

Land Acquisition and Resettlement Plan

December 2020

L3746/G0632-KGZ: "Climate Change and Disaster Resilient Water Resources Sector" Project

Land acquisition and Resettlement Plan (hereinafter referred to as "LARP") was prepared by the State Agency for Water Resources under the Government of the Kyrgyz Republic for the Asian Development Bank.

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Abbreviations

AA	Aiyl aimak, the village level (rural) administrative area
ADB	Asian Development Bank
AH	Affected Household
AO	Aiyl okmotu, the village level (rural) municipality, a village administration, a LSGB
APs	Affected Person(s) (or Affected People)
COI	Corridor of Impact
CSC	Construction Supervision Consultant
DMS	Detailed Measurement Survey
EA	Executing Agency
GRG	Grievance Redress Group
GRM	Grievance Redress Mechanism
HHs	Households
KR	The Kyrgyz Republic
LAR	Land Acquisition and Resettlement
LARF	Land Acquisition and Resettlement Framework
LARP	Land Acquisition and Resettlement Plan
LARS	Land Acquisition and Resettlement Structure
LCKR	Land Code of Kyrgyz Republic
LSG	Local (Self-) Government
LSGB	Local (Self-) Governance Body
NGO	Non-Governmental Organization
PIC	Project Implementation Consultant
PIU	Project Implementation Unit
RIB	Resettlement Information Brochure
SAWR	State Agency of Water Resources under the Government of the Kyrgyz Republic
SES	Socioeconomic Study
SPS	ADB Safeguards Policy Statement (2009)
TRTA	Transactional technical assistance
WUA	Water Users Association
WUG	Water Users Groups

Definition of Terms

Compensation	– This is payment given in cash or in kind to affected persons (APs) at replacement cost or at current market value for assets and income sources acquired or adversely affected by the project.
Cut-off date	– Is the date when the DMS was completed. Anyone who occupies or encroaches into the defined boundaries of the Project area after this date is not entitled to compensation and other assistance for affected assets and incomes.
Detailed Measurement Survey (DMS)	– With the use of approved engineering drawings, this activity involves list of assets affected, severity of impacts, and list of APs done during the preparation of this draft Land acquisition and resettlement plan (LARP).
Affected person (AP)	– Refers to any person or persons, household, firm, private or public institution that, on account of changes resulting from the Project, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (e.g., residential, commercial, agricultural, and/or grazing land), water resources or any other fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without physical displacement.
Eligibility	– Eligible APs may fall under any of the following groups: (i) Those who have formal legal rights to land lost including customary and traditional rights; (ii) Those who do not have formal legal rights to land lost as of the cut-off date but have claims to such land or assets that are recognizable under national laws; and, (iii) Informal settlers who satisfy the condition for eligibility to compensation as provided in the definition of “cut-off date for eligibility”. Non-eligible APs include those making claims based on subsequent occupation after the cut-off date for eligibility.
Compensation Payout	– Refers to a range of measures, such as compensation in cash or in kind, income restoration support, transfer assistance, relocation support, etc., which are provided to the APs depending on the type and severity of their losses to restore their economic and social base.
Ethnic Minority	– People with a group status having a social or cultural identity distinct from that of the dominant or mainstream society.
Land acquisition	– Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
Land Acquisition and Resettlement Plan (LARP)	– This is a time-bound action plan with budget, setting out the resettlement objectives and strategies, entitlements, activities and responsibilities, resettlement monitoring, and resettlement evaluation.
Relocation	– This is the physical displacement of an AP from his/her pre- project place of residence and/or business.
Replacement cost	– Means the amount in cash or in kind needed to replace an asset in its existing condition, without deduction of transaction costs or depreciation and salvageable materials, at prevailing current market value at the time of compensation payment.
Severely affected Households	– This refers to AHs who that “are (i) physically displaced from their residences and have to relocate or (ii) losing from 10% or more of their income generating/productive assets.
Vulnerable groups	– These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized due to the project and specifically include: (i) female-headed households with dependents, (ii) household heads with disabilities, (iii) households falling under the generally accepted indicator

	for poverty, (iv) elderly households who are landless and with no other means of support, (v) landless households, (vi) ethnic minorities.
Agricultural land	– Land provided for the needs of agriculture or intended for these purposes and used for seed production, breeding, experimental farm and agricultural cooperatives, commercial agricultural production, protective forestry, horticulture, gardening, summer cottages, research, experimental selection and variety testing, as well as for other purposes related to agricultural production.
Land share	– Land for agricultural purposes (in terms of land), granted to a citizen of the Kyrgyz Republic free of charge during the land-agrarian reform, ownership is verified by a certificate.
Land plot	– A single contour of the land area, having a fixed border. Title to the land plot is certified by a state act or certificate.
Household plot	– Land allotted by state or local government to citizens for individual house building, with a land plot adjacent to it.

1. Executive Summary

A. Introduction

This is the final Land Acquisition and Resettlement Plan (LARP) based on the detailed design prepared for the Pravaya Vetka Irrigation System representative subproject of the Climate Change and Disaster Resilient Water Resources Sector Project. It has been prepared in accordance with ADB's Safeguards Policy Statement (SPS 2009) and the regulations of the Kyrgyz Republic (KR).

B. Negative impact mitigation

During the preparation of the project, needed acts were taken to minimize the negative impacts. Construction work is planned to be carried out on existing channels or on municipal lands.

C. Scale of land acquisition and resettlement

Land acquisition will not be needed for Pravaya Vetka Irrigation System representative subproject since all construction works will be carried out on municipal owned land of Kenesh, Massy and Aral aiyl aimaks (AA).

According to the list of the size and the required area, for the construction under Pravaya Vetka subproject, land allotted¹ with total area of 16.67 hectares (Table 1):

Table 1. Land allotment and impacts under Pravaya Vetka subproject

No.	Name of structure/facility	Type of impact							Notes
		Area of land impact, ha			Land type	AP	Trees, pcs	Fences, m	
		Total	Permanent	Temporary					
	Kenesh Aiyl Aimak								
1	Mudflow structure No.1	0.89	0.48	0.41	Non-agriculture	8	62	102	AP1 and AP2
2	Mudflow structure No.3	1.03	0.73	0.30	Water fund ²	N/A	5	N/A	Uprooting trees
3	Rehabilitation site No.1	4.48	3.08	1.40	Water fund	N/A	45	N/A	Uprooting trees
4	Rehabilitation site No.2	1.84	1.10	0.74	Water fund	N/A	92	N/A	Uprooting and cutting of trees
	Sub-total Kenesh AA:	8.24	5.39	2.85					
	Massy Aiyl Aimak								
5	Mudflow structure No.2	0.33	0.24	0.09	Water fund	N/A	9	N/A	Uprooting trees
	Sub-total for Massy AA:	0.33	0.24	0.09					
	Aral Aiyl Aimak								
6	Rehabilitation site No.2	8.10	4.82	3.28	Water fund	N/A	173	N/A	Uprooting and cutting of trees
	Sub-total for Aral AA:	8.10	4.82	3.28					
	Total for subproject:	16.67	10.45	6.22		8	386		

The subproject will affect 2 households that will be compensated for affected non-land assets at replacement cost.

D. Legal Framework and entitlement

¹ The detailed design for subproject "Pravaya Vetka" has obtained all the necessary permissions and passed approvals in the relevant authorities

² According to Item 3 of Article 80 of the Water Code of the Kyrgyz Republic, uprooting and cutting of trees on a land within a water protective zone do not need any prior approval from the environmental protection agencies.

The project has developed the "Land Acquisition and Resettlement Policy Framework" (LARF³), based on the legal policies for compensation, resettlement and rehabilitation, in accordance with relevant laws of the Kyrgyz Republic and the ADB's Safeguard Policy Statement (SPS 2009).

The Land Acquisition and Resettlement Plan (LARP) has been prepared following the principles and provisions defined in the LARF.

E. Disclosure, public participation and grievance redress

One public consultation meeting and a large number of individual consultations with affected persons/households were held during the preparation of the LARP.

The approved LARP will be disclosed to Affected Person/People (AP or affected households/AH), and submitted to SAWR and ADB for approval prior to the commencement of construction. The approved LARP will be uploaded on the ADB and SAWR/PIU⁴ websites in accordance with the requirements of the ADB's SPS (2009).

The grievance redress mechanism (GRM) includes grievance resolution points at two levels. The first level is local grievance redress group (LGRG), at the level of rural management. The second is the GRG in the form of the Subproject Coordinating Committee (SCC) at the subproject level. The role and responsibility of the GRG is to receive claims and complaints, assess their validity, determine the extent of possible consequences and address the issue in a time, including compensation requirements, and support the GRM as a flexible and effective system for resolving claims.

Minutes of the meeting for the forming of the local GRG at Kenesh AA and the order of Kenesh AO on its establishment are provided in Annex 16. Minutes of the meeting for the creation of the GRG at the subproject level, in the form of Subproject Coordinating Committee, is provided in Annex 17.

F. Vulnerability and gender issues

The affected household (AH1), led by AP1, is a low-income family and receives a "monthly state allowance for children under 16 years old".

The second AH2 of AP2 does not belong to a vulnerable group.

The Project prepared a "Gender Action Plan" (GAP) to ensure gender equality in project activities and monitoring system. It will integrate a gender mainstreaming approach in all sub-projects, training and capacity development.

Severity of impact is low since AHs will not be physically displaced from their residences and AHs do not lose their income generating/productive assets.

G. Institutional responsibility

The State Agency for Water Resources (SAWR) under the Government of the Kyrgyz Republic and the Ministry of Emergency Situations are the executive agencies of the project, and daily project administration is carried out by the Project Implementation Unit (PIU). The activities of the PIU are supported by the Project Implementation Consultant (PIC). The PIU's safeguards specialist will be responsible for LARP implementation, safeguards compliance and reporting.

H. Monitoring

Implementation of the LARP will be subject to internal monitoring. Internal monitoring will focus on the progress of LARP implementation and will be conducted by the PIU with the assistance of the Project Implementation Consultant (PIC).

The project will not include category A subprojects for land acquisition and resettlement in accordance with the requirements of the ADB's Safeguards Policy Statement (2009). For this reason, external monitoring of the plan implementation will not be required.

I. Resettlement budget

Resettlement costs, including compensation for affected assets, allowances, administrative costs, research, monitoring and reporting will be funded by the Project.

³ <https://www.adb.org/projects/51081-002/main#project-documents>

⁴ https://water-climate.kg/?page_id=202&lang=en

J. LARP Implementation Schedule

LARP should be implemented and compliance report approved by ADB prior the commencement of the construction works. The PIU/SAWR will implement the plan with the assistance of the PIC. PIU/SAWR will be responsible for internal monitoring and reporting. The LARP Implementation steps are given in Table 17. The Order of the SAWR is given in Annex 22.

2. Introduction

1.1. Project Overview

1. Consultations with the Government of the Kyrgyz Republic and civil society stakeholders identified improvements in climate change and disaster resilience in the water sector as a priority area for adaptation to climate change. In this context, ADB has started the Transitional Technical Assistance project (TRTA) for the development and preparation of a proposed investment project on strengthening water sector resilience to floods, landslides and droughts in the Kyrgyz Republic. The project was named "Climate Change and Disaster Resilient Water Resources Sector Project". This subproject "Pravaya Vetka" is a part of this project.
2. This project will increase resilience to the impacts of climate change and natural disasters in water resources management through upgrading and effective maintenance of infrastructure facilities. Project interventions will be both structural (construction works and equipment procurement) and non-structural (capacity building measures and demonstration activities). Activities will be concentrated in the Fergana Valley in the southwest of the country and in the Chui River Basin in the north of the country, which are vulnerable to floods, landslides (including mudslides) and drought risks that may be aggravated by climate change.
3. **The main objective of the project** is to increase water infrastructure resilience to climate change and natural disasters and improve water availability for agriculture.
4. The project has the following three outputs:

Output 1: Protected and upgraded irrigation infrastructure. Project of modernization of main canals (primary and secondary), lower level canals (intra- and in-farm canals) and related infrastructure, such as mudflow protective structures, as well as fencing structures and diversion canals. To ensure equitable and sustainable results there will be planning, design and management involving SAWR, WUA and other key stakeholders;

Output 2: Improvement of the irrigation system and agricultural land management. The project will strengthen management, operation and maintenance of targeted irrigation systems, including practical drought and climate risk management, to ensure sustainable investment benefits. Combined with Output 1, as part of the joint planning process, the project will reorganize and strengthen the institutional capacity of WUA and subgroups to better organize themselves and build the capacity of representatives of SAWR, WUA and subgroups, as well as farmers to effectively and sustainably manage the irrigation system, water use, and agronomy. WUA water management and agriculture plans will be developed, including irrigation planning, crop models and growing methods, and capacity building measures (including for women) such as comparative field trials and farm field days will be supported.

Output 3: National capacities for disaster risk management are strengthened. The project will contribute to capacity building and modernization of Heavy equipment and related equipment for preventive and rehabilitation works will be purchased and installed in northern and southern centers of the Ministry of Emergency Situations. This will be accompanied by asset management plan development and capacity building in disaster risk management, including project planning. Hydrological posts for Kyrgyzhydromet will be installed in 20 sites within the project area, and information systems for flood collection, processing and warning will be improved to improve efficiency and accuracy of equipment for disaster risk management in the water sector.

1.2. Pravaya Vetka subproject

5. Based on eligibility criteria, 4 subprojects were selected for implementation, the main of which is Pravaya Vetka subproject.
6. The Pravaya-Vetka core subproject is located in the Bazar-Korgon and Nookan Rayons in Jalalabad Oblast. The inter-farm Pravaya-Vetka canal was put into operation in 1954. It is fed by the Kara-Unkur River. The total length of the canal is 20.1 km. Its design capacity is 20.0 m³/sec. The surface area of irrigated lands is 15,680 hectares.
7. As part of the subproject, construction work will be carried out to reconstruct the "Pravaya Vetka" canal on two sections with a total length of 4.676 km. It is proposed that there will be reconstructed three existing structures on the canal: two water outlets and one bridge crossing. Two existing mudflow overchutes through the canal will be reconstructed and one built anew. Pravaya Vetka canal system includes 20 gauging stations in the modernization list. Only construction of the mudflow passing structure (Overchute No.1) will have both temporary and permanent land impact (Annexes 2 and 3) and subject to LAR, while

other proposed reconstruction/rehabilitation activities will cause temporary impact on state-owned water fund land not used by any 3rd persons and do not require LAR actions. Also, the upgrade of the gauging stations' equipment with control and measuring devices for automatic data collection on the first and second level (off-farm) canals is proposed. Modernization will allow to automate the control system of technological processes of water intake, water distribution and water accounting in the "Pravaya Vetka" canal irrigation system (Annex 1).

1.3. Objective and scope of LARP

8. The objective of this LARP is to ensure that people who inevitably lose their land and/or non-land assets will remain the same or even better living standard as that of the without project situation.
9. This LARP fits the ADB's Safeguard Policy Statement (SPS 2009) and Kyrgyz Republic law and regulations and policies related to LAR. Details of the legal framework and entitlement for LAR are presented in Chapter 5.
10. The preparation of this LARP is based on:
 - (i) Detailed measurement survey (DMS) of affected land and non-land assets, including ownership/title status.
 - (ii) Valuation survey and valuation of DMS identified land and non-land assets for budgeting. The valuation itself also follows the principles and entitlements set in the legal framework.
 - (iii) Public consultation and participation. Meaningful consultation and participation (C&P) are a basic policy requirement of ADB for involuntary resettlement planning.
 - (iv) Socioeconomic and census study of affected people.
11. The objective will be achieved and secured through:
 - (i) Proper compensation and resettlement arrangements that are summarized in the entitlement matrix;
 - (ii) Implementation of follow-up consultation and participation plan (C&P plan);
 - (iii) Established and functioning of an effective institutional setup;
 - (iv) Establishment and functioning of a grievance redress mechanism;
 - (v) Provision of sufficient budget and contingencies; and
 - (vi) Effective monitoring and reporting of LARP implementation.

3. Scale of land acquisition and resettlement

3.1. Impact assessment at the project preparation stage

12. After the preliminary design was completed in June 2018, a Detailed Measurement Survey (DMS) was conducted for the main sub-project "Pravaya Vetka". Technical engineers and resettlement specialists of the Project Preparation Technical Assistance (PPTA) participated in the entire DMS process to accurately determine the Corridor of Impact (COI) and technical assistance.
13. The DMS identified two land parcels and all affected assets: crops, trees and fences, followed by an assessment survey conducted by an independent certified assessor, which was mobilized during the preparation phase of the LARP.
14. Under the subproject, it is planned to build a new mudflow crossing structure, which will require of 0.159 hectares being used by two households the residents of the village of Kyzyl-Oktyabr. Land plots were transferred by the local authorities of the Kenesh rural municipality for use to the two local residents on a free basis for land development. These land plots are used for growing annual crops: corn and rice. Also, on the land of AP1, there are two trees – apple and walnut seedlings, which are non-productive. It is also confirmed that AP2 has already cropped the entire harvest.
15. The Kenesh Aiyl Okmotu (AO, administration of rural municipality) transferred the land to AP1 for use on an indefinite basis (Annex 4), while the land used by AP2 was provided for temporary use in 2008 for a period of 5 years (Annex 5). These land users (AP1, AP2) do not pay rent and land tax to local authorities for the land used. The land plot used by AP2 belongs to rural municipality (municipal property), and the land used by AP1 is located within the water protection area, i.e. state property (Annexes 6 and 7).
16. Moreover, the land belonging to the municipality (AP2), according to the recently approved Master Plan of the Kenesh AA, has been transferred to non-agriculture category and will be distributed among new owners for residential development. The LSGBs of the Kenesh AA had initiated and developed the Master Plan in 2017⁵. According to the resolution of the Government of the Kyrgyz Republic No.85 of 22 February 2019⁶, the land plots used by AP2 have been transformed to the category "Lands of settlements". Therefore, this issue is not anyhow relating to the project activities. In other words, this issue is entirely within the competence and responsibility of the LSGBs of the Kenesh AA and the Government of the Kyrgyz Republic.



Picture 1. Affected property and land plots (also see Annex 3)

⁵ Resolution of Kenesh AO No.01-6/643 of 29.06.2017 "About addressing the needs of residents of the Kenesh Aiyl Aimak for housing development"

⁶ Resolution of the Government of the Kyrgyz Republic No.85 of 22 February 2019 "On the transfer of lands located on the territory of Akman, Arstanbap, Beshik-Zhonsky, Kenesh, Kyzyl-Unkur, Bazar-Korgon, Seydikum, Talduu-Bulak aiyl aimaks of the Bazar-Korgon Rayon of the Jalal-Abad Oblast of the Kyrgyz Republic, from the categories "Agricultural lands" , "Lands of the forest fund" and "Lands of industry, transport, communications, energy, defense and other purposes" to the category "Lands of settlements"

17. Only construction of the mudflow passing structure (Overchute No.1) will have both temporary and permanent land impact (Table 1, Annexes 2 and 3) and subject to LAR, while other components of the sub-project such as: the existing two water outlets, one bridge crossing, two existing mudflow overchutes, 20 gauging stations along the Pravaya Vetka irrigation system proposed in the modernization list and canal reconstruction on two sections with a total length of 4.676 km will not have any LAR impacts.

3.2. Impact assessment at the detailed design stage

18. After completion of the detailed project in September 2020, a detailed measurement survey was repeated.
19. Impact assessment confirms that only the construction of new mudflow crossing structure will have LAR impacts (Annex 3), and other components of the subproject, such as the reconstruction of the canal on two plots with a total length of 4.7 km, and the reconstruction of two mudflow crossing structures located on the territory of the Nookan Rayon are municipality or state owned water protection zone land plots not used by any 3rd parties, therefore do not require additional land acquisition and resettlement, and no public facilities will be affected by project activities and will have no consequences.⁷
20. DMS identified two land plots and all affected assets: trees, non-productive saplings and fences, followed by an assessment survey conducted by an independent certified assessor, which was mobilized during the update of LARP into implementation-ready status.
21. DMS has shown that the same land plots as at the stage of preliminary design fall under the impact, as there are no other alternatives for the construction of the mudflow crossing structure (overchute) No.1 at the survey peg (SP) HM15+25.
22. Mudflow crossing structure is an engineering, hydrotechnical structure that will direct flash floods from the log to the Kara-Unkur-Sai River. It will protect the floodplain area from surface and deep soil erosion and ravine development. It will also prevent the flood flow from spontaneously spilling out, thus protecting residential and household buildings from flooding. The construction of the mudflow structure in the area of affected Hs/APs is a trapezoidal cross-section culvert in concrete lining (Annex 3). For the construction of mudflow crossing structure No.1 it will be necessary to demand from users of land with total area of 1590m² on permanent and 940m² on temporary basis (during construction period only). Photos of the current state of the affected land plots are given in Annex 20.
23. This area includes a land plot of 450 m² (0.045 hectares), which is part of the land plot with a total area of 0.40 hectares, in 2010 the committee on land issues of the Kenesh Aiyl Okmotu allocated this land to AP1, a resident of the village of Kyzyl-Oktyabr, "Kenesh" AA, for the development and indefinite (without specifying the term) use of the land plot by the Resolution of the rural government No. 397 (Annex 4). However, AP1 did not legalize his ownership for the land plot properly in time, namely, he does not have the State Certificate on the right of ownership or the certificate of right of use - a title document (Annex 9).
24. In addition, it is necessary to provide additional social/family care measures for family members of AP1. These measures are necessary due to the fact that the agricultural land/plot will be divided into two parts as a result of the construction of a new mudflow crossing structure (overchute) on the affected area of 450m². This will require not only the preparation of a proper engineering design but also the provision of additional safety/construction measures such as fences and a bridge to ensure that people, especially small children, are completely safe during the construction and operation of this facility. The project provides for the installation of a protective fence on both sides that is 1.5m high and 40m long and a footbridge with railings.
25. The second affected land plot of 1140 m² (0.114 hectares) in the floodplain of the Kara-Unkur-Sai River is part of the land plot with a total area of 3 hectares previously provided for temporary use by the local administration for agricultural purposes (Annex 5), namely for the organization of fisheries, to AP2, a resident of Sovetskoye village of Kenesh Aiyl Aimak, for a period of 5 years, which expired on 13 February 2014. According to the certificate from the State Register dated 25.06.2020, No. 01-7/479, the Lease Agreement in the name of AP2 has not been registered (Annex 8). According to Article 62 of the Land Code of the Kyrgyz Republic, paragraph 5 states: "The right to the land plot is terminated upon expiry of the term of use of the land plot". Moreover, the affected land plots belonging to the municipality, according to the recently approved Master Plan (Annex 10), has been transferred to non-agriculture category and will be allotted among new owners soon. In this regard, the Kenesh AO has repeatedly notified AP2 about expiration of the five-year lease term and termination of AP2's business activities on the provided lands (Annex 10).

