



**The Republic of Uzbekistan State  
Committee on Forestry**

**Uzbekistan Resilient Landscapes Restoration  
Project**

**P174135**

**PROCESS FRAMEWORK  
AND  
RESETTLEMENT POLICY  
FRAMEWORK**

**December 2021**

## CONTENTS

<b>1. INTRODUCTION</b> .....	3
<b>1.1. Project background</b> .....	3
<b>1.2. Sector context</b> .....	3
<b>1.3. Project description</b> .....	4
<b>1.4. Project area and beneficiaries</b> .....	5
<b>1.5. Potential social risks and impacts</b> .....	6
<b>1.6. Scope and objectives of the Process Framework &amp; Resettlement Policy Framework</b> .....	7
<b>2. LEGAL FRAMEWORK</b> .....	8
<b>2.1. World Bank Environmental and Social Standards</b> .....	8
<b>2.2. National Legal Framework and Policy</b> .....	9
<b>2.2.1. National Environmental Legislation</b> .....	11
<b>2.2.2 National Social Legislation</b> .....	15
<b>3. RIGHTS OF PROJECT AFFECTED PERSONS</b> .....	22
<b>3.1. Eligibility and Entitlements</b> .....	22
<b>3.2. Considerations for vulnerable groups</b> .....	24
<b>3.3. Project activity stages</b> .....	24
<b>4. PARTICIPATION</b> .....	25
<b>4.1. Community mobilization and engagement</b> .....	25
<b>4.2. Community awareness raising</b> .....	25
<b>4.3. Updating of management plans for PAs</b> .....	26
<b>4.4. Other alternative sources</b> .....	27
<b>4.5. Monitoring and reporting</b> .....	27
<b>5. POTENTIAL IMPACTS AND MITIGATION MEASURES</b> .....	28
<b>5.1. Potential Positive Impacts</b> .....	28
<b>5.2. Potential Adverse Impacts</b> .....	28
<b>5.3. Mitigation of impacts</b> .....	28
<b>6. PLAN OF ACTION</b> .....	30
<b>7. IMPLEMENTATION ARRANGEMENTS</b> .....	31
<b>8. PUBLIC CONSULTATIONS AND GRIEVANCE MECHANISM</b> .....	33
<b>8.1. Public consultation and participation during PF&amp;RPF preparation</b> .....	33
<b>8.2. Public consultation and participation during project implementation</b> .....	33
<b>8.3. Grievance mechanism</b> .....	34

## ABBREVIATIONS AND ACRONYMS

CAMP4ASB	Climate Adaptation and Mitigation Program for Aral Sea Basin
CAREC	Regional Environmental Centre for Central Asia
CBA	Community Business Agent
CBD	Convention on Biological Diversity
CE	Citizen Engagement
CGIAR	Consortium of International Agricultural Research Centres
ESA	Environmental and Social Assessment
ESS5	Environmental and Social Standard 5 (World Bank)
ESS6	Environmental and Social Standard 6 (World Bank)
E&S	Environmental and Social
FAO	Food and Agriculture Organization of the United Nations
GHG	Greenhouse Gas
GIZ	German Society for International Cooperation ( <i>Deutsche Gesellschaft für Internationale Zusammenarbeit</i> )
GoU	Government of Uzbekistan
GM	Grievance Mechanism
ICARDA	International Center for Agricultural Research in the Dry Areas
ICBA	International Center for Biosaline Agriculture
ICSD	Interstate Commission on Sustainable Development
ICT	Information and Communication Technology
IUCN	International Union for Conservation of Nature
LDN	Land Degradation Neutrality
MCA	Mahalla Citizen Assembly
MIS	Monitoring Information System
MoF	Ministry of Finance
NBT	Nature-based Tourism
NDC	Nationally Determined Contribution
NFI	National Forest Inventory
NFMS	National Forest Monitoring System
NSC	National Steering Committee
NWFP	Non-Wood Forest Product
OHS	Occupational Health and Safety
PA	Protected Area
PDO	Project Development Objective
PIU	Project Implementation Unit
PPSD	Project Procurement Strategy for Development
REFCA	Regional Engagement Framework for Central Asia
SCEEP	State Committee on Ecology and Environmental Protection
SCF	State Committee of Forestry
SCF-IRED	State Committee on Forestry-International Relations and Ecotourism Development
SFF	State Forest Fund
SME	Small and Medium Enterprise
TSAU	Tashkent State Agrarian University
UNCCD	United Nations Convention to Combat Desertification
UNDP	United Nations Development Program
UNECE	United Nations Economic Commission for Europe
USFS	United States Forest Service
UzRDB	Red Book of the Republic of Uzbekistan

