

Resettlement Policy Framework for the Turkey Geothermal Development Project

COMPONENT 2 - TSKB

DRAFT

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1. PROJECT DESCRIPTION & BACKGROUND

The Loan Facility under the Geothermal Development Project will fund private sector investments in geothermal resource development and construction of power generation plants and other facilities using direct geothermal heat. The Project Development Objective is to scale up private sector investment in geothermal energy development in Turkey. This will be achieved by reducing the risks taken on by the private sector in the exploratory phases, and by providing access to long-term financing for resource development phases.

The proposed project envisages two components: (a) Component 1 will establish a Risk Sharing Mechanism for Resource Validation, to support the exploration and confirmation drilling stages. International experience shows that mechanisms that reduce the resource risk by using public support to help share the risk at these stages are the most cost effective way to ensure significant scaling up of investment, (b) Component 2 will set up a Loan Facility for Resource Development to provide financing to the resource development stage and to the power plant development phase. This Resettlement Policy Framework (RPF) concerns Component 2 of the project and is applicable to the Financial Intermediary that will be the PIU for this component, Türkiye Sinai Kalkınma Bankası (TSKB). Component 1 will be implemented by a different PIU and a separate RPF has been prepared by this PIU.

TSKB is responsible for due diligence to ensure that investments are sound and that borrowers comply with legal and financial requirements, including World Bank safeguards, particularly Operational Policy 4.12 (OP), Involuntary Resettlement. The OP aims to mitigate the impact on third parties who are affected by resettlement, the acquisition of private land for public use, and the loss of private assets due to investments funded by the Bank.

This RPF has been prepared by the borrower, as required by the OP, because specific investments are not known at the time of project appraisal. Had the investments been known in advance, a Resettlement Action Plan (RAP) would have been required for each investment prior to appraisal of the project. This RPF describes anticipated project impacts, the legal framework for land acquisition and resettlement, types of project-affected persons, entitlements and compensation, and the steps that the borrower (and sub-project borrowers) will take to ensure compliance with the Operational Policy. Further, this framework also applies retroactively to land acquisition that might have occurred before the sub-borrower applied to TSKB for World bank financing, if the land was acquired in anticipation of the project within a reasonably recent time period. In such circumstances, an ex-post social audit (see appendix.2) will be used to assess conformity with framework principles and requirements and to preclude social risk, and mitigation measures will be agreed upon between the Bank and TSKB prior to financing eligibility. The RPF becomes part of the project loan agreement and informs the project Operations Manual, Section VI.2, which describes agreed procedures and reporting requirements that will be met during implementation of the project.

In this paper, the term “sponsor” refers to the investor in a sub-project who borrows funds from TSKB made available through the World Bank Loan.

2. PRINCIPLES & OBJECTIVES

The World Bank OP 4.12 on Involuntary Resettlement includes safeguards to address and mitigate risks resulting from involuntary resettlement under development projects, and covers any involuntary land taking.

The overall objectives of the Bank's policy on involuntary resettlement are the following:

- (a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- (b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- (c) Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

As part of its due diligence, TSKB is responsible to ensure that any land expropriation or involuntary resettlement associated with a sub-project complies with the World Bank's Operational Policy 4.12 (OP 4.12), Involuntary Resettlement. The purpose of the policy is to avoid or mitigate adverse effects on third parties by development investments. The compliance requirement applies to every project to be financed by an FI with project funds for which either EMRA issued or will issue a Public Benefit Decision for renewable energy facilities, which enables the investor/sponsor to carry out eminent domain for land acquisition for the sub-project, and/or for which an investor requests an Expropriation Decision. These decisions enable the investor to carry out eminent domain for land acquisition for the sub-project. The sponsors in most cases will initially try to agree with private owners on a sale of land in the private market, if they cannot agree on the sale, they apply for expropriation procedures to start. Due to this reason, the initial sale is not considered voluntary under World Bank Guidelines and OP 4.12 applies to these transactions as well. The WB policy requirements also apply when third parties (such as renters, squatters or other users of land) are affected, when Government land is transferred to the sponsor or when third parties are affected by negotiated acquisition of private land.

Prior to implementation of the resettlement/land acquisition activities, the sponsor will apply the following approaches and methodology of social assessment as required by OP4.12 requirements:

- Minimize resettlement and the acquisition of private land,
- Assess the potential economic and social impacts of land acquisition/resettlement on affected people (on livelihoods of them),
- Identify categories of affected persons and their respective entitlements,

- Promote the process of consultation/participation of PAPs in the land acquisition (and resettlement if any) preparation and planning, as well as information dissemination to the PAPs,
- Compensate for lost assets at full replacement cost,
- Compensate informal/illegal land users for lost assets and provide assistance in relocating, if needed,
- Compensate and obtain legal access to expropriated land before starting construction,
- Provide information and prepare special assistance programs for vulnerable groups including the persons without any immovable property,
- Provide and prepare the plans for grievance redress and monitoring in line with the WB policy guidelines.

3. PROCESS FOR PREPARING AND APPROVING RESETTLEMENT PLANS

Under the World Bank funded Geothermal Development Project, once a sponsor applied to TSKB for available funding through the World Bank Loan, TSKB will screen the project for land acquisition issues that will fall under OP 4.12.

After the screening, TSKB will be responsible for ensuring that the sponsor prepares a RAP (that may also include a social audit of past land acquisition in anticipation of project) in accordance with this RPF and OP 4.12. TSKB may need to build capacity and support the sponsor in preparation of the RAP. The draft RAP will be disclosed locally and consulted on with the participation of the locally affected persons and land owners. The RAP will be revised and finalized accordingly.

Required Information for the Acquisition of Private Land

With regard to a sub-project, the project sponsor will provide documentation regarding land acquisition needs (including the lands will be needed for the project in future) and recently completed land acquisition (as presented for a Public Benefit Document or Expropriation Decision) and current status as part of its application for a loan funded by the Geothermal Project. TSKB will review the documentation and determine remedies if there are any circumstances which would jeopardize compliance with OP 4.12. If so, TSKB will request additional information from the applicant and request the Bank to review the application to determine an appropriate course of action.

TSKBs shall provide the documentation of the Public Benefit Document which justifies the land acquisition as well as detailed information regarding landholdings and the anticipated costs of land acquisition. In addition to the standard documentation indicated above, TSKB will request the sponsor to use the enclosed Resettlement Action Plan-- reporting formats (i.e., Abbreviated Resettlement Action Plan in Appendix.1 or the full Resettlement Action Plan in Appendix.3) to cover the following issues:

- Assessment of the temporary and permanent impact of land acquisition/expropriation and the categories of persons/households affected—number of Lands/plots affected;

- percentage of land/plot affected in any landholding, land use before and after acquisition, prior land use and number of owners.
- Document the socioeconomic situation of affected households such as income stream and percentage of income derived from the taken land. In line with the WB policy requirements. The aim of this documentation is to find out the adverse impacts on livelihoods of DPs and providing restoration measures for them to compensate income losses.
 - Compensation standards applied for temporary and permanent—loss of land, loss of crops, loss of productive trees, loss of residences and businesses (documenting the equivalent of full replacement cost),
 - The results of court decisions, if any.
 - Provisions for replacement lands, if relevant
 - Provide documents for vulnerable groups, grievance redress and monitoring

Required Information for the Acquisition of Public Land

In addition to acquiring private land, sub-project sponsors may benefit from the transfer of lands with title/rights to this land and/or any intangibles related to the land, from the government to the sub-project sponsor under applicable law relating to the transfer of public land for projects.