⁷ The subproject has passed all the necessary approvals for land allocation in the authorized state and municipal authorities

26. Due to no economic activities (including livelihood) is allowed on the lands of water protective zone (AP1) as well as the currently used by AP2 rural municipality-owned land will be allotted among new owners according to the new Master Plan therefore the both APs have no rights towards the affected lands or grounds to legalize them.
27. Thus, at the moment of DMS and title check, the both APs have no registered rights towards the affected lands or grounds to legalize them and has been considered as unregistered land users which are entitled to compensation for their non-land assets and other applicable assistance under the project.

Table 2. The affected lands area of AHs (DMS 2020)

AHs	Total Area of HHs land holdings	Area of affected lands with permanent impact	% of affected lands with permanent impact	Area of affected lands with temporary impact
AP 1	5 300 m ²⁸	450 m ²	8.65	370m ² (during construction)
AP 2	30 000 m ²	1 140 m ²	3.80	570m ² (during construction)

3.3. Affected assets

3.3.1. Permanent impacts

28. Tables 3 and 4 provide a detailed list of trees and other property which will be permanently affected on affected areas at the time of the DMS (September 2020). In total, 62 infertile saplings will be affected on both land plots, of which apple is the most affected type of tree (saplings). No crop will be affected. There are no structures/buildings on affected land plots, only 102m of fences will be affected.

Table 3. Affected land No.1 (AP1)

No.	Item	Quantity /Length, pcs	Height, m
1	Peach tree (Does not bear fruit)	3	1,5
		4	2
		3	2,5
2	Apple tree (Does not bear fruit)	18	2
3	Walnut tree (Does not bear fruit)	1	3,5
4	Zhiida (Does not bear fruit)	1	2
5	Cherry tree (Does not bear fruit)	4	3
6	Rose	4	1
		6	1,5
		6	0,5
7	Poplar tree	5	1
		3	2
		2	3
		5	5
8	Fence (chain-wire, mesh) m	54	1

Table 4. Affected land No.2 (AP2)

No.	Item	Quantity/Length, pcs/m	Height, m
1	Poplar Tree	2	5
2	Currant	1	2
3	Fence (steel angle 4x4, 3.3m)	48 m	2

3.3.2. Severe impact

29. The main subproject "Pravaya Vetka" will affect 8 people from 2 households. Approximately 9% of the total land area of AP1 and 4% of the total land area of AP2 will be affected by the project activities. No household will be severally affected, in accordance with ADB's SPS definition, since APs will be still able to use the remaining part of their land plots.

3.3.3. Temporary impacts

30. The construction of mudflow crossing structure No. 1 will require the allotment of land for temporary use of 4100 m², all work will be carried out on land owned by the local government and in the water protection zone. Kenesh AO by its Decree No. 106-T of 04.09.2020, issued a permit to prepare architectural and planning specifications for the construction of mudflow crossing structure No. 1 (Annex 21).

⁸ In addition to 0.40 hectares AP1 has 0.11 hectares of arable land and 0.02 hectares of hay.

31. The Kara-Unkur-Sai River is classified as a medium size river (52 km). National legislation of KR establishes water protection zones and strips of water bodies⁹. Within this water protection zone, the regulations designate a protective zone, which prohibits any economic activity of the population. The width of protection zones varies depending on the topology, for the Kara-Unkur-Sai it is at least 100 meters¹⁰. For the purposes of this LARP, means: 1) construction of a mudflow overchute structure will be carried out within the protective zone of the Kara-Unkur-Sai River; 2) any economic activity in this zone is prohibited by law (Annexes 6 and 7). There is no actual usage (economic activities) on the protection zone areas by any third party, thus no household temporary affected under the project.

Table 5. Impact comparison between draft and final LARPs¹¹

Project phase	Area of affected lands (m ²)	Agricultural Losses/crop (kg)	Tree Losses (pcs)	Loss of wire fence (m)
In the pre-design phase.	1590m ²	Corn grain - 261 kg; silage - 585 kg; Corn grain – 255kr; Silage – 572kr; Rice – 269kr; Straw – 140kr.	2 unproductive trees	10
In design phase.	1590m ²	No losses. Harvest was collected completely.	62 infertile seedlings	54 ¹² 48

3.4. Socioeconomic profile

3.4.1. Kyrgyz Republic

- Kyrgyz Republic, one of the 10 CAREC countries, consists of seven oblasts.
 - The human development index ranks by UN is 122 out of 189 economies¹³ in 2019
 - 22.4% of population lives below the national poverty¹⁴ line in 2019.
32. The Kyrgyz Republic has over 100 ethnic groups. Of the total population of 6,389,500 people in 2019, Kyrgyz, Uzbeks, Russians and other 80 ethnic groups account for 73.5%, 14.7%, 6.4% and 5.46%, respectively.¹⁵

3.4.2. Jalalabad Oblast

33. The core subproject is located in Jalalabad Oblast (Province).
34. Jalalabad Oblast covers 33,700 sq.km (16.9% of total country's area). Total population of this oblast is 1. 036, 700 (20% of total population). Approximately 70% of them are Kyrgyzs, 25% are Uzbeks, and other nationalities including Russians, Turkeys and Tajiks.

3.4.3. Affected village

35. Table 6 presents some general data of the LAR affected Rayon and village. The data were collected by social safeguards specialists from limited sources in the process of preparing this LARP.
36. Crop production and cattle herding is the major source of livelihood of the villagers, and agricultural lands are mostly used for producing agricultural yield such as rice, corn, cotton and different types of vegetables. Over 75% of local households keep cattle, ranging from 3 to 30.

Table 6. General Socioeconomic Data of Rayon and Affected Village (2019)

⁹ Resolution of the KR Parliament "On approval of the Regulations on water protection zones and strips of water bodies in the KR" № 271 of July 7, 1995

¹⁰ Order of the District State Administration of Bazar-Korgon from 28.01.2014 № 11-b

¹¹ Based on an independent evaluation, which resulted in an Evaluation Report

¹² The fences were measured by an independent appraiser on the fact at the time of the date of the appraisal, it was not the purpose of the appraisal to identify the date of the fence.

¹³ <https://www.kg.undp.org/content/kyrgyzstan/ru/home/presscenter/articles/2020/01/hdr-2019--kyrgyzstan-takes-122nd-place-in-terms-of-human-develop.html>

¹⁴ <http://www.stat.kg/ru/opendata/category/120/>

¹⁵ <http://www.stat.kg/ru/opendata/category/120/>

	Unit	Bazar-Korgon Rayon	Kenesh village the Rayon	Kyzyl-Oktyabr village
Population	Person	142,951	35,319	3,366
Female	%	49.9	50.8	49.0
Ethnic minority	%	45.4	16,7	9.0
Annual household income in 2016 - 2017	KGS/capita	120,000 – 220,000	120,000 – 220,000	100,000 – 200,000
School	No.	54	14	1
Clinic	No	9	1	1
Bazaar	No	5	0	0

3.4.4. Affected households

37. Detailed socio-economic survey of affected persons was conducted in the period from 15-17 September 2020 during the update of the initial LARP and was based on visits to affected land plots, interviews with affected persons, and official representatives of the local government of Kenesh AA (Annex 13).
38. Table 7 reflects a census of affected persons, as well as key social indicators such as age, gender, education, occupation, and nationality.

Table 7. Demographic profile of affected persons

AH	Status	Gender	Year of birth	Nationality	Education	Job
Affected land No.1 - owner AP1						
AH1	owner	M	1983	Kyrgyz	Secondary	Labor migration in Russia
AH1	wife	F	1982	Kyrgyz	Secondary	House wife
AH1	Daughter	F	2006	Kyrgyz	7 th grade	pupil
AH1	Son	M	2007	Kyrgyz	6 th grade	pupil
AH1	Daughter	F	2011	Kyrgyz	2 nd grade	pupil
AH1	Daughter	F	2015	Kyrgyz	-	-
Affected land No.2 - owner AP2						
AH2	owner	F	1960	Kyrgyz	High	pensioner, farmer
AH2	husband	F	1958	Kyrgyz	High	Engineer - constructor

39. Thus, as can be seen from Table 7, the project will affect 2 households consisting of 8 people, 4 of them underage children; 3 are male and 5 are female, aged 5-62 years.
40. Since APs live in rural areas, the size, status and category of land ownership/use is important for assessing the socio-economic profile and for updating LARP. The land use data are based on official information from the Kenesh local self-government (Annex 11).
41. Table 8 shows data on economic profile of affected households

Table 8. Economic and land use status of Ahs

AH	Household plot (hectares)	Land share (hectares)	Agricultural land in use (hectares)	Cattle	Bird ¹⁶
AH1	-	Arable land – 0,11; Hay – 0,02	0,40 ¹⁷	-	20
AH2	-	-	3,00 ¹⁸	10	20

¹⁶ SES Interview data

¹⁷ Affected land plot

¹⁸ Affected land plot

AH2 ¹⁹	0,24	Arable land – 0,24	-		
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Note: A land plot of 0.40 hectares was given to AP1 by the Resolution of the rural administration No. 397 (application of AP1, a resident of Kyzyl-Oktyabr village, Kenesh village the Rayon) from the municipal land fund for the purposes of development and agricultural use.

42. According to Article 32, paragraph 2. "Gratuitous provision of land for ownership or use" of the Land Code of the Kyrgyz Republic - low-productive agricultural land, except for pastures, can be provided to citizens of the Kyrgyz Republic by the authorized body free of charge to develop and maintain agricultural production.
43. For unknown reasons, maybe due to legal illiteracy, low level of education, AP1 believed that he was given a land plot for the residential development purposes and running a personal subsidiary. In fact, AP1 has built a house, installed other subsidiary and farm buildings so his family lives there. The project impacts only on 450 m² of AP1's land and do not affects any buildings / facilities.

Table 9. Livelihood sources

AH	Wage	Pension	State social allowance	Income from agricultural activities and household farming	Income from labour migration
AH1	-	-	The family receives a social allowance for poverty in the amount of 3200 som/month. ²⁰	+	+
AH2	+ Spouse is officially employed	+ AP2 receives a pension in the amount of 4800 s.	-	+	-

44. Livelihoods of two households are very different:

- AH1. The well-being of this household is entirely dependent on the earnings of the head of the household, who has been in labor migration to Russia for a long time; his land resources are very limited (0.53 hectares), to have significant income, on the available land grows corn and perennial herbs (alfalfa), which are used for domestic consumption as food for poultry; there is no cattle in his farm to have additional income from the sale of agricultural products; has 4 children; wife is not working; annual income of this family is up to 100,000 KGS.
- AH2. The husband, employed on the official job; she receives a pension and also a farmer, has 3 hectares land in use, cultivates fish, rice and corn for sale; has 4 adult children who live in separate; annual income of this family is 400,000 – 500,000 KGS.

3.4.5. Vulnerable households

45. According to the information from official sources, the family of AP1²¹ belongs to a low-income family, in accordance with the Regulation "On the procedure for determining the need of citizens (families) in a monthly allowance to needy citizens (families) with children under 16 years old, a family with a monthly income per family member below the guaranteed minimum income is considered low-income. The established guaranteed minimum income in KR is 1000 KGS/month/person. This family has been considered as vulnerable AH under the project and will receive the vulnerability allowance.

3.5. Establishment of the cut-off-date

46. In the period from 15-18 September 2020, a socio-economic study and a detailed measurement survey (DMS) were conducted based on a final detailed design. A consultation meeting with affected persons was held in the building and in the presence of local government representatives. At the consultation meeting, PIU and PIC specialists explained the goals and procedures of the ADB's SPS and principles of LARP preparation in a simple, accessible and free form in Kyrgyz language. September 23, 2020 was announced as the cut-off-date for the census of affected persons. Census announcements and cut-off dates in Kyrgyz were posted in places accessible to residents (protocols, photos in Annex 13).

¹⁹ The head of the household (husband) based on interview data with AP2

²⁰ See Appendix 11

²¹ Annex 12 Certificate of receipt of state social allowance

4. Consultation and participation

47. According to ADB SPS (2009), the APs must be meaningfully consulted and provided with opportunities to participate in the planning and implementation of LAR. Under the same principles, the APs have to be informed in an appropriate and timely manner of the LAR planning process and outcomes, as well as the schedules and procedures for the preparation and implementation of the LAR activities, including entitlements, payment procedure, and relocation, if any.
48. The Constitution of the Kyrgyz Republic guarantees the right of the people to access information on activities of state and municipal authorities in the manner prescribed by the Constitution.²² In addition, it confers citizens the right to receive information on the disbursement of funds from the state budget, as prescribed. The Law of the Kyrgyz Republic on access to information held by state bodies and local self-government bodies requires maximum openness of information, publicity and transparency of the activities of the state and local authorities.
49. Following the above requirements, information disclosure, consultation and participation (C&P) activities were timely carried out during LAR planning at preliminary design stage (Transactional technical assistance, TRTA).
50. During the final LARP preparation process, one public consultation meeting and a large number of individual consultations with affected households were held to summarize the consultation activities both in 2018 and 2020.

Table 10. Conducted consulting activities (2018)

Date	location	Activity	Involved organizations / local communities	Number of participants
13.06.2018	Massy village	Formal public consultation meeting	Local residents, Regional Water Agency (RWA), Nookan Rayon, village councils, TRTA consultants	35 (26 male, 9 females)

51. In the course of LARP updating, many informal and formal individual consultations were held with APs and local government representatives. The consultations with the APs concerned the issues on: identifying the title and the right of certifying documents for the affected areas; the rights of the APs to compensation in accordance with the eligibility matrix as well as the rights of the AP to file a complaint and appeal to the judicial authorities; on who will determine the amount of compensation; on matters related to GRM, etc. The materials of the consultation meetings (2020) are provided in Annex 13.
52. Affected persons expressed their consent to the construction of a mudflow crossing overchute in the public interest. At the same time, the representative of AP1 (wife of AP1) could not take responsibility on making any decision regarding the LAR impact in the absence of her husband. AP2 wrote a handwritten statement of requirements, which consist in laying a pipe with a diameter of 250mm for a continuous water supply to the lagoon where she breeds and grows fish, as well as in the construction of a pedestrian bridge (for crossing) through the proposed mudflow overchute. No financial/monetary compensation is required for AP2.

Table 11. Brief information about the consulting activities (2020)²³

Date	Location	Activity	Purpose	Number of participants
05.06.2020	Kyzyl-Oktyabr village	Consultation with AP1	Consultations on updating the LARP	6
16.09.2020	Sovet village	Consultation with AP2	Consultations on updating the LARP. Information about their rights, opportunities/alternatives	5
17.09.2020	Sovet village	Consultation with AP1	Consultations on updating the LARP. Information about their rights, opportunities/alternatives	5

²² Article 33, Chapter II of the Constitution of the Kyrgyz Republic.

²³ The minutes and photos of the consultation meetings with APs are in Annex 13

53. After approval of LARP, the following information will be disclosed to both the AHs (affected households) and the public:
- (i) Resettlement Brochure (RP): copy in Kyrgyz language for each affected household;
 - (ii) LARP (in Russian language): will be uploaded to the SAWR site after approval;
 - (iii) LARP (in Russian language): hard copies will be distributed to affected villages.
54. In addition to making the above information publicly available, ADB will also disclose the LARP in English on its website.
55. Consultations and participation, as well as disclosure of information will be continued during the implementation of the LARP.

Table 12. Plan for consultations, participation and disclosure

Date	Activity	Purpose	Participants	Note
1 Information disclosure				
Nov. 2020	Distribution of RP for AHs	Information disclosure	AHs, GRG	Will be available at the request of each interested party
Nov. 2020	Disclosure of information on the final version of the LARP to the affected villages and relevant the Rayon state institutions.	Information disclosure	AHs, GRG communities, the Rayon (rayon) and municipal authorities,	Available on the website of SAWR. Also, hard copies of LARP in the Russian language will be available at LSG (AO)
2 Consultation and participation				
Nov. 2020	Public consultations	Notification about the start of project construction and related social and environmental impacts and mitigation measures	AHs, GRG contractors, consultants	Will be done by PIU and Contractor prior the construction

5. Legal Framework and entitlement

56. The legal framework for land acquisition and resettlement (LAR) of the project is based on ADB Safeguard Policy Statement (2009) and the legislation of the Kyrgyz Republic. In case there are any differences between requirements set by the legislation of the Kyrgyz Republic and ADB Policy, the latter should take precedence.

5.1. Legislation of KR

57. The following laws and Normative Acts regulate land/real property ownership rights and rules and procedures for obtaining state ownership right to privately owned land parcels based on the necessary public needs caused due to constructions activities:
- i. Constitution of the Kyrgyz Republic (27 June 2010, last amended on 28 December 2016)
 - ii. Civil Code of the Kyrgyz Republic (08 May 1996, No. 16; last amended on 1 August 2020, No. 109)
 - iii. Land Code of the Kyrgyz Republic (June 02, 1999, No. 45; last amended July 24, 2020, No. 89)
 - iv. Law of KR "On Management of Agricultural Land" (January 11, 2001 No. 4, last edition July 24, 2020 No. 89).
 - v. Law "On state registration of rights and transactions with them" (December 22, 1998, No. 153, last edition of August 6, 2018 No. 88).
 - vi. Law "On the procedure for consideration of citizens' appeals" (04 May 2007, last edition of 27 July 2016 No. 151)
 - vii. Evaluation Standards for those engaged in evaluation activities (Government Decision No. 217, 03 April 2006, last amended on 15 November 2016)

5.1.1. Constitution

58. Constitution of the Kyrgyz Republic is the principal and supreme law to which all other Kyrgyz laws must conform. According to the Constitution, international agreements to which the Kyrgyz Republic is a party that have entered into force under the established legal procedure shall be the constituent part of the legal system of the Kyrgyz Republic. Enforcement of an international agreement may be done through its signing, exchange of notes and letters, ratification, approval, accession to an international agreement, or other way agreed by the parties of such international agreement.
59. The Constitution of the Kyrgyz Republic (28 December 2016), Article 12 also provides that:
- i. The Kyrgyz Republic recognizes diversity of ownership forms and guarantees the equal legal protection to private, state, municipal and other types of ownership (Clause 1).
 - ii. Ownership is inviolable and no one can be dispossessed of its property arbitrarily. The property can be acquired by the state against the person's (party's) will only base on the court's ruling (Clause 2)
 - iii. Land can be in private, municipal and other types of ownership with an exception of pasturelands that cannot be held in private ownership (Clause 5).
 - iv. Acquisition of property for the public purposes, as defined in the national laws, can be carried out only through the court's ruling and with the fair and prior payment of the compensation for the affected property as well as other costs (Clause 2).

5.1.2. Civil Code

60. The Civil Code (08 May 1996, No. 16; last amended on 01 August 2020, No. 109) provides that: a party whose rights are violated can claim full loss reimbursement (full compensation for losses incurred), unless the national legislation or the agreements (contracts) prepared in line with the national legislation indicate the contrary. The relevant provisions include articles 14 and 15.
61. Article 14: Loss Reimbursement. Clause 1 of Article 14 defines the losses that subject to reimbursement (compensation):

A person, whose right is violated, may claim full compensation for losses incurred, unless the law and/or terms and conditions of agreement entered by the parties in compliance with the law provides the contrary.

The losses are defined as follows:

- a) A person, whose right was violated and who incurred or will have to incur costs to restore violated rights, losses or damage to his property (actual loss), and also
 - b) Un-received income, which a person would have received under normal conditions of civil turnover, if his right had not been violated (income loss),
 - c) If a person earned income through violating a law, a person whose rights were thus violated can claim loss reimbursement along with other costs, actual loss in the amount no less than income earned by a violator.
62. Article 15: Compensation for Losses Caused by the State Agencies and Local self-government. Losses incurred on a citizen or legal entity as a consequence of illegal actions (or inactivity) of state agencies, bodies of local self-government or officials of these bodies, including issuance by a state body of an act that does not comply with legislation, are subject to compensation by the state, as well as local self-government authorities in the cases foreseen under the law.

5.1.3. Land Code

63. Article 62 of the Land Code of the Kyrgyz Republic (June 2, 1999, No. 45, last edition of July 24, 2020, No. 89) establishes the Termination of the right to the land plot, the right to the land plot shall be terminated in the following cases: Item 5) expiration of the term of use of the land plot.
64. Article 68 of the Land Code (June 2, 1999, No. 45, last amended on 1 June 2017, No. 95) defines withdrawal of land plot for state and public needs.
65. Article 68: Withdrawal (Redemption) of the Land for State and Public Needs:
- i. Acquisition (purchase) of a land plot for state and public needs may be exercised on the grounds of an agreement between the authorized agency and landowner or land-user. If no agreement is achieved with the land owner/land-user, the authorized agency has the right to apply to the court within two months from the date of official denial of landowner/land-user.
 - ii. During price calculation, the purchase (redemption) price of a given land plot, shall include market value of the land and buildings and structures attached to the given land plot, as well as losses incurred to landowner/land-user as a result of termination of rights to a land plot, including the damages /losses related to the earlier termination of liabilities with third parties.
 - iii. In the event of withdrawal of the land plot for the state or public needs another land plot may be allocated to a land owner/user, subject to his consent and the value of the right to it shall be credited to the redemption price.
66. The Land Code specifies that the right to the land and associated structures can be terminated, among others, when land is needed for state or public purposes. A court decision is required to officially terminate the rights to land and associated structures. The acquisition of the land can be affected only after compensating the costs of the rights termination and associated costs (Article 49).
67. According to Article 49, unless the legislation, land title or lease contract indicates the contrary, the land owners or user can have the right to:
- i. Use land based on owner's/user's own discretion and in accordance with the targeted purpose of the land;
 - ii. Build structures on the land, according to its targeted purpose, following established procedures and meeting architectural, construction, environmental, sanitary, fire safety and other requirements;
 - iii. Claim compensation for losses suffered, as specified by the Kyrgyz Republic legislation.
68. Finally, the Land Code (Article 78) specifies the use regime with regards to the lands of common use. It particularly indicates that lands of common use in settlements/towns/villages (e.g. roads, streets, squares, sidewalks, driveways, park bands, boulevards, mini parks, water bodies, etc.) cannot be in private ownership, and only in exceptional instances can be rented by the authorized state body to legal entities and individuals for maximum of 5 years. The authorized state body may permit construction of light (not capital) structures on lands of common use.
69. The Land Code (Article 89. The lands of the water fund) establishes the regime of use in relation to the lands of the water fund.
70. The lands of the water fund shall include the lands occupied by bodies of water (rivers, lakes, reservoirs, canals), glaciers, swamps, hydrotechnical, hydroelectric and other water management facilities, as well as the lands allocated for the right-of-way.