## **1. INTRODUCTION**

### **1.1. Project background**

The Uzbekistan Resilient Landscapes Restoration Project (RESILAND-UZ) comes under the umbrella of a regional RESILAND Central Asia (CA) + Program, the objective of which is to increase the resilience of regional landscapes in Central Asia. The Program will include at least three IDA countries (Uzbekistan, Tajikistan, Kyrgyz Republic, and potentially Afghanistan) and support activities with regional spillovers, namely (i) improved connectivity and integrity of natural resources across borders, (ii) increased resilience of key regional infrastructure prone to the impacts of land degradation (e.g., roads, railways, and dams), and (iii) increased resilience of transboundary communities benefitting from more productive landscapes and livelihood opportunities. The Program will also help establish a regional platform for high-level dialogue to support harmonization of policies and approaches between countries on landscape restoration, designed as a component of each country-level project. Each country project will have a regional component, that will be implemented by the Regional Environmental Centre for Central Asia (CAREC). Regional impact of the Program will be measured by aggregating the results of individual country projects and monitoring results of regional activities.

A regional program on landscape restoration and management is considered the most effective approach to making a difference in the region, as opposed to individual country-specific projects. Since transboundary areas are hotspots for land degradation and poverty and restoring land can provide a dual benefit of increased productivity and improved livelihoods, and address risks to communities and infrastructure, regional cooperation is needed to harmonize approaches and harness the ecological and economic benefits across shared corridors. In this context, national approaches would not be as effective in affecting landscape restoration. A regional program is also aligned with the countries' changed vision of addressing the degradation of regional public goods by coming together as one region.

The State Committee on Forestry (SCF) is the implementing agency of the Uzbekistan Resilient Landscapes Restoration Project (RESILAND UZ), and has prepared this document presenting Process Framework and Resettlement Policy Framework (PF&RPF) principles and objectives. The PF&RPF is prepared for the Project (RESILAND UZ).

### **1.2. Sector context**

Drylands in Central Asia are one of the most rapidly degrading and climate-vulnerable areas in the world. A mix of natural arid conditions and increasing anthropogenic pressures, such as converting land to intensified commercial agriculture, logging, and pasturing, have led to land degradation, erosion, and loss of vegetation cover (forest degradation has been ongoing for at least one century in Uzbekistan). This, in turn, has affected the productivity of agriculture, the resilience of transport/infrastructure, and the potential for tourism development, while increasing the fragility of the region. The region is increasingly exposed to intense weather events and natural disasters, which further degrade the landscapes, the living conditions, and the economic opportunities of people. Climate change impacts are expected to worsen the condition of countries' natural resources and the overall resilience of their populations and ecosystems.

Forest degradation has been ongoing for at least one century in Uzbekistan. Deforestation along mountainous rivers has caused formation of mudflows and destruction of irrigation systems.

Moreover, climate change in Uzbekistan is progressing and may only worsen in the future: moisture availability may decline and consequently the probability of receiving reasonable crop harvests in non-irrigated lands (bogbara) will decrease, as well as fodder biomass in pastures. In combination with increasing anthropogenic load, it will result in increasing the pressure on natural pastures, their further degradation and withdrawal of non-irrigated (dry) lands from economic turnover. In this context it becomes a necessity to find alternative methods of business, which could generate income for the people under conditions of current climatic change and restore normal condition and functions of ecosystems of drying zones for further sustainable use.<sup>1</sup>

Uzbekistan is a low forest-cover country (LFCC), with 3.68 million ha of land covered with forests (“forested land”), corresponding to 8.6% of the land area. The main function of nearly the entire forest estate is protection of soil and water; the wood production function is negligible. The largest forest areas (estimated to more than 3 million ha) are located in cold desert areas and consist mainly of low saxaul forests, which have the characteristics of woodlands than forests. Forests are likely to be significantly impacted by climate change but can contribute to increase resilience and reduce vulnerability of social systems and ecosystems in the country. Researchers expect that even small changes in temperature and precipitation could greatly affect future forest growth and survival in Uzbekistan.

Forests perform mainly ecological (soil protection, water protection, protection of flora and fauna and other natural resources, protective, sanitary and hygienic, health-improving, recreational) and socio-economic functions.

State forest fund. All forests form the state forest fund. The state forest fund consists of: forests of state importance, that is, forests under the jurisdiction of the state forestry authorities; forests used by other departments and legal entities.