OP 4.12 applies in all cases in which Government land that is transferred to a sponsor is being leased to a third party or used informally by a third party prior to the transfer.

If a sub-project will use Government land transferred to the sponsor, the sponsor will provide a Social Impact Screening Form (see Reporting Format) to TSKBs for submission to the World Bank. The form will be used to document the summary of the transactions, and screen for projects which may be identified to require more information on land acquisition. The documentation must include the following:

- Amount of land previously in use/not in use
- Number, name and status of previous land users (tenants, informal users)

For each sub-project that requires land acquisition, after ensuring that above detailed RAP preparation process is completed, will submit this RAP to the Bank for approval before implementation of land acquisition. RAPs will include detailed provision for the planning and implementation of resettlement, meeting the goals of OP 4.12. The scope and level of detail of the RAP varies with the magnitude and complexity of the land acquisition and compensation issues. The plan will indicate the number and ownerships of parcels to be acquired or subject to servitude agreements, the amount of each parcel affected, estimated cost of the land and other assets to be acquired or subject to the long term easement, responsibility for execution and schedule for acquisition. The World Bank will review and confirm documentation on the land acquisition process to ensure conformance with OP/BP 4.12. Once the RAP is cleared by the Bank, the final RAP will be disclosed locally at the project site and the Bank's Infoshop website.

TSKB has the responsibility to ensure that the project implementation is fully consistent with the RAP and also to provide for adequate monitoring and reporting of the activities set out in the RAP. As part of RAP implementation, TSKB will provide a summary report of land acquisition activities to the World Bank every six months, to be included in the overall project progress report, indicating the number and ownership of parcels affected and their current status, the progress of negotiations and appeals, and the price offered and finally paid (reported as number of square meters of the original whole plot and the size of the specific area acquired, and amount per square meter). At the end of the project and as part of project completion report, TSKB will provide the Bank with completion audit.

If necessary, the World Bank may contact interested/affected parties to confirm the validity and determine whether or not the process and outcomes comply with OP/BP 4.12. The World Bank will regularly supervise RAP implementation to determine compliance with OP 4.12.

4. ANTICIPATED IMPACTS AND AFFECTED PERSONS

The footprint of a geothermal power plant requires land acquisition for the power plant itself, multiple wells, the network of interconnecting pipe work, a transformer station, electricity transmission lines to connect to the grid, access roads and administrative offices. Land acquisition occurs gradually, starting with only a few well areas (about 0.5 hectares each) for the exploration drilling and ending with the full footprint described above for a plant in operation. When developers are having well areas expropriated, remaining land of the owner may be left with "holes" and not viable for livelihoods or farming. Similarly, the lattice of interconnecting pipes (about 2 meters wide, installed above ground) can have a more significant impact compared to just the base area for land acquisition due to dividing farmers' plots and cutting off access for people, animals and machinery. Potential impacts of piecemeal expropriation on the livelihoods of farmers should be assessed in the land acquisition plan. In these cases, expropriation of all of the owner's land or other mitigation measures may be necessary.

Geothermal power plants are usually constructed in rural farming areas. Affected persons will include land owners, absentee land owners, renters, sharecroppers, squatters and other users of land. Since siting allows for some flexibility, acquisition of houses and relocation is not foreseen, but if this takes place, affected persons can include structure owners, asset owners, home owners, and renters. If the affected persons are conducting business on acquired lands (such as roadside food stall to sell crops), these will also be considered as affected businesses, and any one who works in these businesses that is not covered by the above affected categories will be taken into consideration.

5. CUT-OFF DATE & ELIGIBILITY CRITERIA FOR AFFECTED PERSONS

Any person who will suffer loss or damage to land, an asset, business, trade or loss of access to productive resources, as a result of the project will be considered eligible for compensation and/ or resettlement assistance.

The cut-off date for being eligible for compensation and/ or resettlement assistance is the last day during which the census/inventory of assets is completed. Sufficient public awareness of the cut-off date will be given to the community through the responsible agencies, community elders and leaders.

Individuals or groups who are not present at the time of registration but who have a legitimate claim to membership in the affected community can be accommodated.

At first sight, there seems to be a gap between WB policy requirements and Turkish legal framework in terms of cut-off date implementation during the beginning of census and other surveys. The main aim of this implementation is to prevent fraudulent claims and population influx to project area. OP 4.12, endnote 21 reads: *“Normally, this cut-off date is the date the census begins. The cutoff date could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx.*

In Turkey, for the large scale projects where land acquisition takes more than one year, “public benefit decision” is announce for 15 days in the office of village head. Following the end of this notification date costs of structures constructed after that date and the trees planted are not taken into account. On the other hand, Turkey is moving into the digital cadastre system in country wide. Also, population registry system depends on the current addresses of persons. So, fraudulent claims and population influx are prevented through this system. Further to that, the provincial governorships hinder those claims upon the application of project sponsor. Also, Turkish resettlement framework includes specific cut off dates. That is the reason why, cut of date implementation is not considered as a main gap.

PROOF OF ELIGIBILITY

The sponsor will consider various forms of evidence as proof of eligibility as stated in the RPF, to cover the following:

- Project affected persons with formal legal rights, documented in the form of land title registration certificates, leasehold indentures, tenancy agreements, rent receipts, building and planning permits, business operating licenses, and utility bills among others: unprocessed/unregistered formal legal documents will be established in the RAP.
- Project affected persons with no formal or recognized legal rights-criteria for establishing non-formal, undocumented or unrecognized claims to eligibility shall be established through paying particular attention to each situation and its peculiarities.
- Alternative means of proof of eligibility will include: Affidavit signed by land owners and tenants; witnessing or evidence by recognized administrative authority.

Generally, only project affected persons enumerated during the census/inventory of assets shall be eligible for either the compensation or supplemental assistance. Any new structures or

additions to existing structures carried out after the cut-off date will not be considered affected, and their owners or occupants will not be eligible for compensation or supplemental assistance (unless they can demonstrate the census/inventory of assets failed to identify them as affected).