71. Article 90. Use of lands of the water fund

1. The lands of the water fund can be used for construction and operation of facilities that provide satisfaction of drinking, domestic, health-improving and other needs of the population, as well as water-management, agricultural, environmental, industrial, fishery, energy, including the use of renewable energy, transport and other needs, if there is a permit issued in the established order.
2. It is allowed to use land plots not exceeding 20 m² in size for installation of communication facilities of light construction (not capital) with preservation of sanitary requirements.
3. The procedure for using the lands of the water fund shall be determined by the present Code and water legislation of the Kyrgyz Republic.

72. Article 91. Lands of water protection zones

1. Water protection zones are established around hydrotechnical constructions and devices of rivers, lakes, reservoirs, canals, water intake and protection structures, drinking and technical water supply sources in order to ensure their normal operation.
2. Land plots included in water protection zones shall be used by those persons in charge of the protected object.
3. Width of water protection zones is established in order determined by the Government of the Kyrgyz Republic.

73. Article 92. Provision of lands of the water fund for temporary use. The lands of the water fund by the decision of the Government of the Kyrgyz Republic may be provided for urgent (temporary) use to individuals and legal entities for the needs of agriculture, forestry, fishing, hunting, accommodation of objects for the use of renewable energy sources, communication facilities of light construction (not capital) and other purposes that do not contradict the purpose of the land plot.

5.1.4. Law of Agricultural Land Management

74. In this law, Chapter IV provides for norms regarding the purposeful use of agricultural land.

75. Article 10. The lands of agricultural purpose are used exclusively for agricultural production.

76. Article 11. If the owner of a land plot (land share) of agricultural purpose carries out any construction on it, except for cases envisaged by the Land Code of the Kyrgyz Republic or uses it for non-agricultural purposes, the authorized state body shall issue a warning.

In case of non-compliance with the requirements of the authorized state body, the authorized state body shall have the right to initiate the procedure for withdrawal of the land plot (land share) in favor of the state in a judicial procedure.

5.1.5. Law on state registration of rights to immovable property and transactions with it

77. Law "On state registration of rights to immovable property and transactions with it" (hereinafter - state registration of rights) is a legal act of recognition and confirmation of rights to immovable property and their encumbrances (limitations) as well as transactions with immovable property providing protection to rights and encumbrances (limitations) except for cases provided by this Law (Article 1).

78. Any other document or rights to compensation and its limitations shall be subject to mandatory registration in accordance with Article 4 of this Law, submitted to the registration authority not later than thirty days from the date (drafting) of the aforementioned document (Article 7).

79. Property rights that are not subject to registration but are recognized and protected by the state shall include (Chapter 1, Article 6):

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

5.1.6. Law on Grievances

80. The Law on Grievances (23 March 2007, last amended on 27 July 2016, No. 151) provides that the grievance from the Kyrgyz Republic citizens should be registered, given due consideration, and addressed in an equitable, timely and accountable manner (Article 2 and 4). The grievance registered with the state agency or the local government should be processed within no more than 30 days (Article 8). For the grievance to be given due consideration, it should be filed in written, showcasing the substance of the complaint and, if necessary, supported by the relevant documentation (Article 4 and 5). The grievance submitted should be processed and resolved strictly following the relevant national laws and regulations (Article 11).

5.1.7. Provisions on Asset Valuation

81. The valuation of assets is based on the Interim Rules of activities of appraisers and appraisal organizations in the Kyrgyz Republic (Government Resolution No. 537 of 21 August 2003, as amended on 03 December 2012, No. 807) as well as property valuation standards, mandatory for all the subjects of valuation activity in the Kyrgyz Republic (Government Resolution No. 217, dated 03 April 2006, last amended on 15 November 2016, No. 593) and other provisions of national legislation.

5.1.8. Safeguard Policy Statement of ADB

82. For any ADB operation requiring involuntary resettlement, resettlement planning is an integral part of project design, to be dealt with from the earliest stages of the project cycle. The Safeguard Policy Statement (SPS 2009)²⁴ of ADB sets guidance and requirements for resettlement planning, as well as the follow-up implementation.

83. The objectives of ADB's safeguard policy on involuntary resettlement are: to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups.

84. The three important elements of ADB's involuntary resettlement policy are: (i) compensation to replace lost assets, livelihood, and income; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it.

85. The policy principles for involuntary resettlement are:

- i. Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- ii. Carry out meaningful consultations with displaced persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the displaced persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- iii. Improve, or at least restore, the livelihoods of all displaced persons through (a) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (b) prompt replacement of assets with access to assets of equal or higher value, (c) prompt compensation at full replacement cost for assets that cannot be restored, and (d) additional revenues and services through benefit sharing schemes where possible.
- iv. Provide physically and economically displaced persons with needed assistance, including the following: (a) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled

²⁴ SPS (English) available at: <https://www.adb.org/documents/safeguard-policy-statement>; and SPS (Russian): <https://www.adb.org/ru/documents/safeguard-policy-statement>

- persons economically and socially into their host communities, and extension of project benefits to host communities; (b) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (c) civic infrastructure and community services, as required.
- v. Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
 - vi. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
 - vii. Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
 - viii. Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
 - ix. Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders.
 - x. Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
 - xi. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
 - xii. Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.
86. The ADB SPS 2009 distinguishes three categories of affected persons (APs) or displaced persons, with variable compensation needs:
- i. APs with formal rights: APs with formal legal rights to land lost in its entirety or in part;
 - ii. APs with semi-formal rights: APs without formal legal rights to land lost in its entirety or in part but who have claims to such lands that are recognized or are recognizable under national law, and;
 - iii. APs with non-formal rights: APs who have neither formal legal rights nor recognized/recognizable claims to land lost in its entirety or in part.
87. For categories (i) and (ii) above, borrowers are expected to provide compensation at full replacement cost for lost land, structures, land improvements and relocation assistance. For APs in category (iii) (informal settlers), the borrower/client is expected to compensate all assets other than land (i.e. buildings, trees, crops, businesses) at full replacement cost. The risk of opportunistic encroachment on land designated for acquisition by the project is managed through a cut-off date.
88. Compensation for lost land may be in the form of replacement land (preferable if feasible) or in cash. When "land for land" compensation is not feasible cash compensation can be valued based on market rates or, in absence of land markets, through other methods (i.e. land productivity or reproduction costs). Independently from the valuation method used, compensation is to be provided at "full replacement cost" including: (i) transaction costs; (ii) interest accrued; (iii) transitional and restoration costs; and (iv) other applicable payments, if any. Compensation for all other assets is to be provided in cash at replacement cost without deductions for amortization, salvaged materials and transaction costs.

5.1.9. Comparison Kyrgyz Republic legislation and ABD Resettlement Policy

89. Table 13 presents the gaps between the policy requirements of the SPS (2009) and of the Kyrgyz laws and regulations, as well as practices of ADB financed projects and the reconciliation provisions.

Table 13. Gaps and Reconciliation Provisions

Area/Impact/Issue	ADB SPS (2009)	Kyrgyz Legislation and Practice with ADB Financed Projects	Comments on Gaps	Reconciliation Measures
LAR planning and documentation	When an ADB financed project causes LAR impacts, a LARP is to be prepared. The LARP shall be based on DMS, SES, consultations and valuations, etc.	Appropriate documentation on impact and valuation is to be prepared but such a documentation does not have the format of a LARP	Gap exists.	The LARP will be prepared and it will be based on DMS, SES, C&P, and independent valuation
Title status and compensations	APs with formal titles: compensation for lost land and non-land assets at full replacement costs or market values	Land loss: compensation at replacement costs or replacement land or market values	No difference	
		Structures: compensation but depreciation counted	Minor difference	Compensations at full replacement costs will be included in the LARP
		Crops & trees: mandated but selectively applied	Minor difference	Compensations at valuated prices will be included in the LARP
	APs with formalizable title: compensation for lost land and non-land assets at full replacement costs or market values, yet EA shall help them in legalizing their assets.	APs with formalizable titles: legalization is not distinguished and considered.	Gap exists	Legalization of formalizable titles by the Gosregister during the LARP implementation, if any.
	APs with no legal title: to be compensated for lost non-land assets	Non-legal APs have no right to be compensated for land and non-land assets.	Gap exists	Lost assets, other than land will be compensated at valuated replacement costs or market values will be included in the LARP.
Loss of business	Reimbursement of actual losses plus business reestablishment costs. For application based on tax declared income for period of business interruption. In absence of tax declaration based on maximum non-taxable salary.	Cash compensation at market value for all damages/opportunity costs incurred. Burden of proving opportunity costs rest on the AP based on recognized/documented evidence but no clear methodology.	Minor difference	Valuation of losses will be carried out by independent valuator; Compensation for business interruption and rehabilitation assistances will be included in the LARP.
Information disclosure	Resettlement-related documents to be timely disclosed in the APs' language.	No disclosure requirement exists.	Gap exists	The final LARP, in Russian language, will be disclosed in affected villages and various government agencies The final LARP, in English and Russian languages will be

Area/Impact/Issue	ADB SPS (2009)	Kyrgyz Legislation and Practice with ADB Financed Projects	Comments on Gaps	Reconciliation Measures
				disclosed on ADB and SAWR websites.
Consultation	Meaningful public consultations are to be held with the APs. APs should be informed about their entitlements and options, as well as resettlement alternatives	Matters of local importance to be publicly discussed with local authorities. But no requirement to consult directly the APs	Gap exists	Formal public consultations will be carried out in the affected villages in the process of preparing the LARP.
Grievance	A GRM is to be established for each project. Information on GRM is to be communicated to the APs	Each state agency/ministry should define a process for registering and reviewing the concerns and claims from citizens	Minor difference	Structured GRM will be established and details will be included in the LARP.
Monitoring	Implementation of LARP is subject to monitoring, and monitoring reports shall be disclosed.	Not required	Gap exists	Monitoring will be planned in the LARP.
Asset acquisition conditions	Property can be acquired only after full compensation is paid to the APs	Property can be acquired only after full compensation is paid to APs	No difference	Notice to contractors to proceed construction works in LAR impacted segments cannot be given until ADB has approved the LARP implementation report.
Assistances to vulnerable and severely affected APs	These APs are to be identified and special assistances shall be provided to restore/improve their pre-project level of livelihoods	No special consideration is given to these APs.	Gap exists	Assistances will be included in the LARP

5.2. Eligibility, Entitlements and Assistances

90. The implementation of LAR activities is linked to the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before necessary LAR measures specified in this LARP are in place.
91. As stipulated in SPS 2009 and described in this LARP all project related LAR impacts identified during DMS should be addressed accordingly, meaning that all project affected persons identified during DMS will be provided with relevant compensations and/or assistances prior to displacement. In particular, taking of land and attached assets may take place only after compensation has been paid.

5.2.1. Eligibility

92. Compensation eligibility is determined by a cut-off date. APs eligible for LAR compensations and assistances under the project are those identified during DMS, including APs losing agricultural land, together with attached non-land assets. Non-land assets include structures, trees and crops.

5.2.2. Compensation Entitlements

93. Entitlement provisions for affected households losing land and non-land assets, relevant to the LAR impacts are as follows:

- i. Loss of structures (fixed assets): cash compensations to owners at full replacement costs without any deductions for depreciation, salvaged materials, or transaction costs irrespective of the registration status.
 - ii. Loss of seedlings and decorative trees: cash compensation to owners at local market prices.
 - iii. Loss of crops: cash compensations to crop owners (i.e., land users) equivalent to one year's local average harvest.
94. All compensations will be based on independent valuation results, while the valuation itself followed the LAR principles and the above-mentioned entitlements.

5.2.3. Unforeseen Impacts

95. If during project implementation, additional adverse social impacts are identified and/or additional AHs are found, these persons and households are entitled to receive Project entitlements as the others on condition that it can be ascertained that they have actually been in the Project area before the cut-off date for eligibility. New AHs that will emerge due to changes in Project design or alignment prior to or even during construction works are likewise entitled to the same entitlements as those of the other AHs, consistent with the Project LARP.

5.3. Entitlement Matrix

96. Table 14 presents the subproject specific entitlement matrix for this LARP.

Table 14. Entitlement Matrix

No.	Type of Impact	Application	Type of AP	Compensation Entitlements
1.	1. Agriculture Land Loss			
1.1	Agricultural Land Loss		Non-legalizable APs	- Compensation will be paid only for the loss of structures, improvements on land and agricultural produce. No compensation for land.
2.	Affected Crops and Trees			
2.1	Affected crops and trees	Unproductive trees loss	All AHs irrespective of legal status of land use	- Compensation for loss of unproductive trees based on value of the wood volume.
		Loss of seedlings		- Compensation based on market value.
3.	Other Support and Assistance			
3.2.	Assistance for vulnerable households	Vulnerable households	Vulnerable HH as per definition in the LARP/LARF.	- In addition to any other entitlement, a cash allowance equivalent to 6 months per HH of a minimum salary and employment priority in Project-related jobs.
4.	Temporary and Unforeseen Impacts			
4.1	Temporary Impacts during construction	Temporary impacts on land	Legal and legalizable HH	- Pay a rent to APs. The rent will be negotiated with affected households. - The land will be restored to its pre-project condition
		Temporary impacts on access	All HH	- The contractor will have to ensure access to shops and residences; - Construction period will be minimized;
4.2	Unforeseen LAR Impacts, if any	GRM Committee makes decisions on an individual basis	All HH	- Rehabilitation will be based on the above provisions and in compliance with the Land Acquisition and Resettlement Framework (LARF) and applicable laws of the Republic of Kyrgyzstan.

6. Implementation Arrangements

97. The planning, preparation and implementation of the LARP involves distinct processes and different parties, including ADB, SAWR, Ministry of Finance, GG, PIC etc.

6.1. ADB

98. ADB will be the funding agency of the project, including LAR activities except land acquisition costs. In addition to funding; ADB will periodically review project and LARP implementation status as well as provide clearance for contract awards and the signing/initiation of civil works on the project.

99. Main responsibilities of ADB at loan implementation stage are:

- i. Support PIU in selection and mobilization of a design consultant with approved national and international resettlement specialists and inclusion of costs and requirements for resettlement related activities in the tender/contract documents;
- ii. LARP approval and endorsement;
- iii. Disclosure of LARP;
- iv. ADB reviews and approves semi-annual social monitoring reports, LARP implementation Compliance report;
- v. ADB issues No objection to construction.

6.2. SAWR/PIU

100. The State Agency for Water Recourse (SAWR) is the Executing Agency (EA). As the EA, SAWR has the overall responsibility for project implementation, as well as the LARP implementation.

101. Main responsibilities of SAWR/PIU at loan implementation stage are:

- i. Selection and mobilization of a design consultant with approved national and international resettlement specialists and inclusion of costs and requirements for resettlement related activities in the tender/contract documents;
- ii. Development of the Action Plan of LAR-related processes;
- iii. Agreeing on key implementing mechanisms for the final LARP;
- iv. Engaging LARC;
- v. Selection of the Consultant for DMS, Census, SES and Valuation; Training LARC on ADB SPS (2009) and LAR;
- vi. Community Consultations;
- vii. Re-activate GRM. Establish GRCs and appoint Focal Persons;
- viii. Approval of the Valuation Report by the relevant authority;
- ix. Assisting in legalization processes;
- x. Disclosure of compensation amounts to APs;
- xi. LARP preparation and submission for ADB approval and endorsement;
- xii. Disclosure of LARP on project website;
- xiii. Implementation of LARP;
- xiv. Monitoring and reporting on LARP implementation;
- xv. Preparation of LARP Compliance Report for ADB revision and approval;
- xvi. Handing over LAR impacted subsection for construction.

6.3. Project Implementation Consultant

102. Tasks and responsibilities of the Project implementation Consultant (hereinafter as PIC) at detailed design stage include:

- i. Selection and mobilization of a design sub-consultants with approved national and international resettlement specialists and inclusion of costs and requirements for resettlement related activities in the tender/contract documents;
- ii. Assisting PIU in LARP preparation;
- iii. Contribute in agreeing on key implementing mechanisms for the final LARP;
- iv. Assisting PIU in selection of the sub-consultant(s) for DMS and Valuation;
- v. Training LARC on ADB SPS (2009) and LAR;
- vi. Hold Community Consultations;
- vii. Preparation of Implementation Ready LARP and its submission for approval to PIU.

103. At project implementation, PIC also will assist SAWR/PIU to implement the LARP and to carry out monitoring and reporting.

6.4. Ministry of Finance

104. The Ministry of Finance has the overall financial responsibility for the Project.

6.5. GRGs

105. Any complaints during LARP implementation and construction period will be registered and addressed by the GRGs. Functioning of GRGs are detailed in the following subsection.

7. Grievance Redress Mechanism

106. The Grievance Redress Mechanism (GRM) is established by the Order of the State Agency for Water Resources No.167 dated October 06 of 2020 in accordance with the EARF, IEE/EMP, LARF to receive and facilitate the resolution of the affected persons' concerns and grievances for the subproject activities within the Output 1 "Irrigation infrastructure protected and modernized" of the Climate Change and Disaster-Resilient Water Resources Sector Project.
107. A separate GRM will be established for the subproject activities within the Output 3: National disaster risk management capacity improved.

7.1. Objectives of the GRM are:

- To reach mutually agreed solutions satisfactory to both the project and the affected people, and to resolve any grievances locally, in consultation with the aggrieved party;
- To facilitate the smooth implementation of the Land Acquisition and Resettlement Plan (LARP), particularly to cut down on lengthy litigation processes and prevent delays in project implementation; and
- To facilitate the development process at the local level, while maintaining transparency as well as to establish accountability to the affected people.
- To handle, record, screen, process, track and reply the complains about the social, environmental and other safeguard related complains
- Set Feedback
- Encourage vulnerable individuals and/or groups to express their views

7.2. Grievance Redress Mechanism for the Output 1 of the Project

108. GRM is a process and forum through which the affected people need a trusted way to voice and resolve concerns about Land Acquisition and Resettlement (LAR) and other environmental, social aspects and the project also finds an effective way to address AP's concerns.
109. Affected People and local people have the right to file complaints and/or queries on any aspect of the project, including LAR, environmental and other safeguard issues. Under the GRM, people may appeal any decision, practice or activity related to the project. All possible avenues will be made available to the affected persons and others to voice their grievances. The Project Implementation Unit (PIU) will ensure that grievances and complaints on any aspect of the project are addressed in a timely and effective manner.
110. The mechanism will consist of grievance resolution of two levels. The first level is local, at the level of Aiyl Okmotu (village). The second is the Grievance Redress Group (GRG) at the sub-project level. The role and responsibility of the GRM is to accept complaints and grievances, assess their validity, determine the scale of possible consequences and resolve the issue in a timely manner, including claims for compensation, and maintain the GRM as a flexible and efficient system for resolving and resolving complaints.
111. The Grievance Redress Groups (GRGs) will function for the duration of both LARP and the entire project implementation.
112. The GRM covers issues related to social, environmental and other safeguard issues under the ADB safeguard covenants and Kyrgyz laws.

7.3. Local Focal Point

113. Any complaint related to social, environmental and other safeguard issues will be received by a Local Focal Point (LFP). For every Aiyl Okmotu of a sub-project a LFP will be appointed prior to the commencement of the project. LFP will be responsible for the complaints handling process. LFP is expected aware of context, facts and system.
114. LFP will be oriented about the handling, recording, screening, processing, tracking and replying the complaints. LFP will be supplied with brochures, pamphlets or electronic based information, should be made readily available to complainants and other relevant interested parties. Such information should be provided in clear language and, so far as is reasonable, in formats accessible to all, so that no complainants are disadvantaged.

7.4. Grievance Redress Groups

7.4.1. Local GRG

115. The local GRG (LGRG) will be established by PIU before the commencement of the construction works in any subproject area. LFP will review and prepare materials on the case, in accordance with the proposed form. A formal meeting will be held with the GRG on the day appointed by the LFP in consultation with AP/APs. On the day of the meeting, AP/APs shall arrive at the office of the relevant Aiyl Aimak, meet with the LGRG and submit case materials and evidences (if any) in support of his/her claim. The LFP will register the AP's applications, accept supporting documents supporting the complaint, and arrange for the LGRG to meet to discuss the case. The decision of the majority of the members of the LGRG will be final. This decision will be issued by the LFP and signed by other members of the LGRG. The case record will be updated, LFP will inform the applicant of the decision taken within 7 working days from the date of the complaint. If the applicant is not satisfied with the decisions, the LFP will file a complaint in writing to attention of the GRG at the sub-project level (SCC) with an attached opinion and supporting documents prepared at the local level. Data on complaints should be disaggregated by gender.
116. LGRG can be formed from: deputies of local Keneshes (village councils); heads or deputy heads of AO (LSG or village administrations); heads of villages; and representatives of APs. The composition of the LGRG may vary, depending on the specifics of the issue. AO specialists on land or social issues, economists, etc. will be involved in the work of the LGRG.