### 1.3. Project description

The Uzbekistan Resilient Landscapes Restoration Project will be financed by a US\$142 million IDA credit, a US\$8 million PROGREEN Trust Fund grant, and a US\$3 million grant from the Korea World Bank Partnership Facility (KWPF), for a proposed total financing of US\$153 million. The Project will be implemented by the State Committee on Forestry (SCF) over a five-year period. The geographic focus of the Project are six transboundary corridors<sup>2</sup> that traverse Uzbekistan and Tajikistan, with Project-financed activities taking place on the Uzbek side of the corridors.

The Project Development Objective (PDO) is to increase the area under sustainable landscape management in selected locations in Uzbekistan and promote Uzbekistan’s collaboration with Central Asia countries on transboundary landscape restoration. The Project will support Uzbekistan’s global commitments on land degradation neutrality (LDN), and Nationally Determined Contribution (NDC) to GHG mitigation. It will also support Uzbekistan’s commitment under the 2018 Bonn Challenge to restore 500,000 hectares of degraded land by 2030 and additional 500,000 hectares with the support of the international community, and the

---

<sup>1</sup> <http://www.fao.org/3/k9589e/k9589e17.pdf>

<sup>2</sup> For the purposes of the project, *transboundary corridors* are geographical spaces that provide connectivity between landscapes, ecosystems, and natural or modified habitats, ensuring the maintenance of ecosystem services. The corridors connect a mosaic of different land uses – protected areas, forests, pastureland, degraded agriculture lands, and irrigated land.

2018 Astana Resolution on reinforced cooperation on landscape restoration in Central Asia. The Project consists of four Components as summarized below.

**Component 1. Strengthen Institutions and Policies, and Regional Collaboration**

- Sub-Component 1.1. Strengthen Institutions and Policies
- Sub-Component 1.2. Develop an ICT Platform for Forest Landscape Restoration and Management
- Sub-Component 1.3. Strengthen Regional Collaboration

**Component 2. Enhance Resilient Landscape Management and Livelihoods**

- Sub-Component 2.1. Enhance Tree-based Landscape Restoration and Management
- Sub-Component 2.2. Enhance Resilient Livelihoods and Value Chains

**Component 3. Enhance Protected Areas and Nature-based Tourism**

- Sub-Component 3.1. Improve Protected Area Management
- Sub-Component 3.2. Enhance Nature-based tourism

**Component 4. Project Management and Coordination**

**1.4. Project area and beneficiaries**

The Project corridors span across degraded border areas as follows (see Figures 2.1 and 2.2):

- Corridor 1 traverses four districts in Surkhandarya province and includes the Bobatag/Key Biodiversity Area and Uzun forest
- Corridor 2 traverses one district in Surkhandarya province, two districts in Kashkadarya province, and three districts in Samarkand province, and includes Kitab and Shakhrisabz forests and Zarafshan National Park/PA
- Corridor 3 traverses three districts in Jizzakh province, and includes the Zaamin National Park/PA
- Corridor 4 traverses one district in Jizzakh province and includes the Arnasay PA/Key Biodiversity Area
- Corridor 5 traverses one district in Syrdarya province and includes the Qolqansir forest
- Corridor 6 traverses one district in Namangan province and includes the Pop forest

**Figure 2.1: Project Sites**



**Figure 2.2: Project Transboundary Corridors**



The main project beneficiaries are rural communities in the targeted areas namely low-income rural family enterprises, farmer/community groups, and small rural entrepreneurs. Within these communities, the Project will target, among other things, low-income households, livestock owners and herders, and the most vulnerable groups, including women and youth, who will benefit from new and improved landscape restoration practices that will provide them with jobs and income, and new and improved forest and non-forest livelihood opportunities with a value-added focus. Activities supported under Component 1 will target central and decentralized State authorities managing forests and forest landscapes, particularly the SCF, as well as *leskhoz*, whose staff will benefit from increased technical and operational capacity to carry out their mandates, improved equipment, and infrastructure, and improved and more accessible data to support the timely and informed decision making related to landscapes and forests. At the regional level, the main beneficiaries are governments of the five Central Asia countries, who will gain knowledge about landscape restoration and other solutions for emerging regional issues and will be provided with opportunities to create and foster partnerships around these issues.