ENTITLEMENT POLICY

The following Project Affected Person(s) would be entitled to compensation and rehabilitation measures/resettlement:

1. Project Affected Persons Losing Land or Structures (or losing access to those assets) and/or having to physically relocate due to loss of livelihood, or losing access to income sources or means of livelihood: Generally, all project affected persons with legal rights of land use. There will be compensation for land, structures and economic assets on land at full replacement value. Resettlement assistance in line with the World Bank policy requirements will be provided for them.
2. Project Affected Persons with loss of crops or economic trees: It is assumed that affected persons would be able to harvest any crops planted prior to the confiscation date. If land must be taken before crops are harvested, compensation will be paid for the estimated crop value. Full compensation will be paid for the replacement value of the economic tree, based on cumulative value (calculated on specifically determined balance sheet by taking into bare land value) of the fruit crop for its productive life.
3. Project Affected Persons losing rental land: Renters will be assisted to find alternative land to rent. Transitional assistance may be necessary to ensure that renter livelihoods are not affected.
4. Project Affected People who are illegal Users: Those who have no recognizable legal rights or claim to the land they are occupying. There will be no land compensation, but the structures and other assets (trees) on land will be compensated based on replacement value. Those using land unofficially for agricultural or grazing purposes will be assisted to find alternative areas available for use.
5. Project Affected Persons without any immovable property, losing their livelihoods due to land acquisition: Those are also entitled to resettlement assistance

6. TURKISH LEGAL FRAMEWORK FOR LAND ACQUISITION & GAP ANALYSIS

OVERALL TURKISH LEGAL FRAMEWORK

In the scope of Turkish legal framework, land acquisition/expropriation is based on the Expropriation Law No: 2942 (amended by Law No: 4650 in 2001). In addition, Article 46 of the Turkish Constitution explains that state and legal public entities, in cases of public benefit, are entitled to entirely or partially expropriate immovable properties in private possession, on condition that the real value of those immovable properties are paid in advance and in cash;

and to establish easement rights on these immovable properties in compliance with the procedures and principles set by expropriation law. In other words; Turkish Constitution implies that any immovable property cannot be confiscated unless its expropriation compensation is paid to the owner/s in advance and in cash.

According to Article 8 of Expropriation Law (no: 2942), in all cases where the owners of immovable properties are identified, the first choice practice is to purchase the land through negotiation. For those owners with whom agreement cannot be reached by negotiation or for owners with unidentified addresses, absentee owners, or for immovable properties over which there are ownership disputes; a lawsuit is filed with the relevant court of first instance for valuation and registration, pursuant to Article 10 of the Expropriation Law, and the expropriation compensation set by the court in the course of the lawsuit is deposited into a bank account to be paid to the owner of the expropriated property. The expropriation compensation for immovable properties with unidentified owner is deposited into a time account with 3-month maturity terms. (A minimum two months is required for notification and negotiations before invoking of the Article 10 of the Expropriation Law. The actual time increases in proportion with the number of owners and land parcels.)

Expropriation compensations are set pursuant to the criteria set out in Article 11 of the Expropriation Law. Turkish legislation does not require the payment of compensation to tenants, sharecroppers and illegal users of properties who have made no improvements (building and/or tree). However, persons who have spent money and constructed/erected buildings or other structures on the lands of other persons are compensated at replacement cost for trees and material costs for buildings.

Right to sue: The owner of the asset can apply to the administrative court for the cancellation of expropriation or to the judicial justice for corrections against mistakes of fact within 30 days after the notification date (Expropriation Law, Article 14).

On the other hand, if the owner is not satisfied with the amount of expropriation compensation determined by the court according to the article 10 of the law, can appeal at Supreme Court.

Apart from the Expropriation law, the damages that occur on the route or on the way to the route (out of the land acquisition area) can be paid by legal responsible agency to the affected persons following the necessary due diligence. These compensations may also cover the reinstatement of the property with regard to the contract between land owner and sponsor for usage of the land or for servitude. On the other hand, according to the Instructions of the Law Regarding Geothermal Resources and Mineral Waters, the license owner has to leave this area (easement or expropriated area) through reinstating the natural situation in conformity with environment.

Announcement: The government notifies the owners of the immovable property to be expropriated through an official registered letter indicating its desire to purchase the subject land through negotiation, and paying the price of the land or easement right for such land in cash. For immovable properties over which there is ownership dispute, and unidentified

owners, relevant court publicizes the summary of expropriation documents in a local and national newspaper at least once.

Purchasing Upon Agreement / Payment of Compensation / Alienation: Negotiation commission is internally established by the agency responsible for land acquisition to negotiate with property owners. Each negotiation commission is comprised of at least three persons. Prior to negotiation stage, the aforesaid agency sends an official invitation letter to property owner without informing about the estimated value for the asset that had been previously estimated by the valuation commission. Then, negotiation session starts on determined date (Article 8 of Expropriation Law).

Agreement: If an agreement on expropriation value is reached, at first a written agreement (memorandum of agreement) is signed by both sides, then the property ownership transfer (alienation) and payment of expropriation compensation procedures are completed within 45 days. The property owner does not hold a right of objection after this negotiated settlement process.

Non-agreement: If an agreement is not reached during negotiations, a memorandum of non-agreement is signed by two sides and the agency/sponsor responsible for land acquisition applies to the Civil Court of First Instance with needed documents. The court assigns a day for a trial within 30 days following this application and calls the parties (agency and property owner) for conciliation on a value on the trial day. If the parties cannot reach an agreement upon a value at this first hearing, the judge assigns a date for land survey by a commission, which consists of independent experts, within 15 days, and a new trial date within 30 days. The evaluation process of the immovable property is undertaken by this independent expert commission with the participation of all parties and the village headman. Following the field visit regarding land survey, the expert commission submits its report to the court within 15 days. The report explicitly states the determined value for the property. Then, the court sends this report to both parties. If the parties cannot reach an agreement on this value at the trial again, the judge can assign a new expert commission to finalize the same procedure within 15 days and determines the expropriation value at the next trial day. The Court takes the final decision about the compensation of immovable property in question and alienation/registration of the land in the name of government. Then, both sides still have the right to appeal to the “Supreme Court” about the valuation. Finally, the property ownership transfer (alienation) and payment of expropriation compensation are completed within 15 days in line with the decision of the court.

It should be noted that the costs of the court process are born by the responsible agency according to the Expropriation Law. Particularly, in case of the court process cannot be concluded within 4 months, legal interest rate is applied to determined compensation amount as from this deadline. This should also be noted that the expropriation files of deceased owners, absentee owners, persons claiming customary right are directly conveyed to local civil court of first instance by the agency responsible for land acquisition.

In addition, if a land is partially expropriated and in case of the remaining part is not usable, this part shall also be expropriated upon the request of the owner within 30 days following receiving expropriation decision (article 12 of Expropriation Law).

Urgent Expropriation: Article 27 of the Expropriation Law authorizes the organization responsible for expropriation to confiscate the properties required by the project earlier than the time needed in normal expropriation procedure. This process does not prevent challenges of the property owners against the determined valuation.

Mainly, for the expropriation of needed immovable properties Article 27 of the Law prescribes that in cases of the necessity for national defence as for the implementation of the Law on Obligations for Natural Defence (No: 3634) or in cases of the urgency of land expropriation decided by the Cabinet or in cases of emergency, which are stipulated in special laws, any immovable asset can be confiscated by the organization responsible for expropriation. In this case, the sequence of operations (excluding evaluation of immovable properties) is completed later. Through the court (upon request of the responsible organization), the values of the immovable assets are evaluated by an expert commission according to the provisions of Article 10 and 15 of the Law within seven days. The confiscation can be carried out after the determined compensation is deposited in the bank (in the name of the owner) indicated in the invitation letter and an announcement in line with the Article 10 of the Expropriation Law, by the responsible organization.