7.4.2. GRG at the subproject level

117. In order to provide all stakeholders directly involved in the implementation of subprojects with a platform for monitoring, reviewing, discussing and making decisions on issues related to the implementation of subprojects for each specific subproject, Subproject Coordinating Committees (SCC) are established. SCC is a deliberative and consultative board for a subproject, whose decisions are advisory in nature.
118. The composition of SCC may vary, depending on the specifics of the subproject, but generally they will include nominated members from: BWRM / RWRM (Regional and The Rayon Water Authorities); local self-governments (LSG); WUA; PIU; and other interested governmental and non-governmental institutions. The head of the DWR unit in the PIU will Chair the SSC; the PIC will act as Secretary; and each relevant Rayon DWR, Local Self Government (LSG or Aiyl Okmotu), and tertiary-level WUA(s) in the subproject target area will each delegate a representative as a Member of the SSC.
119. SCC oversees activities and stakeholders at the subproject and the irrigation system level. The main functions of SCC include, but are not limited to the following:
- 1) Support implementation and monitoring of the subproject activities and progress reporting;
 - 2) Review, discuss and approve the Joint Irrigation Management Plan prepared and agreed between the RWRM and WUA;
 - 3) Consider conflicts and disputes between stakeholders involved in the subproject implementation.
120. SCC consists of appointed members from the following institutions
- 1) RWRM,
 - 2) Local self-government,
 - 3) WUA,
 - 4) PIU,
 - 5) And other interested state and non-governmental bodies.
121. The SCC may decide to invite one or more of the following as (permanent) observers without the right to vote:
- 1) Head of the Rayon Support Unit of WUAs (RSU);
 - 2) Head of the Rural Development of the Rayon State Administration;
 - 3) Members of the Community Development Team.

7.5. Grievance Resolution Process

122. An affected person (AP), as well as other project affected persons (APs), will have permanent access to LFP and LGRG. Complaints will first be made at the village / community level of the complainant. The AP

will complain to LFP. LFP will register the complaint and verify its eligibility. At this stage, LFP will listen to AP and try to find and suggest acceptable solutions. If AP is not satisfied with the proposed solutions, he/she will fill a complaint form for the consideration of the local GRG within 3 days.

123. LFP will organize a Local GRG meeting. The LGRG will assess the situation and begin to seek a solution through consultations with AP. At this stage, LGRG must attempt to resolve the complaint within 7 business days from the date the complaint was filed. For discussion at the local level, meetings will be held in the AP's village. Additional time may be allocated in the event of a comprehensive complaint that requires expert opinions. This will be clearly communicated to the AP/APs.

124. In case of dissatisfaction of AP with the decision of the LGRG, AP shall address to SCC. If necessary, all supporting documents, such as photographs, required certificates, legal and technical expert opinions, should be prepared, reviewed and assessed. After the grievance is resolved, SCC will arrange a grievance closure meeting where AP/APs shall confirm the closure of the complaint. PIU safeguards specialist will coordinate the grievances redress process.

125. LFP will assist AP to formally submit their complaints to the GRG. Claims and complaints will be dealt with in the order outlined in

126. Table 15 and Figure 1 further illustrates it.

Table 15. Grievance Redress Procedure

Step	Action Level	Process	Timeline
1	Resolution by LFP	At initial stage, the LFP will give hearing to the aggrieved person or complaint and try to give acceptable solutions. If an aggrieved person or complaint is not satisfied with the solutions, then the complaint will lodge grievances in written to the GRG within 3 days.	3 days
2	Resolution by local GRG at local level (LGRG)	After receiving a written complaint, LFP will review and prepare materials on the case, in accordance with the proposed form. A formal meeting will be held with the GRG on the day appointed by the LFP in consultation with AP/APs. On the day of the meeting, AP/APs shall arrive at the office of the relevant Aiyi Aimak, meet with the LGRG and submit case materials and evidences (if any) in support of his/her claim. The LFP will register the AP's applications, accept supporting documents supporting the complaint, and arrange for the LGRG to meet to discuss the case. The decision of the majority of the members of the LGRG will be final. This decision will be issued by the LFP and signed by other members of the LGRG. The case record will be updated, LFP will inform the applicant of the decision taken within 7 working days from the date of the complaint. If the applicant is not satisfied with the decisions, the LFP will file a complaint in writing to attention of the GRG at the sub-project level (SCC) with an attached opinion and supporting documents prepared at the local level	7 days
3	Resolution by GRG at subproject level (SCC)	After receiving written complaint, the Secretary of SCC will review and prepare a Case File for SCC hearing and resolution. A formal hearing will be held by SCC on a date fixed by the Chair of SCC in consultation with the AP/APs. The Secretary of SCC, that is PIC will contact AP/APs and assigned members of SCC shall visit the AP's village. The Secretary of SCC will note down the statements of the complainant and document all proofs. The decision from majority of the members will be considered final from the SCC and will be issued by the Chair of SCC and signed by other members of the SCC. The case record will be updated and the decision will be communicated to the aggrieved person by the PIU safeguards specialist within 14-30 days.	14-30 days

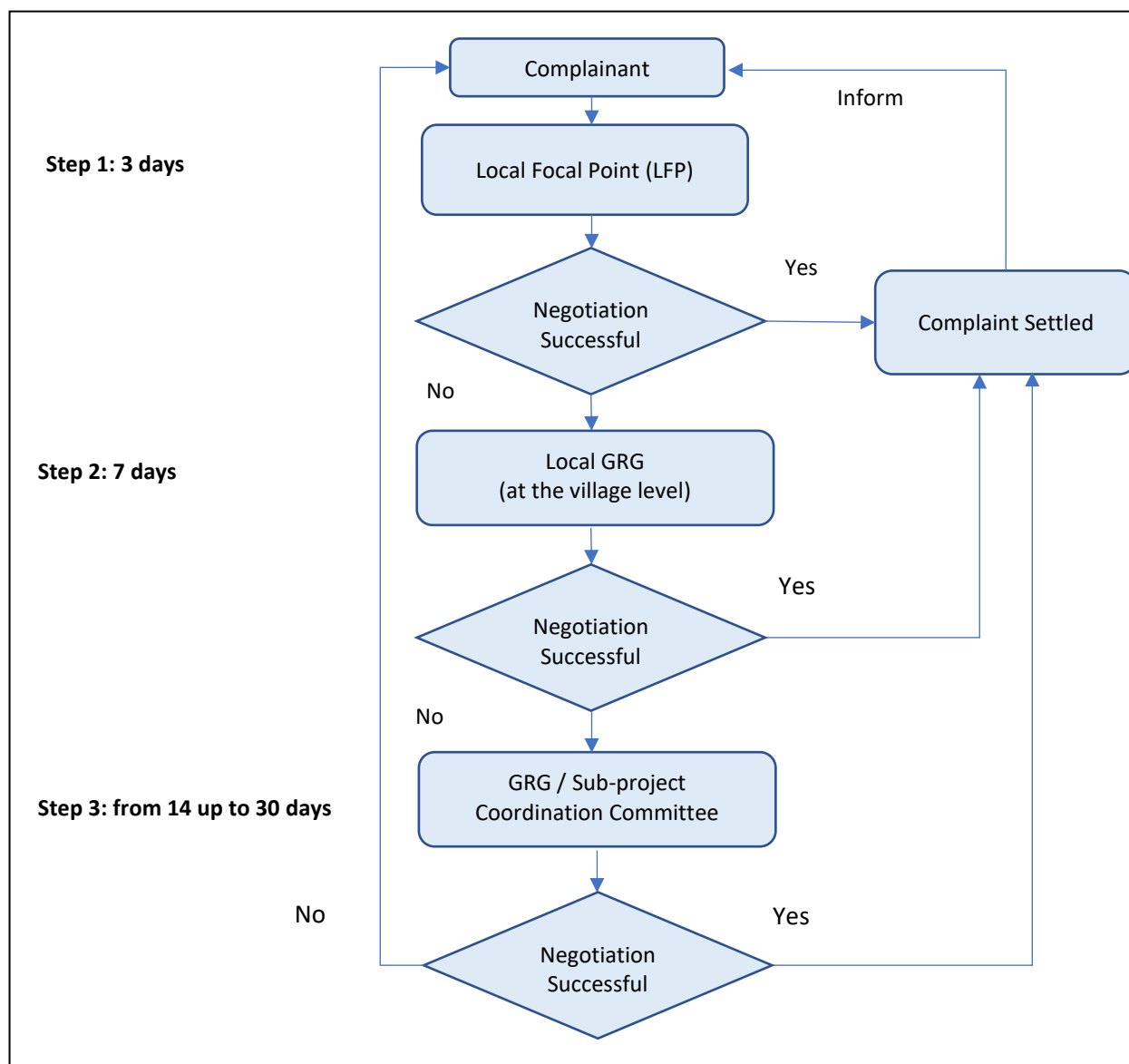


Figure 1. Grievance Redress Procedure

7.6. Additional Mechanisms

127. Any physical and legal person, any appellant can communicate his/her concern to the court at any stage of grievance redress. The GRGs will not restrict or influence the AP from applying to court for legal remedies.

128. If the complaint is found invalid, the GRG will formulate a response and send a written letter to the complainant, explaining the reasons of rejection.

129. In addition, ADB has its Accountability Mechanism Policy (2012)²⁵ that is to be accountable to people for ADB-assisted projects as a last resort mechanism. The accountability mechanism provides a forum where people adversely affected by ADB-assisted projects can voice and seek solutions to their problems and report alleged noncompliance of ADB's operational policies and procedures.

130. The complainant, if not satisfied with GRG's decision or even the court's decision, can appeal the case to Office of the Special Office Facilitator of ADB²⁶. The GRGs will not in any way impede APs' access to the ADB Accountability Mechanism.

131. All expenses incurred by affected households in grievance/complaint filing and its resolution will be covered by the project.

²⁵ <https://www.adb.org/site/accountability-mechanism/main>

²⁶ www.adb.org/site/accountability-mechanism/contacts

7.7. Complaint Documentation

132. The PIU of the SAWR will document all grievances in both written and electronic forms. LFP and PIC will be responsible for keeping Grievance Log form at local and SCC level, respectively. Grievance Log forms will be submitted by PIC to PIU and they will be consolidated by PIU safeguard specialist by monthly. PIO's safeguard specialist will evaluate these documents with the assistance of PIC and report the results at semi-annual environmental and social reports accordingly.

133. The complaint matrix for this LARP is shown in Table 16.

Table 16. The complaint management matrix for Pravaya Vetka sub-project

Claiming order	To whom the complaint is filed	Complaint submission form	Management procedure	Consideration timeframe
GRM level I	To Mr. Toktorali Azhykulov, - village head, LFP Phone: 0557 741800	LFP will help fill out a special complaint form for the complainant	MCL will be responsible for registering complaints and report to PIU on the status of complaints handling (monthly)	3 working days
GRM level II	To Local Grievance Redress Group (LGRG) established by Order No. 385b 16.10.2020 ²⁷	In writing, the LFP will assist in filing a complaint	The LFP will be responsible for registering the complaint and reporting to the PIU / Safeguards Specialist monthly on the status of complaints	7 working days
GRM level III	To Subproject Coordinating Committee (SCC), which was established on 14.10.2020 ²⁸	In writing with all documents supporting the complaint	The SCC Secretary will be responsible for registering complaints, a PIU safeguards specialist will coordinate the complaint resolution process	Within 14-30 working days

134. LFP will also be appointed at Masy AA and Aral AA prior to commencement of construction work. Contact information will be conveyed to the local population by posting on information boards of AO and WUA.

²⁷ Order about the LGRG establishment, minutes of the meeting, list of members of LGRG see in Annex 11

²⁸ Minutes of the meeting for SCC (GRG) establishment see in Annex 12

8. LARP Implementation

8.1. LARP Implementation Schedule

135. The LARP shall be implemented before the commencement of the civil works.

136. Extensive preparatory activities and tasks are planned and will be taken to ensure a successful implementation of the LARP. SAWR/PIU, with assistances of PIC, will implement the LARP. SAWR/PIU will be responsible for the internal monitoring and reporting. The LARP implementation steps and timeframe is illustrated in Table 17.

Table 17. Implementation of LARP

	Tasks	Responsibility	Timeframe
1	Preparations		
1.1	SAWR's order to approval of LARP ²⁹	PIU	October 2020
1.2	Submission of LARP to ADB	PIU	November 2020
1.3	ADB's approval of LARP	ADB	November 2020
1.4	Disclosure of LARP on SAWR website and distribution of LARP to affected villages	PIC/PIU	After approval of LARP
1.5	Distribution of information brochure to affected households	PIC/PIU	After approval of LARP
2	LARP Implementation		
2.1	Order of the Head of SAWR about compensations	PIU	December 2020
2.2	Consultations with APs before implementation of LARP, provision of additional information on GRM.	PIC/PIU	December 2020
2.3	Training LFP(s) on GRM procedure	PIC/PIU	January 2021
2.4	Processing compensation agreements between SAWR and affected households, finding out the mechanism of compensation	PIC/PIU	January 2021
2.5	Payment of compensations to affected households	SAWR	January 2021
3.	Monitoring and Reporting		
3.1	Preparation of a compliance report on the implementation of the LARP.	PIC/PIU	January 2021
3.2	Submission of a compliance report on the implementation of the LARP.	PIU	February 2021
3.3	Approval of the compliance report on implementation of the LARP and provide no objection for the commencement of construction works.	ADB	February 2021

²⁹ See Annex 15

8.2. Income restoration and rehabilitation

137. The impact of the Project is not significant to each land plot, and the affected persons (APs) will be compensated before construction commencement.
138. Assistance to the vulnerable AH1 will be provided in accordance with the compensation payments matrix equal to 6 minimum wages in the Kyrgyz Republic. The size of the minimum wage is established by the Law of the Kyrgyz Republic "On the national budget of the Kyrgyz Republic for 2020 and the forecast for 2021-2022" Article 13: "To establish the size of the minimum wage for 2020 – 1,854.0 KGS, for 2021 – 1,970.0 KGS, for 2022 – 2,050.0 KGS".
139. AP2 has waived her compensation as long as the following conditions are met³⁰:
- To provide water to the lagoon for fish breeding, to ensure the laying of pipes with a diameter of 250mm from the existing canal network.
 - Construction of a pedestrian bridge (for crossing) over mudflow crossing.
140. These terms and conditions do not require large financial and material expenses and have been considered in Detail Design for construction work on mudflow crossing structure (overchute) No.1.
141. For the temporary Impacts during construction, in accordance with EM, the Contractor will pay a rent to APs based on negotiations and the land will be restored to its pre-project condition.

9. LAR budget

142. All the costs associated with LAR administration, compensation of DPs and LARP implementation will be financed by the Project.
143. LAR budget includes:
- i. Direct costs of compensations and assistances for AHs.
 - ii. Administration expense, which is set as 5% of direct costs.
 - iii. Contingency for unforeseen impacts, which is set as 20% of direct costs.
144. All compensations are based on independent valuation (see Annex 19 for details of valuation report). The valuation was regulated and guided by the entitlement matrix of this LARP and the following documents:
- i. Property Valuation Standards, compulsory for all parties carrying out appraisal activity in the Kyrgyz Republic, ratified by the Kyrgyz Republic Government Decree No. 217 dated 03 April 2006, and last amended on 15 November 2016.
 - ii. The Interim Regulations for Valuers and Valuation Organizations Acting in the Kyrgyz Republic, ratified by the Kyrgyz Republic Government Decree No. 527 dated 21 August 2003, with the latest amendments dated 5 February 2019 No. 39.

9.1. Evaluation of land and non-ground assets

145. Land plots are not assessed.
146. Fences were valued based on the replacement cost method at market prices (Table 18).

Table 18. Fences

No.	Subject property	Quantity, units	Height, m
1	Fence belong to AP1	54	1
2	Fence belong to AP2 (angle piece 4x4, by walk 3,3m)	4	2

9.2. Trees and crops

147. Trees (seedlings) were valued based on the method of replacement cost at average market prices³¹. This method applies when cut trees are valued according to the wood volume of certain age/height.

Table 19. Trees on the land plot No.1

³⁰ Will be covered in detail under the LARP implementation Compliance Report.

³¹ <http://cbd.minjust.gov.kg/act/view/ru-ru/157164>

No.	Subject property	Quantity, units	Height, m
1	Peach (does not bear fruit)	3	1.5
		4	2
		3	2.5
2	Apple (does not bear fruit)	18	2
3	Nut	1	3.5
4	Zhiyda	1	2
5	Cherry (does not bear fruit)	4	3
6	Rose	4	1
		6	1.5
		6	0.5
7	Poplar	5	1
		3	2
		2	3
		5	5

Table 20. Trees on the land plot No.2

No.	Assessment object	Quantity, units	Height, m
1	Poplar	2	5
2	Currant	1	2

148. All the wood, after cutting trees, as well as any other salvaged materials will remain a property of AHs.

9.3. Budget and Financing

149. Based on the calculation of the replacement cost of the objects, assessment of perennial plantings, estimation of the budget of LARP for the subproject "Pravaya Vetka" is given in Tables 21, 22 and 23.

Table 21. Calculation of value of affected assets of AP1

No.	Subject property	Quantity, units	Height, m	Average market value, KGS/unit	Total value
1	Peach (does not bear fruit)	3	1,5	80	240
		4	2	100	400
		3	2,5	120	360
2	Apple (does not bear fruit)	18	2	50	900
3	Nut	1	3,5	3000 (assessed as wood)	3,000
4	Zhiyda	1	2	200	200
5	Cherry (does not bear fruit)	4	3	250	1,000
6	Rose	4	1	100	400
		6	1,5	130	780
		6	0,5	70	420
7	Poplar	5	1	60	300
		3	2	100	300
		2	3	1000 (assessed as wood)	2,000
		5	5	1300 (assessed as wood)	6,500
8	Fence (chain link)	54	1	100	5,400
	Sub-total for AP1:				22,200
	Miscellaneous expenses (transportation costs, tree	20%			4,440

	care costs, i.e. pruning, fertilizing and others)				
	Total for AP1:				2,640

Table 22. Calculation of value of affected assets of AP2

No.	Subject property	Quantity, units	Height, m	Average market value, KGS/unit	Total value
1	Poplar	2	5	1300 (assessed as wood)	2,600
2	Fence (angle piece 4x4, by walk 3,3m)	12 units	2m	115	2,760
3	Fence (barbed wire)	48m	18.72kg	80	1,497
	Sub-total for AP2:				6,857
4	Miscellaneous expenses (transportation costs, tree care costs, i.e. pruning, fertilizing and others)	20%			1,371
	Total for AP2:				8,228

Table 23. The summary of the budget of LARP for the "Pravaya Vetka" subproject

No.	Item	Impact			Cost	
		Unit	Qty	Price	KGS	USD ³²
I.	I. Direct Costs					
1.1.	Fence AP No.1 (net type)	m	54	100	5 400,0	
1.2.	Fence AP No.2 (barbed wire)	M	18,72	80	1 498,0	
1.3.	Fence AP No.2 ((angle 4x4, length 3,3m)	Pcs	12	230	20760,0	
1.4.	Trees AP No.1	Pcs	51		15 200,0	
1.5.	Trees AP No.2	Pcs	2		2 600,0	
1.6.	Rose bushes	Pcs	16		1 600,0	
	Sub-total:				47 058,0	
1.7.	Miscellaneous costs ³³	%	20		9 411,6	
1.8.	Assistance to a vulnerable household	month	6	1854	11 124,0	
	Intermediate result:				67 593,6	
I.	Administrative costs (5% of direct costs)				3 379,7	
I.	Unforeseen expenses (20% of direct expenses)				13 518,7	
	TOTAL:				84 492,0	1 033

³² At the moment of compiling the LARP (20.10.2020) the NBKR exchange rate was USD 1 = 81.7971 KGS.

³³ The budget is based on an estimate and each AP is provided with 20% allowance out of his personal budget for transportation and other expenses in accordance with the provisional requirements of the national legislation.

10. Monitoring and Reporting

1. The implementation of the LARP will be subjected to internal monitoring. Internal monitoring will focus on LARP implementation progress and will be conducted by PIU with assistance from PIC.
2. The objectives of the monitoring are to:
 - i. monitor LARP implementation progress and check whether or not the time lines are being met;
 - ii. assess if compensation, rehabilitation measures and social development support are sufficient;
 - iii. identify problems or potential problems;
 - iv. identify immediate/rapid response methods to mitigate problems or potential problems;
 - v. ensure that the GRM is functioning and grievances, if any, are being addressed timely and effectively; and
 - vi. ensure that the standard of living of AHs is restored or improved.
3. Upon completion of land acquisition and resettlement, PIU will prepare a LARP implementation compliance report for ADB's review and approval. Besides, PIU will report the progress of LARP implementation and overall social safeguards compliance through semiannual safeguards monitoring reports (SSMR). The SSMRs will be posted on the ADB and SAWR websites upon approval by ADB.

ANNEXES



Annex 2: Land impacts for the construction of facilities under "Pravaya Vetka" subproject

No. n/n	Name of structure/facility	Picket from - to		Length, m	land impact								Total		Involvement to impact
					Permanent				Temporary				m	ha	
					From axis of structure m		total, m	Area, ha	From constant line, m		total, m	Area, ha			
					To the left	To the right			To left	To right					
Kenesh aiyl aimak															
1	Mudflow structure No.1	0+00	0+75	75	6	6	12	0,09	5	5	10	0,08	22	0,17	AP1 and AP2
		0+85	4+10	325	6	6	12	0,39	5	5	10	0,33	22	0,72	
2	Mudflow structure No.3	0+10	1+40	130	0	13	13	0,17	5	5	10	0,13	23	0,30	
		1+40	1+90	50	14	19	33	0,17	5	5	10	0,05	43	0,22	
		1+90	2+40	50	18	18	36	0,18	5	5	10	0,05	46	0,23	
		2+40	3+10	70	15	15	30	0,21	5	5	10	0,07	40	0,28	
3	Rehabilitation site No.1	117+00	131+00	1400,00	11	11	22	3,08	5	5	10	1,40	32	4,48	
4	Rehabilitation site No.2	152+63	160+00	737,00	9,5	5,4	14,9	1,10	5	5	10	0,74	25	1,84	
	Sub-total for Kenesh AA:							5,39				2,85		8,24	
Masy aiyl aimak															
5	Mudflow structure No.2	0+00	0+36	36	21	11	32	0,12	5	5	10	0,04	42	0,15	
		0+36	0+85	49	14	12	26	0,13	5	5	10	0,05	36	0,18	
	Sub-total for Masy AA:							0,24				0,09		0,33	
Aral aiyl aimak															
6	Rehabilitation site No.2	160+00	180+58	2058,00	9,5	5,4	14,9	3,07	5	5	10	2,06	25	5,12	
		180+58	182+96	238,00	6,7	3	9,7	0,23	5	7	12	0,29	22	0,52	
		182+96	185+28	232	8,5	5,4	13,9	0,32	5	5	10	0,23	24	0,55	
	Sub-total for Aral AA:							4,82				3,28		8,10	
	Total:							10,45				6,22		16,67	



Annex 4. Resolution No. 397 of Kenesh village administration from 20.07.2010

КЫРГЫЗ РЕСПУБЛИКАСЫ БАШКАЛ-АБАД
ОБЛАСТЫ
БАШКАЛ-КОРГОН РАЙОНУ
«КЕНЕШ»
айылдык округу

КЫРГЫЗСТАН РЕСПУБЛИКАСЫ БАШКАЛ-АБАДСКОЙ
ОБЛАСТИ
БАШКАЛ-КОРГОНСКИЙ РАЙОН
сельской округ
«КЕНЕШ»

С.Абдрахманов тел: 0 3736 5 99 11

Т О К Т О М №397

Абдрахманов айылы

20. 07. 2010ж.

