the LSG building and where itself a public consultation meeting has to be conducted in the Public School of village Abastumani. Also together with LSG and MDF representatives personally met with PAPs and provided them with the information about aforementioned meeting.

The meeting aimed to discuss the Abbreviated Resettlement Action Plan prepared for the Sub-Project (including compensation entitlements, grievance redress mechanism, categorization of the buildings and other aRAP related procedures).

Architect/Engineers team was actively participating in decision making process during every stage of negotiations and preparations of Detailed design and aRAP.

Those present at the meeting:

Locals:

1.Eter Matoshvili,
2. Gvantsa Idoidze,
3. Roza Melkoniani,
4. Zina Dzindzibadze,
5. Kornerli Gamkrelidze,
6. Amiran Chikovani,
7. Davit Partsakhashvili,
8. Karina Tsintsadze,
9. Iakob Kiknavelidze,
10. Mikheil Dalakishvili,

11. Liana Rapaeliani,
12. Iza Tatalashvili,
13. Emzar Apriamashvili,
14.Rusudan Kviriliani,
15. Tinatin Kviriliani,
16. Teimuraz Minadze,
17. Zhuzhuna Adeishvili,
18. Tinatin Nadiradze,
19. Tamar Atoshvili,
20.Mzia Katchatchashvili,
21. Svetlana Bochikashvili,
22. Nino Bochikashvili-Pirtskhalaishvili,
23. Giorgi Nadiradze,
24. Naira Abuladze,
25.Nana Baghdoshvili,
26. Nona Butskhrikidze,
27. Marine Manukiani,
28. Nanuli Nizharadze,
29. Nugzar Khositashvili,
30. Tamar Apriamashvili,
31. Liana Zazashvili,
32. Levan Vardidze,
33. Zurab Partsakhashvili.

Representative of Adigeni Municipality Gamgebeli: Giorgi Gedevanidze

Representatives of the Municipal Development Fund of Georgia:

Head of Environmental and Resettlement Unit: Giga Gvelesiani

Environmental and Resettlement Unit – Specialist - Guja Kvantchilashvili

Environmental and Resettlement Unit – Specialist (GRM Contact Person) – Nutsa Gumberidze

Environmental and Resettlement Unit – Specialist – Nestor Chkheidze

Representatives of Ltd "Eko-Spectri":

Individual Consultant: Irakli Kaviladze

Specialist: David Kaviladze

Specialist: Zurab Revazishvili

Guja Kvantchilashvili, Specialist at Environmental and Resettlement Unit of MDF, opened the meeting, He informed the attendees about the MDF, purpose of the meeting, main goals of the sub-project and the planned works envisaged under the SP.

In the process of the meeting, he conducted presentation of the Abbreviated Resettlement Action Plan prepared for the sub-project. He shortly explained to the public about the procedures applied for the WB and requirements of the presented SP.

G.Kvantchilashvili discussed the structure and content of the Abbreviated Resettlement Action Plan prepared for the SP, The World Bank Policy and Resettlement Related Legislation of Georgia; He presented the detailed information about impacts and compensation eligibility criteria, entitlement, methodologies used to determine the amount of compensations, and/or other assistance to mitigate any potential impacts. He also mentioned, that when calculating the compensation amounts, additional "reserve amounts" to be budgeted are envisaged in case of changing the building categorization during the rehabilitation works (due to possible additional works), that may require additional compensation budget. He explained the categorizations in details, also showed the list of works that defines each category in accordance with the information provided in the aRAP. The presentation also included design of the Project Area, showing the renders of the buildings.

Nutsa Gumberidze informed the participants about the contact persons for communication, in case of existence of any complaints and/or expressing the comments and suggestions. She provided the participants with the booklets showing all contact informations (Of both Local Municipality and MDF representatives).

After the presentation, the audience was given a possibility to express their opinions and/or participate in Q&A session concerning presented issues, they posed the following question:

Questions and remarks	**Answers and comments**
Are the compensation amounts counted already?	In the process of preparation of the Abbreviated Resettlement Action Plan, a social survey was accomplished, the compensation amounts were fixed and counted for each PAPs within the scope of the SP by considering the categories of the impact. Besides, as we have already mentioned, the reserve amounts were also considered in the aRAP.
So, does that mean that the houses of all of us have been categorized already?	Yes, each house was given the relevant category individually. The process of categorization of the buildings and premises involves the work of the project designer, engineers and resettlement consultant. At the stage of the rehabilitation works, it may become necessary to accomplish additional Works which can make it necessary to change the category of the building.