According to the decision of 5th Civil/Legal Department of Supreme Court/High Court of Appeal in 2008 (No: E 2008/1494, K 2008/3602) the amount of compensation determined according to the article 27 of Expropriation Law is not the final amount of compensation. If a land owner disagrees with the organization responsible for land acquisition on the compensation amount he can refuse to alienate his land. In this case, the Responsible organization has to take the matter to the court according (article 10 of the Expropriation Law). Under those circumstances the responsible organization has to invite all owners regardless they agreed and disagreed with the initial compensation to finalize the expropriation process. In comparison with the normal expropriation procedure this is a confusing situation with a complicated process.

TURKISH LEGAL FRAMEWORK FOR GEOTHERMAL PROJECTS

Article 22 of Application Regulations of The Law on Geothermal Resources and Natural Mineral Waters explains the procedures and principles of land acquisition that will be carried out by sponsor/s.

Sub clause (1) of Article 22 explains that the sponsor with exploring license carries on his activities through getting permission of property owner. In case of the permission is not obtained, sponsor can request provincial governorship (Special Provincial Administration or Head of Coordination of Investment Monitoring in case that metropolitan municipality in the province) for easement right establishment. If the Administration finds this request convenient, takes “public interest decision”.

Sub Clause (2) states that the sponsor with operation license carries on his operational activities through obtaining the permission of private property owner. If the owner cannot provide the land for his operational facilities through agreement with the owner, he can apply governorship

(above mentioned administrations) for easement right establishment or expropriation in line with the Law No 2942.

According to sub clause (3), compensations regarding easement right and expropriation, and related expenses are paid by sponsor (license owner).

The area requested to be expropriated is registered in the name of Administration following the expropriation decision and then allocated to sponsor (license owner) for the period of ongoing project activities (Sub clause 4).

In case of the need of expropriated properties is over and this situation is reported to Administration, and determined by the Administration, owner of property and license owner are notified that the property in question will be returned to its previous owner in line with the conditions of Expropriation Law. If owner does not want to purchase the property, it remains under the possession of Administration.

License owner cannot use the area (expropriated or easement is applied) out of the purpose. According to sub clause (7) of Article 22, License owner has to leave this area within the duration that indicated its project, through reinstating as environmentally sound.

GAP ANALYSIS

GAP	Turkish Legal Framework	World Bank Policy Requirements	Suggested Steps to bridge the GAP
Lack of Information during urgent expropriation,	Article 27 of Expropriation Law permits urgent expropriation without informing right holders,	WB policy documents necessitate public information/consultation and participation regarding all activities of land acquisition and resettlement	If urgent expropriation is unavoidable, public information instruments will be added this process.
Replacement Cost Land	Valuation of agricultural lands depends on capitalization of annual net income which is calculated by taking into account the market prices.	Full replacement cost should be applied	As the capitalization takes into account the value of equal productive potential (such as; distance to location centers and access roads, irrigation status and easiness of irrigation, health conditions, shape and size of the land, pieces composition of the land, cadastre, location/position of the land) during valuation, and complementary parts on the land are separately valued and added on the land value, there is no gap

			at this point, but the cost of any registration and transfer taxes regarding new land will be added to reach full replacement cost.
Replacement cost House plots	Market value	Full replacement cost	Interaction cost regarding any registration and transfer taxes regarding new plot will be added to reach full replacement cost.
Replacement cost Buildings/structure	Construction cost approach is used and depreciation (for wear and tear) of the building/structure is deducted. Valuation methodology is the same both in rural and urban area.	Full replacement cost OP 4.12, Annex A, Involuntary Resettlement Sourcebook. (Compensation is evaluated in net terms, and should allow the affected person to obtain replacement assets of equivalent value. In areas with functioning secondary markets, this does not imply compensation at the cost of new structures. Depreciation is not appropriate if it would result in under-compensation. In these cases, some combination of supplemental devices can be used to reach replacement value. Salvage material should be left the owner	Depreciation should not be deducted Since the Expropriation Law entails deduction of depreciation, replacement cost should be sought to secure replacement assets of equivalent value. Within the content of the RAP, a project specific mechanism should include supplemental devices that are mentioned in WB documents. A special resettlement fund of the project or special in kind and/or cash compensations (additional) can be used for this aim. Salvage material will be left the owner without charge
Entitlement to Expropriation Compensation	Renters of houses and/or work places, tenant users of the land, legal/illegal users of forest areas and merchants without immovable property are not entitled to expropriation compensation.	They should be assisted in their efforts to improve (restore) their livelihoods. In this respect, OP 4.12 states that lack of full legal title should not be a barrier to assistance.	1) Those families may be entitled for government assisted resettlement upon their request, 2) Assistance by the RAP can be provided for them. It is essential that all persons adversely affected are identified, and that resettlement plans provide

			a context-specific description of relevant issues relating to compensation and, if relevant, livelihoods restoration measures. For these assistances, project specific mechanisms e.g., alternative forms of assistance can also be provided.
Entitlement to Expropriation compensation	Persons building structures or planting trees on the land titled in the name of other persons or ownerless, and/or has not been acquired by its customary owner are entitled to receive expropriation compensation as the minimum material value and valuated value of trees.	Full replacement cost	Difference will be paid by project to reach full replacement cost
Pasture land Compensation	Displaced persons benefiting from public properties area are not being compensated since the compensation is paid related Ministry	They should be provided assistance within the content of RAP.	Local resettlement plans will provide Project specific mechanisms for those persons
Resettlement planning	There is no statutory arrangement for preparation of a Resettlement Plan covering all displaced persons and host families.	World Bank policy requires preparation of RAP.	Preparation of a RAP by the Responsible body/or sponsor. The level of RAP detail will be commensurate with scale and complexity of impacts according to the World Bank documents. If land is acquired before financial assistance is sought, ex-post (retroactively) reporting procedures may be acceptable. Also, for the projects that entail additional and acquisition in the future, proactive study and reporting is necessary.