Кенеш айылдык округуна караштуу Кызыл-Октябрь айылынын тургуну Садыров Жаркынбектин ээлеп турган жер кыртынын оздостуруп, өндөр асылдуулугун арттырып, Бак тигил элге ысымат кылуу үчүн Кызыл-Октябрь айылынын этек жагынан каналдын жанынан сарай куруу үчүн 0,40 га жер аянтын жер кодексинин 32-ст. 73-ст. негизинде пайдалануу укугун берүү максатында

Т О К Т О М К И Л А Т:

1. Садыров Жаркынбекке Кызыл-Октябрь айылынын этек жагындагы каналдын жанынан оздостуруу үчүн 0,40 га жер аянты ажыратылып берилсин.
2. Ажыратылып берилген жер аянтына пайдалануу укугун тастыктоочу Кан.Акт берүү жагы жер хана кыймылсыз мулктордун пайдалануу укугун каттоо башкармалыгынан суралсын.
3. Токтомдун аткарылышын Кенеш айыл округунун жер бөлүмчө адиси А.Таласбаевага милдеттендирилсин.
4. Токтомдун аткарылышын көзөмөлдөө жагы Кенеш айылдык округунун башчысынын биринчи орун бакары Т.Амаркулеевага тапшырылсын.

Кенеш айылдык округунун комиссиясынын төрагасы:
Комиссиянын мүчөлөрү:

Б.Базаркулов,
Ж.Армубаев,
А.Таласбаев,
Э.Бирматов,
Ж.Абдулганимов.

Resolution No. 397 of the Kenesh Rural The Rayon from 20.07.2010

KR, Jalalabad Province, Bazar-Korgon the Rayon, Kenesh rural the Rayon.

Abdraimov village

Resolution No. 397

20.07.2010

Based on the application of Sadyrov Zharkynbek, a resident of Kyzyl-Oktyabr village, Kenesh rural the Rayon.

(Land Code, Articles 32 and 73)

DECIDES:

1. Allow Sadyrov Zharkynbek to operate a land plot of 0.40 hectares in the vicinity of the canal of Kyzyl-Oktyabr village.
2. The issued land plot should pass through the land management and registration services of the state registration service.
3. A. Talasbayev, a specialist on land issues in the rural the Rayon of Kenesh, should be obliged to execute the resolution.
4. Control execution of the resolution to appoint T. Anarkulova, deputy head of the rural the Rayon Kenesh.

Chairman of the Kenesh Rural The Rayon Commission: B. Bazarkulov

Commission members: J. Arzybaev, A. Talasbaev, E. Pirmatov, J. Abdulakimov

/ Seal/

/Signature/

Annex 5. Resolution No. 513 of the Kenesh village administration from 02.10.2008.

КЫРГЫЗ РЕСПУБЛИКАСЫ

ЖАЛАЛ-АБАД ОБЛУСУ
БАЗАРКОРГОН РАЙОНУ
КЕНЕШ АЙЫЛДЫК ОКРУГУ

Абдраимова айылы
тел: +996 (31736) 5-00-11

КЫРГЫЗСОАК РЕСПУБЛИКА

ЖАЛАЛ-АБАДСКАЯ ОБЛАСТЬ
БАЗАРКОРГОНСКИЙ РАЙОН
КЕНЕШСКИЙ АЙЫЛЬНЫЙ ОКРУГ

г. Абдраимова
тел: +996 (31736) 5-00-11

Токтом № 513

«Кенеш айылдык округунун Абдраимова айылдык тургуну Исмаилова Сагыбушун артылы жонундо»

Кенеш айылдык округуна караштуу Кара-Ункур дарыясынын жээгиндеги Кызылоктябрь участкесинин тундук жагындагы мамлекеттик запастагы жерден Исмаилова Сагыбушко бычак чарбасын оздооттуруу жана онуктуруу учун 3 (уч) га жер алынган ажыратып беруу максатында, жер комиссиясынын чечиминин негизинде Кенеш айылдык округу

ТОКТОМ КЫЛАТ:

1. Исмаилова Сагыбушко Кызылоктябрь участкесинин тундук жагында жайгашкан Кара-Ункур дарыясынын жээгинде бычак чарбасын оздооттуруу жана онуктуруу учун 3 (уч) га жер алып 3 жылдык мөөнөткө, анын ичинен 5 (беш) айылы оздооттуруу, 30 (отуз) жылы ижарага пайдалануу максатында ажыратылып берилсин.
2. Ажыратылып берилген жер аныгына мамлекеттик акт жана бычак иш кагаздарын даярдап беруу жагы райондук жер жана кыймылсыз мулкту каттоо башкарматтыгынын башчысы Н.Мамыралдиевдин сунуш кылынышы.
3. Токтомдун аткарылышы Кызылоктябрь участкесинин айыл башчысы Б. Мырзасаяга милдеттендирилсин.
4. Токтомдун аткарылышын аткарып жаткан жагы Кенеш айылдык округунун башчысынын биринчи орун басары Т.Анваркуловго тапшырылсын.

Кенеш айылдык округунун башчысы

Б.Бактиркулов

KR, Jalalabad Oblast, Bazar-Korgon The Rayon, Kenesh Rural The Rayon

Abdraimov village, tel:+996(03736) 5-00-11

Resolution No. 513

02.10.2008

According to the decision of the commission on land issues of rural the Rayon Kenesh on the application of Ismailov Satybush, a resident of Abdraimov village.

DECIDES:

1. Issue a land plot of 3.00 hectares in the vicinity of the Kara-Unkur River, Kyzyl-Oktyabr village Ismailovu Satybush, for a period of 35 years, 5 years for cultivation of land, 30 years with the right to lease.
2. Drawing up the state certificate and other documents of the issued land plot to send to the head of the Rayon Agency for land management and registration of rights to immovable property N. Misiraliev.
3. Order execution to oblige B. Mirzaev, head of village Kyzyl-Oktyabr.
4. Control the execution of the resolution to appoint T. Anarkulov, deputy head of the rural the Rayon Kenesh.

Head of the rural the Rayon Kenesh: B. Bazarkulov

/Seal /

/Signature/

Annex 6. Order of Bazar-Korgon Rayon State Administration on establishment of water protection zones

Кыргыз Республикасы
Жалал-Абад областы
Базар-Коргон
РАЙОНДУК МАМЛЕКЕТТИК
АДМИНИСТРАЦИЯСЫ

Кыргызская Республика
Жалал-Абадская область
Базар-Коргонская
РАЙОННАЯ ГОСУДАРСТВЕННАЯ
АДМИНИСТРАЦИЯ

Базар-Коргон а. Т. Г. Жаманов а. № 126

Факс: (07736) 30007
Факс: (07736) 30007

Б У Й Р У К

РАСПОРЯЖЕНИЕ

28. 01. 2014 г. № 11-Б

"Базар-Коргон райондук суу чарба
башкармалыгынын сууну
коргоочу зоналары жөнүндө"

Районундун аймагындагы дарыя, каналдардын, кол-колмөлөрдүн жана суу сактагычтардын сууну коргоочу зоналарын жана тилкелерин иретке келтирүүдө Кыргыз Республикасынын Өкмөтүнүн 1995-жылдын 7-июлундагы № 271 токтомуна негиз

Б У Й Р У К К ы л а м ы н:

1. Базар-Коргон районунун аймагындагы дарыя, каналдардын, кол-колмөлөрдүн жана суу сактагычтардын сууну коргоочу зоналары жана тилкелери Кыргыз Республикасынын Өкмөтүнүн 1995-жылдын 7-июлундагы № 271 токтомунун негизинде № 1 тиркеме ылайык бекитилсин.

2. Акман, Бешик-Жон, Базар-Коргон, Сейдикум жана Кеңеш айыл округ башчылары (А.Атакулов, А.Алинов, А.Жолчиев, Т.Сатаркулов жана Р.Омурзаков), райондук шаар куруу жана архитектура башкармалыгы (А.Маманов) жана райондук жер жана кыймылсыз мүлккө укуктарды каттоо башкармалыгы (Э.Тарыхчиев) райондун аймагындагы дарыя, каналдардын, кол-колмөлөрдүн жана суу сактагычтардын сууну коргоочу зоналарына жана тилкелерине турак-жайларды, заправкаларды, техникаларды жуучу жана оңдоочу жайларды, канализациялуу тизмелерди курулмаларды жана банка сууларды булгаочу курулуштарды курууга, карьер ачууга жана ал жерлерди убактылуу пайдаланууга уруксатнама кагаздарын берүүгө тыюу салынсын.

3. Акман, Бешик-Жон, Базар-Коргон, Сейдикум жана Кеңеш айыл округ башчылары (А.Атакулов, А.Алинов, А.Жолчиев, Т.Сатаркулов жана Р.Омурзаков):

- сууну коргоочу зоналарындагы жана тилкелериндеги сууларга жакын жерлерде уу-химикаттарды сактоого жана пайдаланууга;
- суу чарба башкармалыгынын уруксатысыз карьер ачууга;
- сууну коргоочу зоналарынын жана тилкелеринин жер кыртышын бузууга;
- таштандыларды таштоого тыюу салынсын.

Калк арасында түшүндүрүү иштерин жүргүзүү менен айыл округунун аймагындагы бардык чарбакер субъектилерге жана айыл тургундарына буйруктун аткарылышын камсыз кылуу милдеттендирилсин.

3. Райондун аймагындагы дарыя, каналдардын, көл-көлмөлөрдүн жана суу сактагычтардын сууну коргоочу зоналарына жана тилкелерине № 1 тиркемеге ылайык райондук жер жана кыймылсыз мүлккө укуктарды каттоо башкармалыгынан мамлекеттик акт алуу райондук суу чарба башкармалыгынан башчысы З.Акматовко милдеттендирилсин.
4. Райондун аймагындагы дарыя, каналдардын, көл-көлмөлөрдүн жана суу сактагычтардын сууну коргоочу зоналарына жана тилкелерине № 1 тиркемеге ылайык мамлекеттик акт берүү райондук жер жана кыймылсыз мүлккө укуктарды каттоо башкармалыгынын башчысы Э.Тарыхчиевке жүктөлсүн.
5. Бул буйруктун аткарылышын көзөмөлдөө райондук мамлекеттик администрация башчысынын биринчи орун басары К.А.Тилексеевке жүктөлсүн.

Базар-Коргон райондук мамлекеттик
администрация башчысы-аким:


Г.Доллоев

Макулдашылды:


К.Тилексеев

Даярдаган


Т.Ташиев

Базар-Коргон райондук мамлекеттик
администрациясынын 2014-жылдын
"21" № буйругуна
1 тиркеме.

Кыргыз Республикасынын Өкмөтүнүн 1995-жылдын 7-июлундагы № 271
токтомуна негиз районундун аймагындагы дарыя, каналдардын, көл-
көлмөлөрдүн жана суу сактагычтардын сууну коргоочу зоналары жана
тилкелери:

№	Дарыялардын, каналдардын, көл-көлмөлөрдүн жана суу сактагычтардын аталышы	Узундугу, км	Өткөрүү жөндөмдүүлүгү, м³/сек	Коргоочу зона жана тилке өйүз-бүйүз узундугу, метр
I. Дарыялар				
1	Кара-Үнкүр-Сай	52	65	100
2	Арстанбап-Сай	5	3	50
3	Каба-Сай	3	4	50
4	Булгалык-Сай	2	3	
5	Шайдан-Сай	10	5	75
6	Кара-Дарыя	34	11	100
II. Каналдар				
1	Он-Жээк-Каналы	15	18	75
2	Сол-Жээк-Каналы	15,7	16,5	75
3	Жогорку-Акмап	23,23	5	50
4	Сейдикум-Каналы	8	3	50
5	Подводящий каналы	11,1	10,0	50
6	Отводящий каналы	6,9	6	50
7	Катта-Тегирмен	7	5	50
8	Шайдан-Ветка	7,6	4	50
9	Массы каналы	1,5	5	50
III. Көлмөлөр жана суу сактагычтар				
1	Базар-Коргон суу сактагычы			200

Базар-Коргон райондук мамлекеттик
администрациясынын аппарат жетекчиси:

 Д.Санпов

C. Bazar-Korgon, 126 B.Osmonov Str.

Tel: (03736) 50007

DIRECTION:

Order from 28.01.2014 No. 11-b

ORDER:

1. To approve water protection zones and tributaries of rivers, canals, reservoirs on the territory of Bazar-Korgon the Rayon on the basis of Resolution No. 271 of the Government of the Kyrgyz Republic dated July 7, 1995 according to Annex 1.
2. The heads of Akman, Beshik-Jon, Bazar-Korgon, Seidikum and Kenesh ail the Rayons (Atakulov A., Adishov A., Zholchiev A., Satarkulov T., Murzakov R. O.) of the The Rayon Agency of Urban Development and Architecture (A. Mayanov) and Head of the Land and Real Estate Registration Agency (E. Tarihchiyets): To prohibit issuance of permits for opening quarries, filling stations, residential buildings, washing and repair facilities, treatment facilities and other waters on the territory of water protection zones and strips of rivers, canals and reservoirs.
3. Heads of rural the Rayons Akman, Beshik-Jon, Bazar-Korgon, Seidicum and Kenesh (Atakulov A., Adishov A., Zholchiev A., Satarkulov T., Omurzakov R.):
 - To prohibit storage and use of toxic chemicals in water protection zones;
 - open a quarry without a water management permit;
 - disturb the soil of water protection zones and strips;
 - prohibit dumping of waste.

Oblige all economic entities and rural residents on the territory of the rural the Rayon to conduct explanatory work among the population and ensure execution of the order.
4. To instruct the head of the Agency of registration of rights to land and real estate Tarykhchiev E. to issue a state act on water protection zones and strips of rivers, canals, streams and reservoirs in the area according to Annex 1.
5. The first deputy head of the the Rayon state administration K.A. Tilekeeva shall be responsible for monitoring the implementation of this order.

The first deputy head of the Bazar-Korgon Regional State Administration:

G. Doldoev .

Agreed: K. Tilekeev

Prepared by: T. Tashiev

/ Seal /

/Signature/

On the basis of Resolution No. 271 of the Government of the Kyrgyz Republic from July 7, 1995, water protection zones and strips of rivers, canals, ponds and reservoirs on the territory of the the Rayon:

Chief of Staff of Bazar-Korgon The Rayon State Administration: D. Saipov

No.	Name of reservoirs, rivers, canals and ponds:	Length km	Passage m 3/sec	Water protection zones and strips m
1. Rivers				
1	Kara-Unkur-Sai	52	65	100
2	Arstanbap Sai	5	3	50
3	Kaba Sai	3	A	50
4	Bulgalyk-Sai	2	3	
5	Shaydan-Sai	10	5	75
6	Kara-Darya	34	и	100
II. Canals				
1	On-Jeek Canal	15	18	75
2	Soul-jeek Canal	15,7	16,5	75
3	Jogorku-Akman	23,23	5	50
4	Seidicum Canal	8	3	50
5	Privodyashiy Canal	11,1	10,0	50
6	Otvodyashiy Canal	6,9	6	50
7	Katta-Tegirmen	7	5	50
8	Shaydan-Vetka	7,6	4	50
9	Massy canal	1,5	5	50
III. Reservoirs and ponds				

Annex 7. Regulation on water protection zones in KR

Regulations on water protection zones and strips of water bodies in the Kyrgyz Republic was approved by Resolution the No. 271 of the Government of the Kyrgyz Republic dated 7 July 1995. The recent amendments and addendums were introduced by the Resolution No. 606 of the Government of the Kyrgyz Republic dated September 25, 2017.

In accordance with paragraph 7, section II. "The competence of state authorities", the establishment of water protection zones and strips of water bodies is assigned to the Oblast (Province) and Rayon (The Rayon) state administrations and is established in kind by the owners of the water body, who inform all interested associations, enterprises, institutions, organizations, farms and citizens of decisions on the size of water protection zones and strips of water bodies, as well as on the water protection regime in force on their territory.

In accordance with paragraph 10, section III. "Basic requirements": "Within the water protection zones and strips of water bodies it is prohibited ... to perform ... types of work that have a harmful effect on the state of water bodies."

In accordance with paragraph 17, section IV. "Water protection zones": "On rivers, the smallest width of the water protection zone is established on both banks from the average long-term water edge for rivers with a length":

5 - 10 km	Up to 50 m
10 - 50 km	Up to 75 m
50 -100 km	Up to 100 m
More than 100 km	Up to 150 m

In accordance with paragraph 18, section IV. "Water protection zones": "For off-farm and in-farm canals, the smallest width of the water protection zone is established":

For canals with bandwidth	
5-10 m ³ /s	50 m
10-20 m ³ /s	75 m
More than 20 m ³ /s	100 m

In accordance with paragraph 22, section V. "Water protection zones": "The width of the coastal water protection belt of rivers is determined on each side of the average long-term water edge.

The width of the water protection strip of main and inter-farm canals is set on both sides of the edge when the canal passes through the recess or from the foot of the dam - when the canal passes through the embankment.

The dimensions of the coastal water protection zones are established depending on the characteristics of the lands adjacent to the water source (arable land, hayfields, shrubs, etc.) and the steepness of the slopes ":

Type of the lands adjacent to the water source	The width of the water protection strip (m) for the steepness of the adjacent slopes		
	Backward and zero	Up to 3 degrees	More than 3 degrees
Arable land	10-12	20-35	35-50
Pastures and hayfields	10-15	15-25	25-30
Forests, bushes, gardens	20	20-35	35-50

The maximum sizes refer to the most eroded soils.

Clause 23, Section V. "Water protection belts": "On the territory of cities, urban-type settlements and rural settlements adjacent to a water body, only coastal water protection belts are established, the dimensions of which are specified on the basis of specific planning and development conditions according to the general plan approved by the corresponding local keneshes.

Section VII. "Responsibility and control" states that "... Responsibility for maintaining the water protection zones and strips of water bodies in compliance with the regime of using their territory rests with the heads of associations, enterprises, institutions, organizations and farms, regardless of their agency subordination and forms of ownership, and also for citizens who use land located within water protection zones and strips ", and " Control over the establishment and compliance with the regime of use of the territory of water protection zones and strips is carried out by local state administrations ... ".

25.06.2019

AGENCY OF CADASTRE AND REGISTRATION OF RIGHTS TO IMMOVABLE PROPERTY UNDER THE
STATE REGISTRATION SERVICE UNDER THE GOVERNMENT OF THE KYRGYZ REPUBLIC.

To Head of the village Kenesh R. Omurzakov

REFERENCE

Bazar-Korgon The Rayon Office for Land Management and Registration of Rights to Immovable Property
Regarding your letter:

We would like to inform you that the land plot of 3,00 hectares given to Ismailova Satibush for fishing
development in the territory of Kyzyl-Oktyabr village, Kenesh rural the Rayon is not registered in our agency.

Head of the The Rayon State Registration Agency: A. Sultanaliev

/Signature/

Prepared: K.Osorov

Annex 9. Certificate from the State Register of Registration of AP1's rights to a land plot

КЫРГЫЗ РЕСПУБЛИКАСЫНЫН ӨКМӨТҮНӨ КАРАШТУУ ЖЕР РЕСУРСТАРЫ БОЮНЧА МАМЛЕКЕТТИК АГЕНТТІГІНІН АЛДЫНДАГЫ "КАДАСТР" МАМЛЕКЕТТИК МЕКЕМЕСІНІН БАЗАР-КОРГОН ФИЛИАЛЫ 720800, Жалал-Абдыканов областы, Базар-Коргон району, Базар-Коргон айылы, Б.Осмонов көчөсү № 53 Тел. Факс. (03736) 5-01-87 ИНН 41710201910101 e-mail: bazarkorgon.kadastre@mail.ru		БАЗАР-КОРГОНСКИЙ ФИЛИАЛ ГОСУДАРСТВЕННОГО УЧРЕЖДЕНИЯ «КАДАСТР» ПРИ ГОСУДАРСТВЕННОМ АГЕНСТВЕ ПО ЗЕМЕЛЬНЫМ РЕСУРСАМ ПРИ ПРАВИТЕЛЬСТВЕ КЫРГЫЗСКОЙ РЕСПУБЛИКИ 720800, Жалал-Абдыканов областы, Базар-Коргонский район, с. Базар-Коргон, ул. Б.Осмонова № 53 Тел. Факс. (03736) 5-01-87 ИНН 41710201910101 e-mail: bazarkorgon.kadastre@mail.ru
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«19» 08 2020-ж №01-7/636

**Кенеш айылдык аймагынын
айыл Өкмөт башчысы
Р. Өмүраковко**

Билдирүү

“Кадастр” мамлекеттик мекемесинин Базар-Коргон филиалы сиздин 18.08.2019-жылдагы №01-17/749 сандуу кайрылуунузга карата:

Кайрылууда суралган Кызыл-Октябрь айылынын тургуну Салырон Жаркынбайдын атына берилген Кенеш айыл округунун 20.07.2010-жылдагы №397 сандуу токтому мамлекеттик каттоодон өтпөгөндүгүн билдиребиз.

“Кадастр” мамлекеттик мекемесинин
Базар-Коргон филиалынын директору:  **А.Султаналиев**

Даярдыган: А. Кулмурзаев

AGENCY OF CADASTRE AND REGISTRATION OF RIGHTS TO IMMOVABLE PROPERTY UNDER THE
STATE REGISTRATION SERVICE UNDER THE GOVERNMENT OF THE KYRGYZ REPUBLIC.