You gave us detailed information regarding the categories. However, I have a question if I fall within the first category, won't I be entitled to the compensation?	The owners of the I category will not be subject to temporary resettlement. This category means the rehabilitation works, which do not imply significant limitation of the living conditions of the population, their discomfort or violation of sanitary norms. The accomplishment of these works does not affect the people's safety and consequently, there is no need for their resettlement. Hovewer, At the stage of the rehabilitation works, it may become necessary to accomplish additional Works which can make it necessary to change the category of the building.
Is it possible for you once again to show me the works planned to accomplish with my house and detailed project, please?	Yes, after the presentation we will be able to show you the detailed design.
What are the significant beneficial effects of the Project on the local population?	Implementation of the Sub-Project will improve touristic attraction. The increased tourist flows: 1) will have positive social impact through improvement of employment opportunities and supporting the development of tourism-based economy and cultural heritage circuits in the Region. 2) will be particularly beneficial for the people renting out their houses because, as it generally happens, following the implementation of such infrastructural projects, the renting price of the real estate increases.
When will the rehabilitation works be started?	For the moment, finalization of the aRAP document is ongoing. First of all compensations will be paid and you will be given information about the startup of the rehabilitation works and only after this works will be started. You will be provided with additional informations.
I am sorry for being late on the meeting. I was unable to listen all of you have said about the categories. Would you please give me the information about the categories?	Once Q/A session is over, we will provide you the detailed information not only about the categories, but about today's presentation as well. (After the session, PAP was given the detailed information fully).

As you have stated, if a person is categorized as vulnerable, he/she will receive compensation. So, does it mean that a vulnerable person will receive additional compensation amount?	For every vulnerable PAP, the RAP considers additional compensation amount. (Allowance equivalent to 3 months of minimum subsistence income for a family of five - In total: 1015 Gel).
What happens if some building or premise does not belong to any of the categories?	All the buildings envisaged to be rehabilitated under the SP have been assigned the category (I, II or III).
Will you be here during the process of rehabilitation?	Prior to beginning of civil works at each building / property a walk-through will be organized on site with You (house owner), MDF resettlement specialist, and engineer to go over the detailed plan of works, activities to be included and not included in the building rehabilitaiton, and address specific questions You may have on the upcoming works on your property. MDF will keep records of these on-site discussions / walk-through including dates, names of participants, brief description of quesiton and issues riased and solutions found, 'before photos' of the residence to be able to compare with the state of the residence after the project. Besides, during the rehabilitation process as well, we will conduct active monitoring on site, will have close contact with you and you will be able to raise any question/consern and/or express your comments. In addition, you can feel free to contact us any time at the contact numbers.

At the end of the meeting the audience expressed their positive attitude towards the project and noted that rehabilitated project area and arrangement of the infrastructure will increase the number of tourists that will positively be reflected on the incomes.

Photo materials and copy of registration list of meeting attendances are hereby enclosed.

List of Attendances

აბასთუმნის ისტორიული განაშენიანების რეაბილიტაცია (RDP III)
Urban Regeneration of Abastumani

შეხვედრაზე დამსწრეთა რეგისტრაციის ფურცელი
Public Consultation Meeting - 05.10.2017

List of Attendance

#	სახელი და გვარი / Full Name	მისამართი / Address	ორგანიზაცია / Organisation	საკონტაქტო ინფორმაცია / Contact Information	ხელმოწერა / Signature
1	[illegible]	[illegible] 64	[illegible]	595-11-48-34	[illegible]
2	[illegible]	[illegible] 64	[illegible]	599-06-54-86	[illegible]
3	[illegible]	[illegible] 76	[illegible]	574-80-88-57	[illegible]
4	[illegible]	[illegible]	[illegible]	598-76-62-24	[illegible]
5	[illegible]	[illegible]	[illegible]	557-723-152	[illegible]
6	[illegible]	[illegible] 70	[illegible]	579-51-58-81	[illegible]
7	[illegible]	[illegible] 94	[illegible]	595 77-44-64	[illegible]
8	[illegible]	[illegible] 80	[illegible]	595 36-55-59	[illegible]

9				599 165755	
10				599912134	
11				574 44 74 94	
12				577381554	
13				558090913	
14				595-53-13-19	
15				595-53-13-19	
16				595-58-84-56	
17				591-41-22-12	
18				593-36-20-67	
19				593-96-44-25	
20				593-31-09-52	

21	[illegible]	[illegible] 66	[illegible]	595955130	[illegible]
22	[illegible]	[illegible] 66	[illegible]	595955039	[illegible]
23	[illegible]	[illegible] 66	[illegible]	598626884	[illegible]
24	[illegible]	[illegible]	[illegible]	577-179-279	[illegible]
25	[illegible]	[illegible]	[illegible]	599-44-64-31	[illegible]
26	[illegible]	[illegible]	[illegible]	599-44-64-30	[illegible]
27	[illegible]	[illegible]	[illegible]	599 9391-63	[illegible]
28	[illegible]	[illegible] N68	[illegible]	577-17 92-44	[illegible]
29	[illegible]	[illegible]	[illegible]	599 18-24-63	[illegible]
30	[illegible]	[illegible]	[illegible]	577-527-421	[illegible]
31	[illegible]	[illegible]	[illegible]	598197618	[illegible]

32				57725365	
33				595744111	
34					
35					
36					
37					
38					
39					
40					
41					
42					
43					