Institutional Status, Capacity and Coordination, Training	A number of different private and government institutions legally deal with one segment (e.g. cadastre/land registry, drillings, operations, power generation, land acquisition and resettlement; activities of various ministries, local governorates and private bodies) of the land acquisition and involuntary resettlement processes, with a lack of co-ordination between all agencies involved.	World Bank Policy requests a coordinated organizational framework for resettlement implementation between all agencies involved.	Responsible organizations and sponsors will provide such co-ordination under Project Implementation Unit Technical assistance, in the form of training and on-the-job support will be provided.
Public information, consultation, participation	There are inadequate provisions regarding public information, consultation and participation in the Turkish legislation	PAPs, their communities, and any host communities are to be provided with timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement.	This will be done by the Responsible organization/sponsor For Example: EMRA applies public information regarding urgent expropriation
Moving Allowance	A “moving allowance” is provided for the families who are entitled to government assisted resettlement	Assistances such as moving allowances should be provided for displaced persons during relocation	Assistance will also be provided to self resettlers through a special RAP fund set up by the project sponsor.
Host Communities/Families	There is no provision regarding the minimization of adverse impacts on host communities/families.	Host communities /families should be taken into account during planning; adverse impacts on host communities/ households should be minimized	Responsible organization/sponsor will prepare a Resettlement Action Plan taking into account the host communities/families if any
Monitoring	There are no provisions for monitoring in the Turkish legal framework	Arrangements for monitoring, implementation of RAPs and an evaluation of its impacts should be developed in line with	Project specific monitoring and evaluation program will be established and included in RAP. Also, monitoring and grievance redress mechanism will include

		the World Bank policy requirements	“beneficiary feedback indicators” as mentioned before.
Grievance Redress Mechanism	The existing system does not match World Bank requirements	Appropriate and accessible grievance mechanisms are to be established.	Mechanism will be established by responsible organization/sponsor. Also will take place in RAP in satisfactory details as mentioned above.

7. METHODS FOR VALUATION OF ASSETS

Under the Turkish legal framework, a valuation committee consisting of a minimum of three persons internally appointed by the agency responsible for land acquisition determines the estimated value of the immovable property to be expropriated, having regard to the information and documents to be obtained from expert persons, institutions and authorities (such as local directorate of Food Agriculture and Livestock), the Ministry of Industry and Trade where necessary, and from local real estate agencies as per Article 8 of the Expropriation Law. Number of commission can be more than one.

The valuation commission determines the estimated ceiling values of immovable properties in the expropriation area. During the valuation of immovable assets or resources, valuation commission (and the expert commission designated by the court) has to take into account the following valuation criteria, which is are mentioned in Article 11 of the Expropriation Law:

- The nature of the immovable property or resource,
- The size of the immovable property or resource,
- All the characteristics and elements, which could affect the value of the immovable property or resource, including the individual value of each element,
- Tax declaration, if any
- Previous values of property determined by official bodies at the date of expropriation,
- For lands, the net income that could be derived from the immovable property or resource (without undertaking any changes, using the immovable property or resource in the same conditions as of the expropriation date),
- For house plots, the amount for which equal (similar) house plots have been sold without any special purpose, prior to the date of expropriation,
- For structures, official unit prices (annually issued by the Ministry of Environment and Urban Planning) at the expropriation date, calculations of the cost of building, and depreciation for wear and tear, and
- Any other objective criteria that could affect the value of the property or resource

Value of compensation for easement right establishment corresponds to the decrease in the value of asset or resource stemming from this expropriation. This compensation is also valued by expropriation experts or responsible organization.

In order to ensure that valuation of assets is in compliance with OP 4.12, in addition to the Turkish legal requirements listed above, TSKB will follow the Entitlement Matrix in Appendix

4 which details the entitlements that will be necessary for each type of loss that can be suffered by project affected persons.

8. IMPLEMENTATION PROCESS

A model reporting format and specifics use of the Abbreviated Resettlement Action Plan/ Social Impact Screening Form to be prepared by sponsors has been provided (see *Appendices*) for cases with less than 200 persons that will be affected. The investor will ensure that this Abbreviated (or full) Resettlement Action Plan/ Social Impact Screening Form is submitted to the World Bank as soon as the final project design footprints have been determined for review and use as supporting documentation in project supervision.

Upon completion of payment of compensation for land acquisition to affected parties for whom compensation is sufficient to redress the impact of land acquisition, the investor/sponsor will prepare a land acquisition monitoring report as part of the supervision cycle, which will include the affected parties, lands taken, effects on livelihoods, the amounts and dates of compensation and completion date of land acquisition. Any unresolved compensation issues or expropriation cases taken to the courts will be noted in this report, which will be submitted to the World Bank in advance of commencement of civil works.

For past projects for which the documentation of compliance with op 4.12 will be filed, TSKB will use the attached Social Impact Screening Form.

In cases where land acquisition will result in a significant negative impact on income streams, would necessitate physical resettlement of project-affected people, or in total would affect 200 or more individuals, these impacts will be mitigated using sub-project-specific resettlement action plans (RAPs) which follow the guidance and criteria given in the project's Resettlement Policy Framework RPF and the World Bank Documents as well. (See *Appendix 3 and below note*)

“A full RAP is required at appraisal whenever land acquisition in a project affects more than 200 people, takes more than 10 percent of any holding, and involves physical relocation of population (OP 4.12, Para. 25; Figure 2.1). An abbreviated RP is acceptable if fewer than 200 people are displaced. Even if more than 200 people are affected, if all land acquisition is minor (10 percent or less of all holdings is taken) and no physical relocation is involved, an abbreviated RP is acceptable. If fewer than 200 people are displaced but some physical relocation is involved, the abbreviated RP is expanded to include a rehabilitation program (OP 4.12, Annex A, endnote 6).”

TSKB will forward the RAP along with all supporting documentation in appropriate format for sub-projects that trigger OP 4.12 to the World Bank for prior review and no objection. According to the OP 4.12, all RAPs will be disclosed in country, and submitted to the Bank for disclosure in the Bank's Info shop. Further, TSKB will report semi-annually to the Bank on the land acquisition status of new and on-going investments. For sub-projects where land

acquisition may have already been initiated without the prior knowledge of TSKB, TSKB will forward the document for the first two sub-projects that trigger OP 4.12 to the Bank for prior review and no objection. If the Bank agrees, for subsequent sub-projects the documents will be submitted for post review.

9. FUNDING

All project related land acquisition costs and supplemental RAP costs will be covered by the sponsors. Costs for technical support to sponsors and RAP supervision will be covered by TSKB.

10. CONSULTATIONS, COMMUNICATIONS, AND MANAGEMENT OF GRIEVANCES

OP4.12 requires that the borrower must conduct prior consultations with project affected persons in Bank funded project (s). Therefore, the sponsor or the investor will conduct and document consultation with communities in the area of influence of the project in advance of civil works. This consultation will describe the project's configuration and key features, including any associated infrastructure, (such as roads or transmission lines, temporary worker camps, etc), inform stakeholders of the approximate project start date and duration; inform people of salient impacts (such as possible employment of local people and skills needed, land acquisition and compensation, resettlement (if any) and income restoration arrangements, and other project benefits). It will be essential to inform local stakeholders of the name, contact information, and times of availability of the designated project official(s) to contact in the event of questions or problems related to land acquisition or other construction-related impacts.

The public contact official will keep records of salient issues or questions raised in discussions and steps taken to facilitate their resolution. He/she will pro-actively advise affected communities of up-coming project developments of significance to the community.

Grievance Redress Mechanism: In order to ensure community co-operation and help preclude potentially problematic social issues, the investor will ensure that the project sponsor establishes of a contact point and designates a contact person who is easily accessible and can help with the resolution of project-related questions or issues, including those related to land acquisition and resettlement or impacts on land and property during construction. The investor/sponsor will provide free telephones and will keep a grievance redress logbook at the project site and document grievances and how these were resolved. Grievance redress mechanism will operate in line with WB policy requirements.