19.08.2020

To Head of the Village Council R. Omurzakov

REFERENCE

"Bazar-Korgon Branch of the State Cadastre Institution in response to your application No. 18-17 / 749 from
18.08.2019:

We bring to your attention that the resolution of the Kenesh Aiyl Okmotu No. 07397 of 20.07.2010 in the name of
Mr. Zharkynbek Sadyrov, a resident of the village Kyzyl-Oktyabr, not registered.

Director of Bazar-Korgon branch of "Cadastre" State Institution: A.Sultanaliev

/Signature/

Prepared: A. Kulmurzaev

Annex 10. Letter of notification of Kenesh AO to AP2

КЫРГЫЗ РЕСПУБЛИКАСЫ ЖАЛАЛ-АБАД ОБЛАСТЫ БАЗАР-КОРГОН РАЙОНУ КЕНЕШ АЙЫЛ АЙМАГЫНЫН КЕНЕШ АЙЫЛ ӨКМӨТҮ 720812 Совет аймагы Ленин көчөсү Тел. факс: (03736) 5-00-11 E-mail: kenesh.kg www.kenesh.kg ААК РСК Банк к/с 4408031251003039 ИНН 0280119970209 БИК 440001		КЫРГЫЗСКАЯ РЕСПУБЛИКА ЖАЛАЛ-АБАДСКАЯ ОБЛАСТЬ БАЗАР-КОРГОНСКИЙ РАЙОН КЕНЕШСКИЙ АЙЫЛ ОКМОТУ КЕНЕШСКОГО АЙЫЛЬНОГО АЙМ 720812 село Совет, ул. Ленина тел. факс: (03736) 5-00- E-mail: kenesh.kg www.kenesh.kg ААК РСК Банк к/с 4408031251003039 ИНН 0280119970209 БИК 440001
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01-09 2019-ж.т. № 01-14/855

Кенеш айыл аймагына караштуу
Коксаягол айылынын тургуну Исмаилова
Сатибүбүкө (байланыш телефону 0773 70 33 24)

БИЛДИРҮҮ

Ушул билдирүү сиздин 2019-жылдын 20-августунда жаз арызыңызга негиз берилет. Кенеш айыл аймагында караштуу Кызыл Октябрь айылында № 37,21,22,25 контурда жайгашкан 3,0 га аянтынын максаттуу багыты өткөртүлдү. Кыргыз Республикасынын Өкмөтүнүн 2019-жылдын 22-февралындагы № 85 токтому менен жогоруда көрсөтүлгөн жер аянты трансформациядан чыгып жаранга турак жай куруу максатында берилди.

Сиз өз арызыңызда билдирип жаткан 3,0 га жер аянтын өздөштүрүү алып акча каражатын чыгымдап эмгек кылганыңызды билдирген. Кенеш айыл өкмөтү тарабынан арызыңыз каралып, төмөндөгүчө тапталды:

Кенеш айыл окуругунун бапчысынын 2-октябрь 2008-жылдагы № 5 токтому менен атылган жер аянты 35-жылга анын ичинен 5-жыл өздөштүрүүгө, калган 30-жылы ижара шартында берилсин деп токтом чыккан. Ошол эле номер, ошол эле число менен кайталанган дагы 5 токтом кабыл алынып 3,0 га жер аянты өздөштүрүү үчүн берилмөнүктү көрсөтүлгөн эмес. Ал эми Кенеш айыл окуругунун декабрь 2008-жылдагы № 642 токтому менен өздөштүрүү долбоору бекитилген.

№ 513 токтомдун негизинде Базар-Коргон райондук мамлекеттик кат кызматы тарабынан 2009-жылдын 13-февралында сериясы В № 037 сандуу жер участкагун убактылуу пайдалануу укугун тастыктаган (негизги документ) күбөлүк берилген. Атылган жер аянтын өздөштүрүү пайдаланууга берилген күбөлүктүн мөөнөтү 2014-жылдын 13-февралына бүтүп мөөнөтү узартылган эмес. Базар-Коргон райондук мамлекеттик каттоо кызматынын 2019-жылдын 25-июльундагы чыг. № 01-7/1 сандуу катында сизге берилген күбөлүк каттоодон өтбөгөндүгү тастыктаган кат берген. Өздөштүрүү долбоору боюнча аткарылган иш

боюнча Кенеш айыл өкмөтүнүн жер комиссиясы тарабынан акт түзүлүп, өздөштүрүү мөөнөтү жаныланган эмес. Долбоор ишке ашбай, калган. Кыргыз Республикасынын жер кодексинин 66 беренесинин 1 пунктунун 1 подпунктунда жерди максаттуу багытта пайдаланбаса жер аянты алынып Коюлары, Ошол эле берененин 5 подпунктунда жер налогу төлөнбөсө жер аянты алынып коюлаары көрсөтүлгөн.

Сиз тарабынан Кыргыз Республикасынын жер жөнүндө мыйзамдарынын талаптары бузулган.

Жогорудагылардын негизинде сизге атайын билдирүүлөр берилди. 30 го жер аянтын коргондоп койгон тор сеткаларыңызды алып кетүү боюнча. Ушул катты алгандан кийин 10 күндүк мөөнөттө сеткаларыңызды алып кетбесениз айыл өкмөтү тарабынан сеткалар алынып жер аянты турак жайга жарандарга берилээрин эскертебиз.

Кенеш айыл өкмөтүнүн башчысы



Р. Омураков

А/а: М. Канат
Тел: 5-03-11

REPUBLIC OF KYRGYZSTAN ZHALAL-ABAD PROVINCE BAZAAR-KORGON THE RAYON
ADMINISTRATION OF KENESH RURAL THE RAYON

02.09.2019

720812 Sovet village, Lenin str. tel. fax: (03736) 5-00- E-mail: kenesh.a.14@mail.ru RSK Bank

Sovet village, Lenina str. Bazar-Kor gon r/s 4408031251003059 INN 02801199710209 BIK 44000

Ismayilov Satibush, a resident of the village of Kokchogoz, Kenesh rural the Rayon.

(contact phone 0773 70 33 24)

NOTIFICATION

This notice is a response to your spring application on August 20, 2019.

In the village of Kyzyl-Oktyabr, Kenesh Rural The Rayon, the target area of 3.0 hectares, located on the contour No. 37,21,22,25, was changed. By Resolution of the Government of the Kyrgyz Republic No. 85 dated February 22, 2019 the above mentioned land plot was given for construction.

In your application you indicated that you worked on 3,0 ha of land and spent money.

The Kenesh rural administration reviewed your application and explained the following:

On October 2, 2008, the head of the Village Council issued a decree on the lease of land for 35 years, including 5 years for cultivation, and the remaining 30 years on lease. Since the number was repeated with the same number, another resolution on reclamation of 3.0 hectares of land was adopted; the term was not specified. The general plan was approved by the Resolution of the Village Council No. 642 of December 2008.

On the basis of Resolution 513 of February 13, 2009, the State Agency of Bazar-Korgon The Rayon issued a certificate confirming the right of temporary use of land plot of series 0371 (main document). The certificate of permanent use of this land plot expired on February 13, 2014 and was not prolonged. Through the state registration services of Bazar-Korgon the Rayon on July 25, 2019 in a letter under the number 01-7 /4 was issued a letter confirming that this land plot was not registered. The act was drawn up by the Land Commission of the Village Council, and the search was not renewed. The project failed. Subparagraph 1 of paragraph 1 of Article 66 of the Land Code of the Kyrgyz Republic states that a land plot shall be confiscated if the land is not used for its intended purpose. Clause 5 of the same article states that if land tax is not paid on time, the land plot may be withdrawn from use.

You have violated the requirements of the land legislation of the Kyrgyz Republic.

Based on the above, special notices were sent to you. Remove the grid protecting 3.0 tons of land. Please note that if you do not remove the nets within 10 days of receipt of this letter, rural the Rayon will remove the nets and transfer land to citizens for housing.

Head of Kenesh Rural The Rayon : R. Omurzakov

Annex 11. Statement on family composition and property of affected households.



Базар-Коргон району Кеңеш айыл Өкмөтү

ТАКТАМА

Кайрылуучуга тастыкташып берилет:

Кайрылуучу: Исмаилова Сатыбуш Садыбаевна, ПИИ:

Үй чарбачысы мүчөсү: куйбасуу/аклы, жынысы: аял, туулган күнү: 08.10.1960

- каттаган дареги: Советское Абдрашова (ахлах эсеп № 6496 ЧК)

- үй бүлөсү төмөнкү курамда:

Исмаилов Ташинбек Капарбекович - _____, жынысы: эр., туулган күнү: 29.11.1958, ПИИ:

- жеке менчиктеги төмөнкүлөргө ээ:

- жеке менчик үй чарбачылыгындагы жаныбарлары:

Бардык асыл тукумундагы койлор - (10)

- жеке менчик үй чарбачылыгындагы а/ч продукциясын иштетүү цехи:

- жеке менчик үй чарбачылыгындагы техникасы

Коргоо-Жай участкасы (КМБини коду: Аянты _____ кв.)

Айыл чарба багытында жер (КМБини коду: Аянты _____ га), айдоо _____ га, кайракы _____ га, башка _____ га

Чабыт _____ га, башка _____ га.

Турак уй/квартира (КМБини коду: аянты: _____ кв.м.), балмо саны _____

Тактама _____ көрсөтүү үчүн берилет.

Кеңеш айыл Өкмөтүнүн
Башчысы:

Кеңеш айыл Өкмөтүнүн
жооптуу катчынын м.а:

Соц. маселелер боюнча адис:

Айыл башчы:

Салыкчы:

АВП «Кеңеш Суу»;
ИСКАКБ «Мурок-Суу»;



Р. Омуражов.

Т. Кулиев.

Ж. Артыбаев

М. Турдудуров
Т. Калчаева

Т. Эргешов.

16.09.2020 ж.

Kenesh Aiyl Okmotu, Bazar-Korgon rayon

REFERENCE

Applicant: Ismayilova Satybush Sarybayevna, IDU:

Family member: husband / wife, sex: female, date of birth: 08.10.1960

- legal address: Sovetskaya Abdraimov (personal account number 6496).

Family composition:

Ismailov Talantbek Kaparbekovich, gender: male,

date of birth: 20.11.1058

Property:

- Private livestock: all breeding sheep (10)

- Shop for processing of agricultural products in private households:

- Private livestock breeding equipment:

- Land plot (area of sq. m.):

-Agricultural land (Area, ha):

-Residential house / plot (Area: sq.m.), number of rooms:

Head of Aiyl Okmotu: R. Omurzakov Secretary: T. Kuliev Specialist: J. Arzybaev Head:M. Turdukulov T.
Kopchakeyeva 16.09.2010

/Seal/ /Signature/



Базар-Коргон району Кеңеш айыл Өкмөтү

ТАКТАМА

Кайрылуучуга тастыктыкты берилет:

Кайрылуучу: Садыров Жаркынбек Кочконбаевич, ПИН: 20202198301734

Үй чарбанын мүчөсү: башчы, жынысы: эрке, туулган күнү: 02.02.1983

- катталган дарегин: Кызыл-Октябрь Кошматов Баратали (өздүк эсеп № 5755 ЧК)

- үй бүлөсү төмөнкү курамда:

Жаркынбекова Амина Жаркынбековна (уулу/кызы), жынысы: аял, туулган күнү: 02.08.2011, ПИН:

Таштанбекова Перипат Тургунбековна (күйөөсү/акы), жынысы: аял, туулган күнү: 04.04.1982,

ПИН: 10404198200992

Кочконбаев Адилет Жаркынбаевич (уулу/кызы), жынысы: эрке, туулган күнү: 31.05.2007, ПИН:

Кочконбаева Айжамал Жаркынбековна (уулу/кызы), жынысы: аял, туулган күнү: 10.05.2006, ПИН:

Кочконбаева Мадина Жаркынбековна (уулу/кызы), жынысы: аял, туулган күнү: 26.09.2015, ПИН:

- жеке менчигинде төмөнкүлөргө ээ:

- жеке менчик үй чарбачылыгындагы жаныбарлары:

- жеке менчик үй чарбачылыгындагы а/ч продукциясын иштетүү ишх.

- жеке менчик үй чарбачылыгындагы техникасы

Корго-Жай участка (КМБнин коду: Аянты 0.4 га)

Айыл чарба багытында жер (КМБнин коду: Аянты 0.4 га, айдоо 0.4 га, кайракы 0.0 га, башка 0.0 га, чар

чыбыт 0.0 га, башка 0.0 га

Турак үй/квартира (КМБнин коду: аянты: 0.0 кв.м., болмо санга

Тактама

карсатуу учун берилет.

/ Кеңеш айыл Өкмөтүнүн
Башчысы:

Кеңеш айыл Өкмөтүнүн
жооптуу катчынын м.а:

/ Соц. маселелер боюнча адис:

Айыл башчы:

/ Салыкчы:

АВП «Кеңеш Суу»;
ИСКАКБ «Мурок-Суу»;



Р. Омуралиев

Т. Кулиев

Ж. Арзыбаев

Т. Артысбеков
М. Уралиева

Т. Эргешов

16.09.2020 ж.

Kenesh Aiyl Okmotu, Bazar-Korgon rayon

REFERENCE

Applicant: Sadyrov Zharkynbek Kochkonbaevich, PIN:20202198301734

Family member: husband, sex: male, date of birth: 02.02.1983

- legal address: Kyzyl-October K. Baratali (personal account 5755)

Family composition:

Zharkynbekova Amina Zharkynbekovna (son / daughter), sex: female. Date of birth: 02.08.2011

Tashtanbekova Perizat Turgunbaevna (husband / wife), gender: female, date of birth: 04.04.1982, PIN: 10404198200992

Kochkonbaev Adilet Zharkinbaevich (son / daughter), sex: male, date of birth: 31.05.2007

Kochkonbaeva Aizhamal Zharkynbekovna (son / daughter), gender: female, date of birth: 10.05.2006

Kochkonbaeva Madina Zharkynbekovna (son / daughter), gender: female, date of birth: 26.09.2015

Property:

- Private cattle:

- Shop for processing agricultural products in private households:

- Private cattle breeding equipment:

- Land plot (area of sq. m.): 0.40

-Agricultural land (Area, ha): 0.11, 0.02 ha

- Residential building / plot (area: sq.m.), number of rooms:

Head of Aiyl Okmotu: R.Omurzakov Secretary: T.Kuliev Specialist: J.Arzybaev Head:M.Turdukulov
T.Kopchakeyeva 16.09.2010 /Seal/ /Signature/

Annex 12. Certificate of Receipt of State Low Income Benefit



REFERENCE

Issued to Tashtanbekova Perizat Turgunbaevna, a resident of the village of Kenesh, that she receives an allowance of 3,240 som in Bazar-Korgon rayon agency for social development.

Head of Bazar-Korgon The Rayon Administration: M.Kalmamatov

Chief Specialist:

/Seal/ /Signature/

Annex 13. Protocols of consultation meetings with APs

ПРОТОКОЛ

Дата: 16 сентября 2020г.

Место проведения: зал заседаний Конашского АО, с. Советское

Участники:

1. Саипов Уларбек Рыскулович, замглавы Кенешного айыл окмоту;
2. Токторали Аныкулов, глава села «Кызыл-Октябрь»;
3. Сатыбуш Исмаилова, жительница села Советское, Кенешного айыл окмоту;
4. К. Жунусбаев, специалист ОРП по защитным мерам;
5. Н. Кыдыралиева, специалист КРП по социальному развитию и переселению.

Повестка:

1. Информация о проекте «Повышение устойчивости водных ресурсов к изменению климата и стихийным бедствиям»
2. Информация о принципах, целях и механизмах Политики АБР по защитным мерам, в части вынужденного переселения.
3. Информация и План переселения и изъятия земли
4. Разное

Выслушали:

1. Специалист по защитным мерам ОГУ Проекта Жунусбаев К.Ж. ознакомил присутствующих о Проекте «Повышение устойчивости водных ресурсов к изменению климата и стихийным бедствиям»
2. Национальный Консультант по переселению Проекта Кыдыралиева Н.Н. ознакомил участников с Принципами Политики по защитным мерам АБР. На территории АА, в зоне строительства планируемого селедука, было описано воздействие проекта на два домохозяйства: Марьянбая Садирова и Сатыбуш Исмаиловой. 16 сентября было повторно проведено исследование на выявление и уточнение количества лиц в зоне проекта. Специалисты проекта вчера обязали о переписи и целый день провели в здании Кенеш АО для проведения переписи.
3. Сатыбуш Исмаилова, жительница села Советское, Кенешного айыл окмоту, включенная в ППИЗ в качестве пострадавшего лица (ПЛ), представила документальное подтверждение от площади земли, подпадающее под воздействие проекта. В качестве обоснования она представила договор об аренде земли, площадью 3,0га, а также бизнес-план на организацию рыбного хозяйства. Представила оплаченные квитанции за оплату земельного налога на арендуемые площади.
4. Саипов Уларбек Рыскулович, замглавы Кенешного айыл окмоту, указал на тот факт, что с момента начала работы Сатыбуш Исмаиловой не оплачивала арендную плату. Кроме того, указывая на факт наличия части земель прошедших трансформацию в категорию под индивидуальное жилищное строительство.
5. Токторали Аныкулов, глава села «Кызыл-Октябрь», не согласился с представленными документами, указав, что рыбное хозяйство не организовано по сей день.

Решили:

1. Принять к сведению материалы об аренде, представленные Сатыбуш Исмаиловой, жительницы села Советское, Кенешского айыл окмоту.
2. 17 сентября объявить днём завершения передачи пострадавших лиц (cut-off date), и лица, которые будут обращаться после этой даты не будут признаны пострадавшими и не смогут претендовать на компенсации.

Саипов Уларбек Рыскулович,
замглавы Кенешского айыл окмоту

Токторали Ажыкулов,
глава села «Кызыл-Октябрь»
Сатыбуш Исмаилова,
жительница села Советское, Кенешского айыл окмоту

К. Жунусбаев,
специалист ОРП по защитным мерам

Н. Кыдыралиева,
специалист КРП по социальному развитию и переселению

Date: September 16, 2020.

Location: Meeting Hall of the Kenesh Aiyl Okmotu, Sovet village.

Participants:

1. Saipov Ularbek Ryskulovich, Deputy Head of Kenesh Aiyl Okmotu;
2. Tottoral Azhykulov, head of "Kyzyl-Oktyabr" village;
3. Satybush Ismailova, resident of Sovet village, Kenesh Aiyl Okmotu;
4. K. Zhunusbaev, PIU specialist on protective measures;
5. N. Kydyralieva, PIC specialist on social development and resettlement.

Agenda:

1. Information about the project "Increasing Water Resources Resilience to Climate Change and Natural Disasters";
2. Information on the principles, objectives and mechanisms of the ADB SPS for Involuntary Resettlement.
3. Information about LARP
4. Miscellaneous.

Have listened:

1. Specialist on PIU K.Zhunusbaev familiarized the participants with the Project "Increase of water resources resistance to climate change and natural disasters".
2. PIC specialist Kyduralieva N.N. familiarized the participants with the ADB Safeguard Policy Principles. In the aiyl aimak, planned mudflow overchute construction area, the project impacts on two households: Zharkynbek Sadirov and Satybush Ismailova. On September 16th, a second survey was conducted to identify and specify the number of people in the project area. Project specialists announced the census and spent a whole day in the Kenesh v/d to conduct the census.
3. Satybush Ismailova, a resident of the village of Sovetskoye, Kenesh v/d, included in the LARP as a "victim", presented documentary proof of the land affected by the project. As substantiation, she presented a 3,0ha land lease agreement as well as a business plan for the organization of a fish farm. She presented paid receipts for paying land tax for the rented areas.
4. Saipov Ularbek Ryskulovich head of Kenesh v/d, pointed to the fact that since the beginning of Satybush Ismailova has not paid the rent. In addition, specified part of the land that was transformed into a category for individual housing construction.
5. Tottoral Azhykulov, the deputy head of the village "Kyzyl-Oktyabr", did not agree with the presented document indicating that the fishing industry is not organized to this day.

DECIDED:

1. To take a note of the rental materials shown by Ismailova S.
2. September 17 to announce the day of completion of the census of affected persons and persons who will apply later than that date will not be recognized as affected persons and will not be able to claim for compensation.

- | | |
|---|----------|
| 1. Saipov Ularbek Ryskulovich, Deputy Head of Kenesh Aiyl Okmotu; | /signed/ |
| 2. Tottoral Azhykulov, head of "Kyzyl-Oktyabr" village; | /signed/ |
| 3. Satybush Ismailova, resident of Sovet village, Kenesh AA; | /signed/ |
| 4. K. Zhunusbaev, PIU specialist on protective measures; | /signed/ |
| 5. N. Kydyralieva, PIC specialist on social development and resettlement. | /signed/ |

ПРОТОКОЛ

Дата: 17 сентября 2020г.

Место проведения: зал заседаний Кенешского АО, с. Советское

Участники:

6. Саипов Уларбек Рыскулович, замглавы Кенешского айыл окмоту;
7. Таштанбекова Перизат Таштанбековна, жительница села «Кызыл-Октябрь»;
8. Перизат Таштанбекова, жительница села «Кызыл-Октябрь», Кенешского айыл окмоту;
9. Зилола Абдрасуллова, независимый оценщик, директор компании «Бизнес-Аспект»;
10. К. Жунусбаев, специалист ОРП по защитным мерам;
11. Н.Кыдыралиева, специалист КРП по социальному развитию и переселению.