### 1.5. Potential social risks and impacts

The WB Environmental and Social Standard (ESS) 5 recognizes that restriction on access to land or use of other resources including communal property and natural resources (such as timber and non-timber forest products, freshwater, medicinal plants, hunting and gathering grounds and grazing and cropping areas) can have adverse impacts on communities and people.

Under RESILAND UZ there is a possibility of restriction of access of households from local communities into Protected areas (PA) of targeted landscapes or lands owned by *leskhoz*s. Social risks include potential changes of land-use practices and restriction of access to pastures and forest land, forest products and other natural resources traditionally used by local

communities of targeted landscapes as a result of the development and implementation of integrated land use plans and implementation of management plans of protected areas.

The project does not anticipate any physical displacement due to direct project interventions and construction works. The project interventions will be implemented in representative sites within the project areas, predominantly on State Forest land. Other lands may be used where interventions are required, provided there are no outstanding issues such as disputed tenure or other rights. Any project subcomponents and activities which would involve any physical displacement will not be eligible for financing by RESILAND UZ. This requirement will be ensured through the implementation of the project Environmental and Social Management Framework (ESMF). This PF&RPF has been prepared to mitigate risks and impacts from access restrictions to natural resources in and outside PAs caused by RESILAND UZ.

#### **1.6. Scope and objectives of the Process Framework & Resettlement Policy Framework**

This PF&RPF is prepared to facilitate community participation in and outside of Protected areas and aims to enable the affected communities to participate in the design of project components; to ensure their livelihoods will not be negatively affected as a result of project implementation; to identify and provide them with alternative sources of livelihood and necessary support, and to actively involve them in the implementation and monitoring of relevant project activities.

The purpose of the PF&RPF is to provide a framework to appropriately identify, address and mitigate adverse social risks and impacts that may occur due to the implementation of subprojects that involve access restrictions to natural resources in and outside of Protected Areas. The key objectives of the PF/RPF are to:

- (i) establish a process by which members of potentially affected communities participate in design of project components, determination of measures necessary to achieve the objectives of ESS5.
- (ii) clarify resettlement (access restrictions) principles, organizational arrangements, and design criteria to be applied to subprojects or project components to be prepared during project implementation.

Once site-specific project components are defined and the necessary information becomes available, a specific Action Plan will be prepared where needed to mitigate the livelihood impacts of planned project activities.



## **2. LEGAL FRAMEWORK**

### **2.1. World Bank Environmental and Social Standards**

The WB's ESS5 recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. Project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood), or both. This ESS applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use undertaken or imposed in connection with project implementation:

- (a) Land rights or land use rights acquired or restricted through expropriation or other compulsory procedures in accordance with national law;
- (b) Land rights or land use rights acquired or restricted through negotiated settlements with property owners or those with legal rights to the land, if failure to reach settlement would have resulted in expropriation or other compulsory procedures;
- (c) Restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights. This may include situations where legally designated protected areas, forests, biodiversity areas or buffer zones are established in connection with the project;
- (d) Relocation of people without formal, traditional, or recognizable usage rights, who are occupying or utilizing land prior to a project specific cut-off date;
- (e) Displacement of people as a result of project impacts that render their land unusable or inaccessible;
- (f) Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, fresh water, medicinal plants, hunting and gathering grounds and grazing and cropping areas;
- (g) Land rights or claims to lands or resources relinquished by individuals or communities without full payment of compensation; and
- (h) Land acquisition or land use restrictions occurring prior to the project, but which were undertaken or initiated in anticipation of, or in preparation for, the project.

The PF&RPF defines procedures to allow the project affected persons (PAPs) to participate in determining the measures necessary to mitigate or minimize the effects of reduced access to natural resources. As per the World Bank's Environmental and Social Standard (ESS) 5, the term "displaced persons" is synonymous with "project affected persons" and is not limited to those subjected to physical displacement. It must be noted, however, that RESILAND-UZ project activities are not expected to result in physical relocation of persons or communities. In terms of this PF&RPF, PAP refers to those persons who lose access to natural resources in and outside of Pas, resulting in adverse impacts on their livelihoods. The Project will need to assess who would be eligible for livelihood support based on such loss of access as a result of restrictions carried out under the project. PF&RPF provides guidelines to develop Action Plans during the project implementation, which:

- Identify restrictions of access to natural resources in and outside the proposed protected areas;
- Identify and quantify the impact that these restrictions may have on various segments of the local community;

- Identify participatory approaches to engage PAPs in PAs project activities planning and implementation;
- Propose, implement, and monitor remedial measures to compensate the loss of these assets and the associated income;
- Provide grievance mechanisms to address any problems that may arise due to limited access to resources during the project implementation.