As mentioned above, investor/sponsor should employ or designate a land acquisition and resettlement liaison officer for receiving and logging incoming grievances and conveying them to relevant authorities for resolution if those cannot be redressed at first step.

Investor/sponsor will ensure that all types of grievances will be first responded within 7 days from the date of receipt of complaint. If resolution of grievance may take more than 15 days, liaison officer will inform the situation to applicant and will try to have solution from related

higher level authorities within 1 month. Also, a database for all kind of received grievances will be logged and kept by the sponsor.

Grievances will be received through toll free phone, written petition, in person or through e-mail. Those are recorded in the grievance form. This form is comprised of four copies with different colors. When the grievance firstly received, a copy of filled grievance form is given to complainant. The officer receiving grievance will take the original form and forward another copy to responsible authority and the fourth copy will be sent to related ministerial organization. For example: in case of geothermal power generation project, if the subject of complaint is expropriation, third and fourth forms should be sent to Ministry of Finance and/or Ministry of Energy and Natural Resources, or EMRA.

Determination of corrective action;

In case of the responsible body (regarding complaint) is sponsor or constructor, firstly they shall respond to complainant within one week upon receiving grievance. But if the grievance is related to resettlement activities, in this case grievance will be responded utmost 10 days following the date it was received. Following the first respond to complainant, responsible party (or parties) will evaluate the grievance and determine the most appropriate “corrective actions” in consultation with complainant. Responsible party can request to send a commission for field (on site) investigations regarding the grievance. Following the redressing the grievance, sponsor will record a “close out form” indicating verification and sign off.

Grievance redress mechanism will operate in collaboration with monitoring system. Complaints/grievances of women will be logged separately and reported to project monitoring system to be fed into the project Results Framework Indicators. These should also be reported for the “Implementation Status Reports”.

11. MONITORING AND EVALUATION

Prior experience suggests that the sub-projects are unlikely to have significant negative impacts on affected persons that are not mitigated by compensation mechanisms. Nonetheless, there may be instances in which negative social impacts are foreseen. At the time of appraisal of a sub-project that involves land acquisition or resettlement, TSKB will submit to the Bank a sub-project-specific monitoring plan to track impacts and, if warranted, help the sponsor develop a mitigation plan to deal with the impacts. TSKBs will develop a Land Acquisition Monitoring Plan and during implementation, will submit [six-monthly] a separate monitoring reports to the Bank, showing the status of land acquisition and resettlement, status of compensation paid, issues faced, and mitigation measures implemented, public meetings held, livelihood restoration plans and programs started if any, types of grievances registered in grievance documentation and percentage of grievances resolved etc.

Monitoring will be performed in two ways, first is performance monitoring showing project activities (already done, done in this period, remaining to be done) and other related points,

second is external monitoring (by third party) showing the activities are in compliance with the World Bank policy requirements and the RAP as well. In case of the suggestion of the World Bank, “completion audit” or “panel of experts” will be provided by sponsor.

APPENDIX 1- ABBREVIATED RESETTLEMENT ACTION PLAN

(For application to all new sub-project investments)

Name & Location of Sub-project: Project Sponsor: Project cost: Installed generation capacity (No. units X MW/unit):					
<p><i>Project Components & land requirements</i></p> <ul style="list-style-type: none"> • Access road, including improvements to existing roads, (km & ha): • Transmission line corridor (ha): • Penstock(s), (number, ha, length and diameter): • Powerhouse, switchyard, associated facilities at powerhouse site (ha): • Weir/ regulator/or impoundment structure; indicate which & size of structure: • Reservoir / storage impoundment area (ha): • Other physical features requiring land (ha): • Temporary sites needed for equipment parks, lay-down areas, etc: • Completion date of Census/Inventory of Assets: • Completion date of the Land Acquisition: <p>• Attach site-plan, including associated facilities</p>					
<p><i>Inventory of Land and Assets Acquired from Private Owners</i></p>					
Name of Owner and/or Land User	Project Component: Area(s) / plot (s) acquired (ha)	Owner's / user's total land (ha) & % taken	Land use: pasture, agriculture, residence, etc. Indicate & detail any structures or other fixed or productive assets (wells, fences, trees, standing crops, etc) to be taken. Indicate if land is rented or informally used by another party. * Indicate if land-based activity is primary source of income for owner or land user or if household is economically vulnerable.	Compensation to be paid. Compensation / other measures for renters or land users.	Impact on income of owner. Impact on income of lease holder or informal land user renders them vulnerable. Compare the incomes annually derived from taken land and total annual income of owner (to show livelihood loss)

1.					
2.					
3.					
4. ...					

Inventory of Public, Community, or State Land Acquired

Project Component: land parcel(s) required. Area acquired / parcel.	Land type / land use: Forest, commons for grazing, other.	Ownership: State, community, other. Structures or other fixed assets.	Compensation, land transfer, or other measures to mitigate impacts on land users. Specify measures and dates of delivery. Show the effect of land take on livelihood of user

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Consultations, Communications, & Management of Grievances and Implementation Issues.

- Provide date(s), location(s), and a resume of key issues discussed in the meeting.
- The public contact official will keep records of salient issues or questions raised in discussions and steps taken to facilitate their resolution. He/she will pro-actively advise affected communities of up-coming project developments of significance to the community. Also beneficiary feedback indicators will be reported for Implementation Status Reports.

APPENDIX 2 - REPORTING FORM FOR RESETTLEMENT ACTION / SOCIAL IMPACTS OF PROJECTS

(For application to all past sub-project investments)

Name & Location of Sub-project: Project Sponsor: Project cost: Installed generation capacity (No. units X MW/unit):																																			
Key Dates of implementation For example—application, approval, public consultation, court dates, work start dates etc																																			
<p><i>Inventory of Land and Assets Acquired from Private Owners</i></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:15%;">Name of Owners/land user</th> <th style="width:15%;">Project Component: Area(s) / plots(s) acquired (ha)</th> <th style="width:15%;">Owner's/user's total land holding (ha); % taken for project.</th> <th style="width:20%;">Land use: pasture, agriculture, residence, etc. Inventory of any structures or other fixed or productive assets (wells, fences, trees, field crops, etc) affected. Indicate if land was rented or informally used by another party. Indicate if non-owner users had assets, trees, crops, etc affected Indicate if land-based activity is primary source of income for owner or land user.</th> <th style="width:15%;">Compensation paid. Other actions taken for renters or users. Dates delivered.</th> <th style="width:20%;">Impact on income (and livelihood) of owner. Impact on income (and livelihood) of renters or informal land users, or the persons without any immovable asset.</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>2.</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>3.</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>...</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>						Name of Owners/land user	Project Component: Area(s) / plots(s) acquired (ha)	Owner's/user's total land holding (ha); % taken for project.	Land use: pasture, agriculture, residence, etc. Inventory of any structures or other fixed or productive assets (wells, fences, trees, field crops, etc) affected. Indicate if land was rented or informally used by another party. Indicate if non-owner users had assets, trees, crops, etc affected Indicate if land-based activity is primary source of income for owner or land user.	Compensation paid. Other actions taken for renters or users. Dates delivered.	Impact on income (and livelihood) of owner. Impact on income (and livelihood) of renters or informal land users, or the persons without any immovable asset.	1.						2.						3.						...					
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1.																																			
2.																																			
3.																																			
...																																			