Повестка:

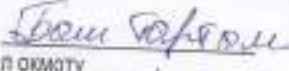
5. Информация о проекте «Повышение устойчивости водных ресурсов к изменению климата и стихийным бедствиям»
6. Информация о принципах, целях и механизмах Политики АБР по защитным мерам, в части вынужденного переселения.
7. Информация и Плане переселения и изъятия земли
8. Разное

Выслушали:

6. Специалист по защитным мерам ОРП Проекта Жунусбаев К.Ж. ознакомил присутствующих о Проекте «Повышение устойчивости водных ресурсов к изменению климата и стихийным бедствиям»
7. Национальный Консультант по переселению Проекта Кыдыралиева Н.Н. познакомила участников с Принципами Политики по защитным мерам АБР. На территории АО, в зоне строительства планируемого селедука, было описано воздействие проекта на два домохозяйства: Жаркынбая Садирова и Сатыбуш Исмаиловой. 16 сентября было повторно проведено исследование на выявление и уточнение количества лиц в зоне проекта, также специалисты проекта 16 сентября объявили о переписи и целый день провели в здании Кенешского АО для проведения переписи.
8. Перизат Таштанбекова, супруга Жаркынбая Садирова, жительница села «Кызыл-Октябрь», Кенешского айыл окмоту, включённая в ППИЗ в качестве пострадавшего лица (ПЛ), не смогла представить документальное подтверждение о праве владения земельного участка, подпадающее под воздействие проекта. Однако согласилась с необходимостью строительства селедука, который проходит через земельный участок, освоенный домохозяйством, и не выразила возражений на строительство проектируемого селедука.
9. Саипов Уларбек Рыскулович, замглавы Кенешского айыл окмоту, указал на тот факт, что данный участок земли относится к водоохранной зоне, и не может использоваться по индивидуальное жилищное строительство.

Решили:

3. 23 сентября объявить днём завершения переписи пострадавших лиц (cut-off date), и лица, которые будут обращаться позже этой даты не будут признаны пострадавшими и не смогут претендовать на компенсации.

Саипов Уларбек Рыскулович,	
Перизат Таштанбекова, жительница села «Кызыл-Октябрь», Кенешского айыл окмоту	
Зилола Абдрасулова,	
К. Жунусбаев, специалист ОРП по защитным мерам	
Н. Кыдыралиева, специалист КРП по социальному развитию и переселению	

Date: September 17, 2020.

Location: Meeting Hall of the Kenesh AO, Sovet village.

Participants:

1. Saipov Ularbek Ryskulovich, Deputy Head of Kenesh AO;
2. Zilola Abdrasulova, independent appraiser, director of Business Aspect Company;
3. K. Zhunusbaev, PIU specialist;
4. N. Kydyralieva, PIC specialist

Agenda:

1. Information about the project "Increase of water resources resilience to climate change and natural disasters".
2. 6. Information on the principles, objectives and mechanisms of the ADB SPS for Involuntary Resettlement.
3. 7. Information about LARP
4. Miscellaneous.

Have listened:

1. Specialist on PIU K.Zhunusbaev familiarized the participants with the Project "Increase of water resources resistance to climate change and natural disasters".
2. PIC specialist Kyduralieva N.N. familiarized the participants with the ADB Safeguard Policy Principles. In the aiyl aimak, planned mudflow overchute construction area, the project impacts on two households: Zharkynbek Sadirov and Satybush Ismailova. On September 16th, a second survey was conducted to identify and specify the number of people in the project area. Project specialists announced the census and spent a whole day in the Kenesh v/d to conduct the census.
3. Perizat Tashtanbekova, wife of Zharkynbaya Sadirova, a resident of "Kyzyl-Oktyabr" village, Kenesh v/d accepted as AP could not provide documentary proof of ownership of the land plot affected by the project. However, she agreed with the need to build a mud flow that goes through the land plot developed by the household and did not object to the construction of the mud flow project.
4. Saipov Ularbek Ryskulovich, Deputy Head of Kenesh aiyl okmotu, pointed to the fact that land plot belongs to the water protection zone and cannot be used for individual housing construction.

DECIDED:

September 23 to announce the day of completion of the census of the victims and persons who will apply later than this date will not be recognized as victims and will not be able to claim compensation.

- | | |
|---|----------|
| 1. Saipov Ularbek Ryskulovich, Deputy Head of Kenesh AO; | /signed/ |
| 2. Tottorali Azhykulov, head of "Kyzyl-Oktyabr" village; | /signed/ |
| 3. Satybush Ismailova, resident of Sovet village, Kenesh AA; | /signed/ |
| 4. K. Zhunusbaev, PIU specialist on protective measures; | /signed/ |
| 5. N. Kydyralieva, PIC specialist on social development and resettlement. | /signed/ |
| 6. Zilola Abdrasulova, independent appraiser, director of BAC; | /signed/ |



Figure 4. Announcements about beginning and ending of DMS and cut-off date



Figure 5. Consultations and meetings with Aps and LSGB, June 2020

Annex 14. Application by Satybush Ismailova (original)

Бүгд ресурстарынан бичмэг-
тан өгөрчүүсүнэ жана таби-
гый коргохтарга туруштутуу
чун жогорлатуугу Дөлбөрдүн
шотте ашаруу бичүүсүнүн
Директору Н. Набиевге
Кечин айыа өмөтүүсүн
Моравлов айыынан
тургуну
Сатыбуш Исмаиловадан
9.07.2010.3324.

Арзы
Мини арзы берүүсүндүн сыйын төмөндөгүсү;
Бозар. Кортон району Кечин айыында туруучу
караңгыс баро. Чокур дарыясынын жетинде,
Казы. Стейре участкасынын түндүк жагынан
токтондун (№ 513) ичинде. Башык тартып
өздөштүрүү жана өңкөтүрүү үчүн 3го
жер аянттан 35 гектар аянт 5 гектар
өздөштүрүү 30 гектар өңкөтүрүү болгон.
Боктойдун ичинде төмөнкү
документтерде аянтта.

1. Токтоон № 513. 2. 10. 2008 ж.
2. Казы - Казы жерги жашагыттуу
желедкыжыттын. Дөлбөрдү шотте. ар. 1019.
3. Күбөлүк серия В. № 037254
4. Архитектура маандоо шартыра.
5. Токтоон № 642. 24.12. 2008 ж.
6. Тактамаалар.

жана башка документтерди аянт. Цы
баштада. Мен ошол жерде туудуу. Казы
шоттерин техникалардан жердешинде башка-
дык. И жерде сүрдүрүү, теиздегип
кытедик.

Сиздерден суранча, Мен селової дуз
хураганга каршиа эшепиз.
Бирок суруштаридиз бар:

1. Башык остуруш килбиз улун
суз алууча: 12 метр Φ 250 труба
койулса, суз алуу улун
2. Судаи отун улун (мосто)
контурого курулса.
3. Селової дуз - саїго
теїин узартмаса
4. Компенсация суробейбиз.

Биз эси: Кемашов С.



16. 09. 2020 ие.

Application of Satybush Ismailova (translation)

Director of the Project Implementation Unit "Increase of Water Resources Resilience to Climate Change and Natural Disasters" N. Nabiyeva

from Satybush Ismailova, a resident of the Abdraimov village, Kenesh AA

tel. 0773 70 33 24

STATEMENT

The reason for my application is as follows:

On the basis of Resolution (Head of Kenesh Aiyl Okmotu, October 2, 2008, note) No. 513, on the northern bank of the Kara-Unkur River, I was allocated a plot of land located north of the village of Kyzyl-Oktyabr and belonging to Kenesh Aiyl Okmotu of Bazar-Korgon the Rayon, an area of 3 hectares for a period of 35 years with a period of 5 years for the organization of fisheries.

Based on this Resolution, we have received the following documents:

1. Resolution No. 513 of October 2, 2008.
2. Project of Jalalabad expedition on land management. Archive code 1029.
3. Certificate series B No. 037254.
4. Architectural Planning Conditions
5. Resolution No. 642 of December 24, 2008.
6. Explanation, as well as other documents.

Start of work. I hired various mechanized techniques for earthmoving and planning works. We leveled and planned the site.

My request to you, since I have nothing against the construction of a culvert (herringbone No. 1), I have a number of proposals:

1. To provide water for the lagoon for fish breeding, to ensure the laying of pipes with a diameter of 250 mm.
2. Construction of a pedestrian bridge (for crossing).
3. Construction of mud flow structure up to the Kara-Unkur River.
4. I will not demand compensation.

Applicant: signature S. Ismailova .

Date: 16.09.2020.

Annex 15. SAWR's order to approval of LARP

КЫРГЫЗ РЕСПУБЛИКАСЫНЫН
ӨКМӨТҮНӨ КАРАШТУУ
СУУ РЕСУРСТАРЫ
МАМЛЕКЕТТИК АГЕНТТИГИ



ГОСУДАРСТВЕННОЕ АГЕНТСТВО
ВОДНЫХ РЕСУРСОВ
ПРИ ПРАВИТЕЛЬСТВЕ
КЫРГЫЗСКОЙ РЕСПУБЛИКИ

WATER RESOURCES AGENCY UNDER THE GOVERNMENT OF THE KYRGYZ REPUBLIC

ПРИКАЗ

16.11.2019г. № 190 г. Бишкек

В целях выполнения условий Соглашения между Кыргызской Республикой и Азиатским банком развития о финансировании Проекта L3746/G0632-KGZ: «Повышение устойчивости водных ресурсов к изменению климата и стихийным бедствиям» (далее «Проект»), ратифицированного Законом Кыргызской Республики от 27 июня 2019 года № 3198-VI:

ПРИКАЗЫВАЮ

1. Принять к сведению прилагаемый План переселения и изъятия земель (далее - ППИЗ) по Проекту на официальном языке (Прилагается).
2. Отделу реализации проекта приступить к внедрению данного ППИЗ.
3. Отделу реализации проекта обеспечить выплату денежной компенсации в размере 84 492 (восемьдесят четыре тысяч четыреста девяносто два) сомов, что эквивалентно 1033 (одна тысяча тридцать три) долларов США, в рамках грантовых средств, предусмотренных вышеуказанным Соглашением, из категории "Расходы на переселение", лицам, имущество и/или источники доходов которых подпадают под воздействие Проекта согласно ППИЗ,:
4. Контроль исполнения возложить на директора Дирекции капитального строительства Сокоева А.

Директор  К.Ж.Таштенталиев

WATER RESOURCES AGENCY UNDER THE GOVERNMENT OF THE KYRGYZ REPUBLIC

16.11.2020

Bishkek

In order to fulfill the terms of the Agreement between the Kyrgyz Republic and the Asian Development Bank on financing the Project L3746/G0632-KGZ: " Climate Change and Disaster Resilient Water Resources Sector Project" (hereinafter the "Project"), ratified by the Law of the Kyrgyz Republic dated June 27, 2019 No. 3198-VI:

ORDER

1. To consider the attached Land Acquisition and Resettlement Plan (hereinafter - LARP) for the Project in the official language (Attached).
2. The Project Implementation Unit shall start implementing this LARP.
3. The Project Implementation Unit shall ensure the payment of monetary compensation in the amount of 84,492 (eighty four thousand four hundred ninety two) KGS, which is equivalent to 1,033 (one thousand thirty three) US dollars, within the framework of the grant funds provided for by the above Agreement, from the category "Resettlement costs" to the people/persons whose property and/or sources of income are affected by the Project under the LARP.
4. Control of execution shall be entrusted to Mr. Almaz Sokeev, the director of the Directorate of Construction Water Economy Facilities

Director of SAWR

K.Zh.Tashtanaliev

Annex 16. Minutes of the meeting and the Order of Kenesh AO on the establishment of the LGRGs

ПРОТОКОЛ

Кеңеш айылы 14.10.2020-ж.

Каралуучу маселе: Азия Өнүктүрүү Банки (АӨБ) тарабынан каржыланган «Суу ресурстарынын климаттын өзгөрүүсүнө жана табигый кырсыктарга туруктуулугун жогорулатуу» долбоорунун алкагындагы «Оң-Жээк» сугат суу тармагын калыбына келтирүү долбоорчосун эффективдүү ишке ашыруу максатында талаш-тартыштарды чечүүчү топту түзүү

Катышуучулар:

1. Саипов Уларбек, Кеңеш айыл өкмөт башчысынын орун басары
2. Кулиев Талай, Кеңеш айыл өкмөтүнүн (жооптуу) катчысы
3. Арзыбаев Жанышалы, Кеңеш айыл өкмөтүнүн соцадиси
4. Молдокулов Батырбек, Кеңеш айыл өкмөтүнүн жер адиси
5. Абдыкадыров Рахматали, Кеңеш айыл өкмөтүнүн жер адиси
6. Эргешов Тойчу, СПАнын төрагасы
7. Жолдошов А- СПА мүчөсү
8. Аджикулов Токторали, Кызыл-Октябрь айылынын башчысы
9. жана башкалар

Учурда Кыргыз Республикасынын Өкмөтүнө караштуу Суу ресурстары мамлекеттик агенттиги «Суу ресурстарынын климаттын өзгөрүүсүнө жана табигый кырсыктарга туруктуулугун жогорулатуу» долбоорун ишке ашырууда. Бул долбоорго «Оң Жээк» сугат суу тармагы киргизилген. Бул тармак Кеңеш айыл аймагынын элине сугат суу менен камсыз кылат. Аталган долбоордун алкагында негизги каналды жакшыртуу максатында бир нече иш чаралар жана курулуш иштери каралган. Ошондой эле, бул долбоордун алкагында бир нече майда, ички каналдарды жана арыктарды элдин катышуусу менен оңдоп калыбына келтирүү иштер каралууда. Долбоорду ишке ашырууда, өзгөчө курулуш иштерин жүргүзүү мезгилинде, ар кандай маселелер пайда болуп, элден доо-арыз жэ өзгөчө ой-пикир сунуштар түшүүсү мүмкүн. Кээ бир маселелер убагында жана ылдам чакта чечилбесе, алар долбоордун алдыга жүрүшүнө тер таасирин тийгизиши мүмкүн. Ошол себептен, Кеңеш айыл аймагы боюнча талаш-тартыштарды чечүүчү топ түзүү зарыл.

Сөз алгандар/ талкуулоо/сунуштар

Сөздү Саипов У. Баштады: жогоруда айтылган Кызыл-Октябрьдын баш жагына селедук курулуу зарылчылыгы бар. Себеби колоттон түшкөн сель каналды толтуруп жана ылдыйда жайгашкан жерлерге зыяны тийиши мүмкүн.

Эргешов Тойчу: селедук курулбаса май, июнь айларында жаандын кесепетинен сель келип каналды тосуп калса. Элдин эгин талаасын суу менен камсыз кылуу убагында болбосо, түшүмгө таасири тийет.

ЖЫЙЫНДЫН ЧЕЧИМИ:

Кеңеш айыл аймагы боюнча талаш-тартыштарды чечүүчү тобунун курамына төмөндөгү аталган адамдар сунушталсын:

1. М. Каипов – Кеңеш айыл аймагынын юристи,
2. Молдокулов Б – жер адис,
3. Абдыкадыров Р – жер адис,
4. Эргешов Тойчу – СПА башчысы,
5. Аджикулов Т, Кызыл-Октябрь айылынын башчысы (жергиликтүү байланыш түзүүчү жак)

Төрагалык кылган: _____ У. Саипов

Катчы: _____ Т. Кулиев

MINUTES

14.10.2020

Kenesh village

Question for consideration:

Establish a local GRG to effectively implement the subproject on rehabilitation of "Pravaya Vetka" irrigation system under the Asian Development Bank (ADB) funded "Climate Change and Disaster Resilient Water Resources Sector" Project.

Participants:

5. Saipov Ularbek, Deputy Head of the Kenesh v/d
6. Kuliev Talai, Kenesh v/d executive secretary
7. Jayyshaly Arzybaev, social worker of the Kenesh v/d
8. Moldokulov Batyrbek. Kenesh v/d farmer
9. Rahmatali Abdykadyrov, land surveyor of the Kenesh v/d
10. Ergeshov Toichu, PIU chairman
11. Zholdoshov A.V. - member of PIU.
12. Ajikulov Tottorali, head of Kyzyl-October village.
13. and others

Currently, the State Agency of Water Resources under the Government of the Kyrgyz Republic is implementing the " Climate Change and Disaster Resilient Water Resources Sector Project ". This project includes irrigation network "Pravaya Vetka". This network provides irrigation water to Kenesh AA. The project envisages a number of activities and construction works to improve the main canal. In addition, the project envisages rehabilitation of several small internal canals and ditches with public participation. During the implementation of the project, especially during the construction works, any questions may arise in the country and people may receive complaints or suggestions. If some issues are not addressed in a timely manner, it may negatively affect the progress of any project. Therefore, a dispute resolution body should be established in the rural the Rayon of Kenesh.

CONFERENCE RESOLUTION:

Propose the following persons to Kenesh v/d GRG:

1. M. Kailov - lawyer of the rural the Rayon of the Kenesh,
2. Moldokulov B. - land surveyor.
3. Abdykadyrov R. - land surveyor,
4. Ergeshov Toichu, Head of PIU.
5. T. Adzhikulov, resident of the Kyzyl-Oktyabr village, local contact person.

Chaired by: U. Saipov

Secretary: T. Kuliev

КЫРГЫЗ РЕСПУБЛИКАСЫ
ЖАЛАЛ-АБАД ОБЛАСТЫ
БАЗАР-КОРГОН РАЙОНУ
КЕҢЕШ АЙЫЛ АЙМАГЫНЫН
КЕҢЕШ АЙЫЛ ӨКМӨТҮ



КЫРГЫЗСКАЯ РЕСПУБЛИКА
ЖАЛАЛ-АБАДСКАЯ ОБЛАСТЬ
БАЗАР-КОРГОНСКИЙ РАЙОН
КЕҢЕШСКИЙ АЙЫЛ ОКМОТУ
КЕҢЕШСКОГО АЙЫЛНОГО АЙМАКА

Буйрук № _____

16.10

2020-ж/г № 385-б

Совет айылы

Кеңеш айыл аймагы боюнча «Суу ресурстарынын климаттын өзгөрүүсүнө жана табигый кырсыктарга туруктуулугун жогорулатуу» долбоорун алкагындагы талаш-тартыштарды чечүүчү тобунун курамына мүчөлөрдү сунуштоо жөнүндө.

Кыргыз Республикасынын Өкмөтүнө караштуу Суу ресурстары мамлекеттик агенттиги «Суу ресурстарынын климаттын өзгөрүүсүнө жана табигый кырсыктарга туруктуулугун жогорулатуу» долбоорун үзгүлтүз жана эффективдүү жолунда ишке ашырылышы жана ага байланыштуу элден түшкөн доо-арыздарды карап, көтөрүлүп чыккан маселелерди учурунда чечүү максатында буйрук кыламын:

1. Аталган долбоордун ишке ашырууда, Кеңеш айыл аймагы боюнча талаш-тартыштарды чечүүчү тобунун курамына мүчөлүккө төмөндөгү адамдар сунушталсын:
 - М. Каипов – Кеңеш айыл аймагынын юристи,
 - Молдокулов Б – жер адис,
 - Абдыкадыров Р – жер адис,
 - Эргешов Тойчу – СПА башчысы,
 - Аджикулов Т, Кызыл-Октябрь айылынын айыл башчысы
2. Аталган долбоорду ишке ашырууга жакындан көмтөшүү жагы Кеңеш айыл аймагы боюнча талаш-тартыштарды чечүүчү тобунун курамына мүчөлүккө сунушталган адамдар суралсын.
3. Кызыл-Октябрь айылынын башчысы Аджикулов Т., жергиликтүү байланыш түзүүчү жак болуп дайындалсын.
4. Буйруктун аткарылышын көзөмөлдөө жагы айыл өкмөтүнүн башчысынын орун басары У. Саиповко, тапшырылсын.

Кеңеш айыл аймагынын Өкмөт башчысы:

Р. Омурзаков

RAYON ADMINISTRATION

RESOLUTION No. 385

Sovet village

16.10.2020

In order to ensure uninterrupted and effective implementation of the project of the State Agency of Water Resources under the Government of the Kyrgyz Republic "Increase of water resources resistance to climate change and natural disasters", I instruct:

1. To nominate the following persons to the GRG of the Kenesh rural the Rayon during the implementation of this project:

- M. Kaipov - Deputy of the Kenesh Village Council,
- Moldokulov B - land surveyor,
- Abdykadyrov R. - land surveyor,
- Ergeshov Toichu is the head of PIU,
- Adzhikulov T., head of Kyzyl-Oktyabr village

2. the persons nominated to the dispute resolution group of the Kenesh rural the Rayon were asked a question about shortcomings in the implementation of this project.

3. appoint Mr. T. Adzhikulov, the head of Kyzyl-Oktyabr village, as a local liaison officer.

4. Appoint U. Saipova, deputy head of the rural the Rayon, to supervise the execution of this instruction.

Head of the rural the Rayon Kenesh : R. Omurzakov

Annex 17. Minutes of the meeting for the creation of Subproject Coordinating Committee for the "Pravaya Vetka" subproject

ПРОТОКОЛ

с. Масы «17» июня 2020 г.

Участники:

1. Масибеков Р. – специалист ОРП.
2. Абдувалиев Т. – Начальник Жалал-Абдыского БУВХ изн г.з. нок.
3. Атыбаев Ж. – первый заместитель Ноокенского РГА.
4. Кудайбердиев К. – Начальник Ноокенского РУВХ.
5. Акимов Э. – Начальник Базар-Коргонского БУВХ.
6. Бакиров Шарабидин – спец. РОП Ноокен
7. Турдуматов А. – спец. РОП Базар-Коргон
8. Трехов Т. – директор АВП «Кенен-Суу»
9. Калдыбеков М. – директор АВП «Ариз-Сай»
10. Айдарханов Ч. – директор АВП «Айноз-Суу»
11. Абласанов Т. – директор АВП «Шайда-Кара-Унгур»
12. Манашов А. – директор АВП «Мурат-Мурат»
13. Муратов Н. – директор АВП «Ноокен-К»
14. Назирбаев М. – директор АВП «Таймону»
15. Акматалиев К. – директор АВП «Сакалды-Суу»
16. Сантов У. – зам. главы Кененского айылного округа
17. Ахмеджанов А. – зам. главы Аризского айылного округа
18. Ташиев К. – зам. главы Шайданского айылного округа
19. Сулайманов М. – зам. главы Масынского айылного округа
20. Пайзов К. – зам. главы Ноокенского айылного округа
21. Оргалдиев М. – зам. главы Сакалдинского айылного округа

Повестка дня:

I. Создание Координационного комитета по подпроекту (ККП) Правая Ветка.

Выступили:

Абдувалиев Т. – начальник Жалал-Абдыского БУВХ – ознакомил присутствующих представителей проекта и повесткой дня. Предлагал избрать председателем сегодняшнего собрания Кудайбердиева К. а секретарем собрания Бакиров Ш. Прошу проголосовать. Единогласным решением избрали председателя и секретаря. Председатель собрания К. Кудайбердиев чтобы для всех было понятно предлагал услышать представителя проекта, потом вернуться к повестке дня, создания Координационного комитета.