Inventory of Public, Community, or State Land Acquired

Land parcels / plots acquired (ha).	Land type / land use: Forest, commons for grazing, other.	Ownership: State, community, other. Structures or other fixed assets.	Compensation, land transfer, or other measures to mitigate impacts on land users. Specify measures and dates of delivery. Show the impact of land take on the livelihood of user

Public Awareness, Consultations, and Communication

Dates of information and consultations	Concerns raised at public consultation	Concerns raised outside public consultation	How these concerns were resolved? What are the feedbacks?

Status of Land Acquisition

Completed	Pending Court decision	On-going	Follow-up
Acquired through permission of owner, negotiated settlement, court,			

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Other Measures or Assistance provided (beyond cash compensation)

Beneficiary(s)	Relocation assistance	Alternative Land	Livelihood restoration measures	Summary of impact addressed

Identification of Vulnerable People

(E.g.: Elderly, disabled, widows, poor households, etc.)

Beneficiary	Method of identification	Assistance or other measures provided.

Grievance Redress

Mechanism(s) made available for project-affected persons to register grievances or complaints.	Were affected people made aware of grievance redress mechanism? If so, when and where?	Was the grievance redress mechanism easy to access and free of cost to affected parties?	Was an independent third party engaged in facilitating grievance redress? E.g.: community leaders, NGOs, or other mutually-respected independent parties.	Feedbacks; Grievances of women, Changes in the number of participants, Main solutions, Changing procedures, rules (if any) on implementation upon the grievances or requests of PAPs.

Use of the Audit Form

- The investor/sponsor will ensure that this form is completed for each sub-project already completed.
- The audit forms will be submitted to the World Bank for review and supervision / follow-up.

APPENDIX 3 - REPORTING FORMAT FOR FULL RESETTLEMENT ACTION PLAN

(To be used in all cases where land acquisition impacts significantly affect income, necessitate physical resettlement, or in aggregate affect 200 or more persons, in line with the scope and level of details of RAP indicated in WB documents on involuntary resettlement)

Introduction (use information already acquired in the screening form).

Briefly describe the project.

List project components including associated facilities (if any).

Describe project components requiring land acquisition and resettlement; give overall estimates of land acquisition and resettlement.

Attach project site plan or map from screening form, showing land acquisition impacts.

(Attach land ownership, land use maps)

Minimizing Resettlement

Indicate any design changes made to minimize physical or economic displacement of people.

Census, inventory and Socioeconomic Surveys

Provide additional socio-economic data, needed to develop appropriate remedies for impacts on income streams for affected persons / families or businesses identified in the screening form.

Inventory any fixed assets to be acquired for the project.

Identify any cases of vulnerable people, or people in need of special assistance.

Legal Framework (copy from RPF)

Describe relevant local laws and instructions that apply to land acquisition and resettlement
Identify gaps between local laws and WB's policies, and describe project specific mechanisms to address conflicts

Resettlement Sites

If land-for-land is given, provide details of location, size, capacity of compensating the lost income derived from taken land and any salient features of replacement land.

Entitlements and Income Restoration

Using socio-economic data on affected party, describe income restoration remedies provided.

Describe any additional economic rehabilitation measures; such as transition and moving allowances, temporary housing, or other measures.

Describe any special assistance given to vulnerable people or households.

Describe method of valuation used for affected structures, land, trees or other assets, (recall that OP 4.12 provides for replacement cost of lost assets).

Summarize all types of impacts and entitlements provided in a matrix form; (as shown in RPF, Appendix 4).

Institutional Arrangements

Describe the institution(s) responsible and project level organizational arrangements to ensure preparation and implementation of the RAP.

Implementation Schedule

List the chronological steps in implementation of the RAP; ensure that entitlements are given before civil works.

Participation and Consultation

Describe the stakeholders and the process of consultation and stakeholder participation in preparation and implementation of the RAP.

Keep records and summarize consultations with affected parties: key issues, how addressed etc. Also report the feedback indicators.

Describe arrangements (personnel, site offices, etc) to ensure open communications with local stakeholders.

Grievance Redress

Describe the process of registering and addressing grievances related to land acquisition, resettlement or other project impacts on the local community.

Ensure that this process is cost-free with a reasonable response in short time.

Involve an independent mutually-respected third party in resolving grievances.

Prepare sample grievance registry (logging) forms and close out forms.

Keep records of all grievances or issues raised and how resolved or managed to minimize affected parties resorting to the law courts, also report beneficiary feedback indicators.

Monitoring and Evaluation

Describe the monitoring and closure arrangements for the RAP.

Describe the monitoring system in line with WB documents such as performance monitoring, external monitoring by third party.

Describe the frequency of reporting and key elements of the monitoring plan.

Describe content of reports including beneficiary feedback indicators.

Cost and budget

Provide the budget for the RAP, showing financial responsibility and authority with regard to all land acquisition and resettlement activities including contingencies.

APPENDIX 4 - ENTITLEMENT MATRIX: GEOTHERMAL DEVELOPMENT PROJECT

Category of PAP (based on physical loss)	Type of Loss	ENTITLEMENTS								
		Land Acquisition	Temporary Acquirement or sale	Compensation for the loss of			Government assisted resettlement			Remarks and Other Assistance (by the Governmental organization and Sponsor)
				Assets Land/structure	Crops	Income loss stemming from loss of business (i.e. Market place, customers, service place)	Agricultural Resettlement	Non Agricultural Resettlement	Physical Resettlement (village)	
Household/family with legal ownership who do not bring into use of (his) land by the Sponsor	Loss of land and/or structure	-Project affected lands and structures will be expropriated, fair compensation at full replacement cost will be paid, -objective criteria will be considered for structures and lands as well, - there will be no confiscation before the payment,	In case of easement right establishment (temporary or permanent) : -Fair compensation will be paid, -Easement right establishment conditions will cover <u>reinstatement</u>	Land acquisition will be implemented according to the Law no: 2942. -Assets lost or damaged (if any) within the project area will be compensated at full replacement cost, -If any damage is given to the assets outside the expropriation	Compensation will be paid within the expropriation procedure, -If any harm to crops occurs outside the expropriation area, the cost of harm will be compensated by sponsor/contractor	- Compensation for the business lands and structures will be provided through the expropriation procedure, -No compensation is provided for the business losses, transition assistance will be provided by	-Family may be entitled to agricultural resettlement upon their request, if their situation meets the provisions of Resettlement Law. (They should make down payment at the amount of 120 times of a minimum wage, and should have	-Family may be entitled to non-agricultural resettlement upon their request, if their situation meets the provisions of Resettlement Law. (They should make down payment at the amount of 120 times of a	-This option is implemented in the villages affected by the projects. Only house plot and construction credit are provided for the family, income restoration is not included	-Public Information and consultation, -Moving allowance, Transition assistance, (if any), -Grievance redress, -Topping up cost to reach replacement cost will be paid by sponsor (for structures, house plots, lands, and workplace),

		-payments of the shared owners will be awarded on the basis of land and structure taken.		area, the cost of damage will be compensated by sponsor, - Transportation costs of movable equipment will be compensated through providing necessary vehicles and means by the sponsor.		RAP/sponsor	meet other conditions mentioned in the Law.) They are given land, house and agricultural operation credits (Repayment: within 15 years following grace period of 5 years, without any interest)	minimum wage, and should have meet other conditions mentioned in the Law.) They are given house, workplace. (Repayment : within 15 years following grace period of 5 years, without any interest)		Income restoration assistance, All costs will be paid by the sponsor
Household/family With legal ownership who permits for usage or sale owned land to Sponsor	Loss of land and/or structure	N.A	Price of permission for temporary usage or sale depends on agreement between sponsor and owner (at full replacement cost).	-If any damage is given to the assets outside the expropriation area, the cost of damage will be compensated by sponsor,	Sponsor will wait harvesting, if it is not possible, should pay the price of crops lost.	N.A	N.A	N.A	-This option is implemented in the villages affected by the projects. Only house plot and construction credit are	Full replacement cost, Relocation allowance, Transition assistance,

			Mainly: Their contract (agreement) on temporary usage will definitely include <u>reinstatement</u> of the land	- Transportation costs of movable equipments will be compensated through providing necessary vehicles and means by the sponsor.					provided for the family, income restoration is not included.	Persons will be included other RAP activities, Income restoration assistance, All costs will be paid by the sponsor
Illegal User Household/family	Loss of structure and/or tree	Full replacement cost of structure (according to Law, only minimum material price of construction is paid), Full costs (calculated according to	N.A	No land expropriation, Full Replacement cost for structures, Full cost for trees	N.A	N.A	-Family may be entitled to agricultural resettlement upon their request, if their situation meets the provisions of Resettlement Law.	-Family may be entitled to non-agricultural resettlement upon their request, if their situation meets the provisions of	-This option is implemented in the villages affected by the projects. Only house plot and construction credit are provided	Topping up costs to reach replacement cost will be paid by sponsor, Income restoration assistance, All costs will be paid by the sponsor,

		Expropriation Law) of trees are paid					They are given land, house and agricultural operation credits (Repayment: within 15 years following grace period of 5 years, without any interest)	Resettlement Law. They are given, house and workplace (Repayment : within 15 years following grace period of 5 years, without any interest)	for the family, income restoration is not included	Transition assistance by sponsor.
Household Renter of house and/or renter or sharecropper of Land, and renter of workplace	Loss of rented house or land, or workplace	N.A	N.A	N.A	Compensation for the crop will be paid land owner within the expropriation procedure, renter should request his share from the owner, -If any harm to crops occurs outside the	Renter of shop, No compensation is provided for the business losses Transition assistance will be provided by RAP/Sponsor or	-Family may be entitled to agricultural resettlement upon their request, if their situation meets the provisions of Resettlement Law. They are given land, house and	-Family may be entitled to non-agricultural resettlement upon their request, if their situation meets the provisions of Resettlement Law.	-This option is implemented in the villages affected by the projects. Only house plot and construction credit are provided for the family, income	Renter will be assisted to find new land or house, workplace (if any), Moving and Transition assistance will be provided by sponsor, Income restoration,

					expropriation area, the cost of harm will be compensated by sponsor/contractor		agricultural operation credits (Repayment: within 15 years following grace period of 5 years, without any interest)	They are given, house and workplace (Repayment : within 15 years following grace period of 5 years, without any interest)	restoration is not included	All costs will be paid by the sponsor
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Households/ Families without any assets to be expropriated, but user of pasture or other lands belonging government	Loss of land where the family derive income	N.A	N.A	N.A	Crop values on treasury lands will be paid by sponsor	Sponsor will assist family to find alternative land for usage, or compensate	-Family may be entitled to agricultural resettlement upon their request, if their situation meets the provisions of Resettlement Law. They are given land, house and agricultural operation credits (Repayment: within 15 years following grace period of 5 years, without any interest)	Family may be entitled to non- agricultural resettlement upon their request, if their situation meets the provisions of Resettlemen t Law. They are given, house and workplace (Repayment : within 15 years following grace period of 5 years, without any interest)	-This option is implemente d in the villages affected by the projects. Only house plot and constructio n credit are provided for the family, income restoration is not included	Benefit from income restoration activities, Assistance to find alternative land, Transition assistance, All costs will be paid by the sponsor
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Project Affected Entity										
Ministry of Forestry and Water Affairs	Loss of lands	Land required by the project will be allocated to sponsor	Easement right will be established	Compensation of assets will be paid to the Ministry	N.A	N.A	N.A	N.A	N.A	33.
Village legal entity	Loss of common property	Fair compensation at full replacement cost will be paid to village administration	Fair compensation for right of way will be paid to village administration	Fair compensation at full replacement cost will be to village administration	Fair compensation for crops (if any) will be paid to village administration	N.A	N.A	N.A	N.A	Moving costs will be paid by the sponsor
Treasury	Loss of state owned lands	Lands required by the project will be allocated to sponsor	Right of way will be allocated to sponsor	N.A	If there are users/renters on that land, users will be compensated by sponsor	Income losses of land user such as artisan etc... on treasury land will be compensated by sponsor	N.A	N.A	N.A	All expenditures will be paid by the sponsor
Ministry of Food	Loss of state	Category of pastureland will be changed	Category of pastureland will be changed	The value of the structures	Compensation (Grass value of 20 years) will be	N.A	N.A	N.A	N.A	Users of pasture such as grazers

Agriculture and Livestock	owned pastures	upon the request of the related Ministry, the land first will be registered on treasury, then it will be allocated to project	upon the request of the related Ministry, the land first will be registered on treasury, then it will be allocated to project (through the Provincial Special Administration , for component 1/exploring or operation license)	(if any) will be paid to	paid to the Ministry of Food Agriculture and Livestock.					will be assisted by sponsor (finding alternative grazing lands, alternative grazing system, or compensation etc...) All costs will be paid by the sponsor
Municipalities and Other Governmental Organizations	Loss of lands, buildings and other assets such as telephone lines, electricity lines, water channels, etc...	-Immovable properties will be transferred to related governmental organization such as Provincial Special Administration, Ministry of Energy etc... then will be allocated to sponsor,	The value of right of way will be awarded to owner organization, then allocated to sponsor	For movable assets; Disassembling , transportation and assembling compensation will be paid to relevant organization	Fair compensation will be paid to owner organization	N.A	N.A	N.A	N.A	All costs will be paid by the sponsor

		-The value of the asset will be paid to relevant organization								
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