Масибеков Р. – подробно рассказал о целях и задачах Проекта «Повышение устойчивости водных ресурсов к изменению климата и стихийным бедствиям». И в рамках данного проекта на каждом подпроекте созданы ККП для того чтобы все вопросы касательно повышения устойчивости системы Правая ветка к изменению климата и стихийным бедствиям, и вопросы улучшения и совершенствования эффективного управления ирригационной системой обсуждались, принимались решения и от имени ККП давались рекомендации.

Кудайбердиев К. – данная система обеспечивает поливной водой 8 АВП расположенных в двух районах и конечно возникает много вопросов и предложений в решении поставленных задач, связанных с такими большими вопросами как изменение климата. Как вы знаете канал с большим расходом воды в нескольких местах поступает селеные потоки наполнен

грязи, гравий. После чего приходится очищать несколько дней. Если найдем подходящую технику. Некоторые участки уже размыты. Поэтому как профессионалы водники, имеющих большой трудовой опыт у нас тоже есть свои предложения по улучшению управления ирригационной системой то есть автоматизировать водоучет. Обеспечить необходимой техникой для оперативной работы технического персонала. В таких случаях ККП будет очень кстати и через проведения заседания ККП мы в полном объеме можем предложить свои мысли и предложения на обсуждения. Я считаю, что ККП необходимо и создается очень своевременно.

Абдувалиев Т – специалистов РОП необходимо включить в состав ККП, потому что, они знают все проблемы АВП, и ирригационную систему, отводы из межколлектора и т.д. при выполнении проектных работ внутрихозяйственной сети возникнут много вопросов и тогда эти специалисты помогут. По выбору председателя и заместителя председателя координационного комитета предлагаю выбрать председателем Жолдоналиева Искендербека а заместителем Кудайбердиева Кадырбека Шералиевича. Потому что Председатель должен регулировать проекты в республиканском масштабе, есть другие области и районы, а местном уровне заместитель будет регулировать проект.

Атыбаев Ж – я как бывший руководитель областного водного хозяйства очень приятно услышать что будет реализоваться очень большой проект от АБР по каналу Правая-Ветка. Это очень выгодный проект не только Ноокенскому району, выгодно нашему соседнему району Базар-Коргон. Вода будет беспрепятственно поступать если будет построено селс пропускующие сооружения, модернизировать гидротехнические сооружения. Аким нашего района заранее благодарит руководителей проекта за оказываемую помощь на модернизацию системы Правая-Ветка. По выбору председателя я лично согласен с Абдувалиевым, председателем Искендербека Жолдоналиева и заместителем председателя Кудайбердиева. И членами комитета должны быть из айылных округов, руководители АВП и руководители РУВХ.

Ташиев К - собралось чтобы решать проблемы по воде системы Правая-Ветка, и все мы знаем что на большом канале большие проблемы. Поэтому если активно участвовать всем в решении проблем командой создав комитет мы думаем легче будет всем. От имени айылных округов выражаем благодарность АБР и кто работает на данном проекте за огромный помощь.

После бурных обсуждений единогласным решением было принято создать ККП и выбраны председатель и заместитель комитета.

ПОСТАНОВЛЕНИЕ.

1. Создать «Координационный комитет по подпроекту Правая Ветка».
2. Утвердить ККП в следующем составе:
Председатель ККП – Жолдоналиев И.А.-главный инженер ОРП
Заместитель председателя – Кудайбердиев К.-нач.Ноокенского РУВХ
Секретариат ККП возложить на Морозовой Юлию Владимировну
Члены ККП:
1. Орозбаев Ж – гл. инж. Жалал-Абадского БУВХ.
2. Масалбеков Р.- специалист ОРП
3. Азаматов З. – нач. базар-Коргонского РУВХ
4. Бакиров Ш. – специалист Ноокенского РОП АВП
5. Турдуматов А. – специалист Базар-Коргонского РОП АВП
6. Эртешов Т.- директор АВП «Кенеш-Суу»
7. Кадырбеков М – директор АВП «Арал-Сай»

8. Абдрахманов Ч – директор АВП «Айкол-Суу»
 9. Абласанов Т – директор АВП «Шайдан-Кара-Унгуру»
 10. Манайлов А – директор АВП «Мурат-Мурап»
 11. Муратов Н – директор АВП «Ноокен-К»
 12. Назирбаев М – директор АВП «Таймонкуз»
 13. Акматалиев К – директор АВП «Сакалды-Суу»
 14. Санпов У – зам. главы Кенешевского айылного округа
 15. Ахмеджанов А – зам. главы Аралского айылного округа
 16. Ташиев К – зам. главы Шайданского айылного округа
 17. Сулайманов М – зам. главы Масынского айылного округа
 18. Паязов К – зам. главы Ноокенского айылного округа
 19. Орозалиев М – зам. главы Сакалдинского айылного округа
3. КРП в срочном порядке разработать «Положение ККП» где будет расписано внутренние правила, основные задачи и принципы деятельности ККП. И утвердить на следующем заседании ККП.

Председатель собрания



Кудайбердиев К.

Секретарь



Бакиров Ш.

MINUTES

Massy Village

17 June 2020

Participated:

1. Masalbekov R.
2. abduvaliev T.
3. Atybaev J.
4. Kudaiberdiev K.
5. 5. Akmatov 3.
6. Bakirov Sh.
7. Turdumatov A.
8. Ergeshov T.
9. Kadyrbekov M.
10. Abdrakhmanov C.
11. Ablasamov T.
12. Manapov A.
13. Muratov N.
14. Nazirbayev M.
15. Akmataliev K.
16. Saipov U.
17. Akhmedzhanov A.
18. Tashiev K.
19. Sulaimanov M.
20. Pajazov K.
21. Orozaliyev M.

RESOLUTION:

1. Create a Coordination Committee for the Pravaya Vetka subproject.
2. To approve the Coordinating Committee for the Pravaya Vetka subproject in the following composition:

Chairman: I.A. Zholdoshaliev

Vice-Chairman: Kudaiberdiev K.

Secretary: Yulia Vladimirovna Morozova

Members of the Subproject Coordinating Committee:

1. Orozbaev J.
2. Masalbekov R.
3. Akmatov Z.
4. Bakirov Sh.
5. Turdumatov A.
6. Ergeshov T.

7. Kadyrbekov M.
 8. Abdrakhmanov C.
 9. Ablasamov T
 10. Manapov A.
 11. Muratov N.
 12. M. Nazirbayev
 13. Akmataliev K.
 14. 14. Saipov U.
 15. Akhmedzhanov A.
 16. Tashiev K.
 17. Sulaimanov M.
 18. Pajazov K.
 19. Orozaliyev M.
3. To urgently develop SCC where internal rules, main tasks and principles of SCC activity will be written.
And approve at the next meeting.

Meeting chairman : Kudaiberdiev K.

Secretary: Sh. Bakirov.

Annex 18: SAWR Approval Order for the GRM

КЫРГЫЗ РЕСПУБЛИКАСЫНЫН
ӨКМӨТҮНӨ КАРАШТУУ
СУУ РЕСУРСТАРЫ
МАМЛЕКЕТТИК АГЕНТТИГИ



ГОСУДАРСТВЕННОЕ АГЕНТСТВО
ВОДНЫХ РЕСУРСОВ
ПРИ ПРАВИТЕЛЬСТВЕ
КЫРГЫЗСКОЙ РЕСПУБЛИКИ

WATER RESOURCES AGENCY UNDER THE GOVERNMENT OF THE KYRGYZ REPUBLIC

ПРИКАЗ

6.10 2019-г. № 167

г.Бишкек

В целях выполнения условий Соглашения между Кыргызской Республикой и Азиатским банком развития о финансировании Проекта L3746/G0632-KGZ: «Повышение устойчивости водных ресурсов к изменению климата и стихийным бедствиям» (далее «Проект»):

ПРИКАЗЫВАЮ

1. Утвердить предложенный «Механизм по рассмотрению жалоб (МРЖ)» по Проекту (Прилагается).
2. Отделу реализации проекта приступить к внедрению данного МРЖ и созданию Группы по рассмотрению жалоб (ГРЖ) для каждого подпроекта в соответствии с предложенной структурой.
3. Контроль исполнения возложить на директора Дирекции капитального строительства Сокиева А.

И.о. директора

Джайлообаев А.Ш.

Исполнители:
Н.Набиев, директор ОРП
К.Жунусбаев, специалист по защитным мерам

STATE AGENCY OF WATER RESOURCES
UNDER THE GOVERNMENT OF THE KYRGYZ REPUBLIC

ORDER

06.10.2020 No. 167 Bishkek

In order to fulfill the conditions of the Agreement between the Kyrgyz Republic and the Asian Development Bank on financing of the Project L Z746/00632-KGZ: "Increase of water resources resistance to climate change and natural disasters" (hereinafter referred to as "Project"):

TO:

1. Approve the proposed "Grievance Redress Mechanism (GRM)" for the Project (Attached).
2. Project Implementation Unit to start implementation of this GRM and establishment of Grievance Redress Groups (GRG) for each subproject according to the proposed structure.
3. A. Sokeyeva, Director of the Capital Construction Directorate, shall be responsible for monitoring compliance with the proposed structure.

Acting Director: Dzhayloobaev A.Sh.

Executers:

N. Nabiev, PIU Director

K.Zhunusbaev, PIU safeguards specialist

Annex 19: Assessment of market value of demolition (or resettlement) losses

1. GENERAL PROVISIONS OF THE EVALUATION REPORT

The objects of assessment are perennial plantings and fences as given in the below table.

Site of AP1: Seedlings of fertile trees Wood (poplar, walnut) Rose bushes Mesh fencing	33 pcs 8 pcs 16 pcs 54 m
Site of AP2 Wood (poplar) Fencing (profile + wire)	2 pcs 48 m

The narrative assessment has to refer to the "Appraisal standards mandatory for application by all subjects of appraisal activity in the Kyrgyz Republic"

Determined **value type** is Market value.

All information received from the Customer and his representatives in writing or orally and not conflicting with the professional experience of the Appraiser was considered reliable. The evaluator cannot guarantee the absolute accuracy of the information provided by these parties, therefore, indicates the source of the information. The appraiser proceeded from the fact that the subject of appraisal has all the rights to be assessed in accordance with the current legislation. However, verification of the authenticity of documents of title and property rights to the object of assessment goes beyond the professional competence of the Appraiser, and he is not responsible for related issues. The right of the appraised property is considered reliable and sufficient for the market turnover of the appraised object.

The subject of assessment is considered free from any claims or restrictions, other than those stipulated in the Report. The appraiser did not carry out technical examinations and proceeded from the absence of any hidden facts affecting the value of the appraised object, which could not be detected by visual inspection. The Appraiser is not responsible for discovering such facts.

The appraiser did not measure the physical parameters of the assessed object (all dimensions and volumes contained in the documents submitted by the Customer were considered true) and he is not responsible for questions of a corresponding nature. The Appraiser is not required to appear in court or testify in any other way about the appraisal made, except by formal summons from the court. The opinion of the

Appraiser regarding the value of the property being appraised is valid only as of the date of appraisal. The appraiser does not assume any responsibility for changes in economic, legal and other factors that may arise after this date and affect the market situation, and, consequently, the market value of the appraised object. Accordingly, the Appraiser assumes no obligation to amend this valuation report to reflect such events or changing conditions after the valuation date. This appraisal report represents the viewpoint of the Appraiser, without any guarantees on its part regarding the conditions for the subsequent implementation of the appraised object.

2. REGULATORY DOCUMENTS FOR ASSESSMENT ACTIVITIES

Temporary rules for the activities of appraisers and appraisal organizations in the Kyrgyz Republic, approved by the Resolution of the Government of the Kyrgyz Republic dated August 21, 2003 N 537.

Property valuation standards, mandatory for all subjects of appraisal activities in the Kyrgyz Republic, were approved by the Resolution of the Government of the Kyrgyz Republic dated November 15, 2016 No. 593 On amendments and additions to the Resolution of the Government of the Kyrgyz Republic "On approval of standards" dated April 3, 2006 No. 217

Property appraisal standards, mandatory for all subjects of appraisal activities in the Kyrgyz Republic, were approved by the Resolution of the Government of the Kyrgyz Republic dated 04/30/2006 No. 217.

Licensing of appraisal activities operating in the Kyrgyz Republic on the basis of the Resolution of the Government of the Kyrgyz Republic "On Approval of the Regulations on the Procedure for Certification and Licensing of Independent Appraisers in the Kyrgyz Republic" dated June 13, 1998 No. 349 was canceled by the Resolution of the Government of the Kyrgyz Republic "On Licensing of Certain Types of Business Activities "Dated May 31, 2001, No. 260.

TERMS AND DEFINITIONS

The object of assessment - property rights that are subject to assessment.

Appraisal report - a document about the results of the appraisal, submitted by the appraiser to the customer to confirm his **professional opinion on the value of the property**.

Appraisal - is the process of determining (calculating) the value of property on a specific date, carried out by a professional appraiser in accordance with these standards using reasonably selected approaches, methods and procedures of appraisal, estimate of the market value of a piece of real estate made by a competent professional who knows local real estate prices and markets.

Immovable property (real estate) - Real estate is the land along with any permanent improvements attached to the land, whether natural or man-made—including water, trees, minerals, buildings, homes, fences, and bridges, land plots, subsoil plots, isolated water bodies and everything that is firmly connected with the land, that is, objects, the movement of which is impossible without damage disproportionate to their purpose, including forests, perennial plantations, buildings, structures, etc.

Appraisal date - the date (day, month, year) on which the property is appraised and its value is determined

Appraiser - an individual who has training, experience, qualifications that meet the requirements of the legislation of the Kyrgyz Republic, and provides services for determining the value of property in accordance with the requirements of this standard and is responsible for the reliability and validity of the assessment.

The valuation process is a specific sequence of procedures used to obtain a value. The appraisal process includes a set of techniques for collecting and analyzing data, making calculations and reporting the results in an appraisal report, which gives probative value to the appraisal.

Appraisal method - a method of determining the value of the appraisal object, the sequence of execution of appraisal procedures which makes it possible to implement a certain approach to appraisal

Income approach - an approach to valuation, according to which the value of property is determined as the present value of the property, equal to the present value of the expected future income from its use and / or sale, taking into account the structure, income, timing and risks.

The cost approach is an approach to assessing the value of property, according to which the cost of property is made up of the costs of acquiring and / or recreating all components, taking into account depreciation.

Comparative approach - an approach to valuation, according to which the value of property is determined at the price level of similar objects, taking into account the corresponding adjustment of the differences between them.

Risk-free rate of return - the rate of return on investments when investing money in the most reliable assets.

Land rent - income generated by a land plot.

Capitalization is the recalculation of future income to the present value at the date of valuation.

Legally permitted use - the use of a land plot in accordance with the established rules for the use and development of land and in compliance with the intended use, the requirements of the existing restrictions and encumbrances specified in the legal documents or regulatory documents.

Pastures is land used for grazing farm animals.

Perennial plantations - gardens, vineyards, shrubs, tea, coffee plantations.

Bonitete (from Lat. Bonitas - good quality, high quality) is a quantitative indicator that reflects the real or potential quality of natural objects (animals, plants, soils), which determines their economic value. Revealing the quality of lands by their fertility is called appraisal, which is expressed in relative units - the scores of the appraisal.

Market value - the estimated amount of money for which an exchange of property would take place on the valuation date between a willing buyer and a willing seller in a commercial transaction after due marketing, during which each party acted competently, prudently and without coercion.

3. BASIC ASSUMPTIONS AND RESTRICTING CONDITIONS

The following assumptions and limiting conditions are an integral part of this report:

1. This report is reliable only in its entirety and only for the purposes indicated in it.
2. The evaluators assumed that the information contained in this report was obtained from reliable sources. The appraiser does not assume responsibility for the accuracy of the information provided; the Customer is responsible for this.
3. The appraiser assumes the absence of any hidden facts affecting the appraisal, the condition of the property, soils, other than those specified in the report
4. The opinion of the appraiser regarding the market value of the object is valid only on the date of appraisal.
The appraiser does not assume any responsibility for changes in economic, legal and other factors that may arise after this date and affect the market situation, and, consequently, the market value of the object.
5. Works on the survey of land plots were carried out in the amount agreed with the Customer. Special studies of the environmental situation are not provided for by the contract for the report.
6. Reasonable ownership and competent management of the subject matter is assumed. Valuers are not required to be audited and do not accept responsibility for the financial and tax reporting. This is related to the management of the appraisal.
7. The appraiser assumes that the absence of the necessary set of title documents for land plots of land plots owners does not lead to a change in the total amount of losses. The owner of the right to land plots does not have land disputes over the area and boundaries of the plot. The right holder uses the land plots strictly for the intended purpose and in accordance with the permitted use.
8. Conclusion on the cost contained in the report refers to the appraised property as a whole. Any correlation of a part of the cost with any part of the subject of assessment is illegal, if it is not specified in the report.
9. The result of the assessment depends entirely on the adequacy and accuracy of the information used and, on the assumptions, made. As a result, the resulting value of the market value is probabilistic in nature with certain dispersion parameters, regardless of whether it is expressed in one number or in the form of a range.
10. The appraiser is not required to appear in court or testify in any other way about the appraisal made, other than by an official summons of the court.

4. JUSTIFICATION OF THE USED APPROACHES AND ASSESSMENT METHODS

Features of the application of approaches to the assessment of perennial plantations

The perennial plantations that do not generate income include urban green spaces, protective forest belts, ornamental vegetation in garden plots, and forest plantations that mainly perform recreational and ecological functions.

Perennial plantings can be assessed using the cost and income approaches, and if there is data on the sale of analogous properties, the comparative approach.

Perennial plantations include agricultural crops with a lifespan of more than one year - orchards, berry fields, vineyards. The perennial plantations also include trees and shrubs of shelterbelts, urban green spaces. When evaluating perennial plantations, the cost-based approach sums up all the costs associated with their creation and care. Such costs are the costs of planting plantations, the creation of infrastructure in the form of roads, irrigation systems, water tanks, the creation of drainage systems, the construction of special facilities for storage and primary processing of products, the creation of other similar facilities, as well as the costs of maintaining infrastructure facilities and caring for perennial crops. The cost of perennial plantations that do not generate income can be determined by the cost method using the following formula:

$$C = 3e + \sum_{i=1}^M T_i / (1 + R)^i$$

Where:

C is the replacement cost of perennial plantations (trees, shrubs, lawns);

3e - one-time costs for planting trees and shrubs, creating lawns, flower beds in normal conditions;

R is the capitalization ratio;

M is the age of trees, shrubs at the time of assessment;

Ti is the value of the current costs of green space maintenance in year i.

A simplified version of the cost calculation can be carried out using the formula: $C = 3e + T \times M$

where are the constant running costs of green space maintenance.

5. Determination of green plant's cost by the cost approach (method of calculating the restoration cost)

Determining the market value of perennial plantations by cost approach is conducted on the basis of complete accounting of all types of costs, related with the creation and plant maintenance.

Appraisal of perennial plantations by this method is based on a principle of conditional substitution of assessed object by another which is maximally approximated to it by its parameters and functional purposes.

Applying a principle of substitution to perennial plantations within the cost approach represents following actions by the professional appraiser:

- Personal inspection and survey of the plantings
- Conduction of additional consultations with agricultural specialists if it's necessary.
- Cost analysis, related with growing fruit trees and pastures
- Description of used methods of assessing the cost of an object (incurred or expected costs)
- Statement of reasoned opinion by appraiser (personal or justified opinion of attracted specialists) about possibility of using the results, taken from cost approach of assessing the value of an objects.
- Registration of an evaluation report within cost approach.

In relation to this report appraiser has calculated replacement cost of perennial plantations, with using of local estimate for laying perennial plantations, and for growing young plantings, provided by customer.

Replacement cost method of green plantings made for calculating the amount of costs for reproduction and laying green plantings.

Calculation of replacement cost of green plantings is conducted taking into account:

- real replacement cost of green plantings which includes:
- one-time costs for planting trees and shrubs, arrangement of lawns and flower beds (cost of planting materials, vegetative soil, preparing a territory, payment for work, overheads, planned savings, transport costs, taxes) green plantings.
- Running costs of green space maintenance (watering of plants, fertilization, weeding and loosening of near-trunk circles, crowning, pruning dry branches, pest control)
- Quality conditions of green plantings (conditionally healthy, weakened).

Annex 20: Photos of land plots, crops and plants of APs

Plot No. 1









Plot No. 2









RESOLUTION No 106 from 04.09.2020

Resolution on permitting construction of mudflow overchute in Kyzyl-October village

RESOLUTE:

11. Allow the construction of mud flow on the water canal Pravaya Vetka in the village of Kyzyl-Oktyabr of the rural the Rayon Kenesh on the basis of Decree No. 1 of the Government of the Kyrgyz Republic from 05.01.2016.
12. All documents related to the construction of mud flow in the land plot of 3.0 hectares should be sent to the City Agency of Architecture Bazaar-Korgon the Rayon.
13. Control over the execution of this decree to appoint the chief specialist of Kenesh the Rayon Abdykadyrov R. and the head of the village Kyzyl-Oktyabr T. Azhykulov

Chairman Omurzakov R.

Chief Specialist M. Kaipov

/sign/

/seal/

[Annex 22: Resolution of the State Agency for Water Resources re Grievance Redress Mechanism](#)

КЫРГЫЗ РЕСПУБЛИКАСЫНЫН
ӨКМӨТҮНӨ КАРАШТУУ
СУУ РЕСУРСТАРЫ
МАМЛЕКЕТТИК АГЕНТТИГИ



ГОСУДАРСТВЕННОЕ АГЕНТСТВО
ВОДНЫХ РЕСУРСОВ
ПРИ ПРАВИТЕЛЬСТВЕ
КЫРГЫЗСКОЙ РЕСПУБЛИКИ

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ПРИКАЗ

6.10 ~~2019~~ г. № 167

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3. Контроль исполнения возложить на директора Дирекции капитального строительства Сокеева А.

И.о. директора

Джайлообаев А.Ш.

Исполнители:
Н.Набиев, директор ОРП
К.Жунусбаев, специалист по защитным мерам