PF&RPF ensures that the views of people who can benefit from the project, especially vulnerable people such as women, are included in the planning process. Targeted activities will ensure that all PAPs participate in the process and receive adequate compensation and assistance.

ESS6 recognizes the importance of maintaining core ecological functions of habitats, including forests and protected areas and the biodiversity they support. It also recognizes the need to consider the livelihood of project-affected parties, whose access to, or use of, biodiversity or living natural resources may be affected by a project. The potential, positive role of project affected parties, in biodiversity conservation and sustainable management of living natural resources is also considered.

This ESS recognizes legally protected areas that meet the following definition: “A clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values.”

ESS6 requires a differentiated risk management approach to habitats based on their sensitivity and values. This ESS addresses all habitats, categorized as ‘modified habitat’, ‘natural habitat’, and ‘critical habitat’, along with ‘legally protected and internationally and regionally recognized areas of biodiversity value’ which may encompass habitat in any or all of these categories.

Where the project occurs within or has the potential to adversely affect an area that is legally protected, designated for protection, or regionally or internationally recognized, the Borrower will ensure that any activities undertaken are consistent with the area’s legal protection status and management objectives. The Borrower will also identify and assess potential project-related adverse impacts and apply the mitigation hierarchy so as to prevent or mitigate adverse impacts from projects that could compromise the integrity, conservation objectives or biodiversity importance of such an area. In addition, the Borrower will:

- (a) Demonstrate that the proposed development in such areas is legally permitted;
- (b) Act in a manner consistent with any government recognized management plans for such areas;
- (c) Consult and involve protected area sponsors and managers, project-affected parties including Indigenous Peoples, and other interested parties on planning, designing, implementing, monitoring, and evaluating the proposed project, as appropriate; and
- (d) Implement additional programs, as appropriate, to promote and enhance the conservation aims and effective management of the area.

## **2.2. National Legal Framework and Policy**

The State Committee of the Republic of Uzbekistan for Ecology and Environmental Protection (SCEEP) is a specially authorized state body in the field of state environmental expertise. The SCEEP is subordinated to Cabinet of Ministers (CM) and has responsibility for ministries, state

committees, establishments and organizations for the use and protection of lands, subsoils, water, forests, flora and fauna, and air.

The CM is the Executive body responsible for the implementation of state nature protection policy, coordinate development and realization of state programs of socio-economic development. The CM controls their execution and is responsible for registration and evaluation of nature resources. Obligations of regions regarding environmental protection are put to the regional government headed by the Leader of administration (*khokims*). Regional and local government are responsible for registering and evaluating the condition of nature resources, ecologically harmful facilities and are responsible for control, nature protection and usage of nature resources.

The activity of the committee is regulated by President Resolution No. 5024 ‘On Improving the System of State Management in the sphere of Ecology and Environmental Protection’ of 21<sup>st</sup> April 2017.

The structure of SCEEP takes the form of a central body in Tashkent with regional branches and agencies providing scientific and technical support. Regional environmental authorities are structured similarly to the SCEEP.

Other state bodies of the Republic of Uzbekistan dealing with environment-related issues are:

- Ministry of Water Resources;
- State Committee for Geology and Mineral Resources (or Goskomgeologiya);
- Centre of Hydro-meteorological Service (or Uzhydromet);
- Ministry of Health (or MoH RUz);
- State Inspectorate for Exploration Supervision, Operations Safety Supervision of Industry, Mining and Utilities Sector (or Sanoatgeokontekhnazorat);
- Ministry of Emergency Situations, etc.

Ministry of Water Resources is responsible for water allocation among different users within Republic of Uzbekistan. Based on forecast and limits provided by Interstate Commission for Water Coordination (ICWC), water is allocated among users with the priority given to drinking water supply sector<sup>3</sup>.

State Committee for Geology and Mineral Resources: (i) carries out, together with Geological Survey Services of the neighboring countries, work on identifying and studying the focal points of radioactive and toxic pollution within transboundary territories, prepare geological maps and atlases reflecting specially hazardous zones and sections; (ii) in accordance with the procedure established by legislation, exercises control over protection of geological and mineralogical facilities as well as underground water from pollution and depletion.

Uzhydromet establishes and maintains the State Hydrometeorological Fund of Data, the State Fund of data on environment pollution, state accounting of surface waters; systematic observations of air, soil, surface water, as well as formation and development of disastrous hydrometeorological phenomena.

Ministry of Health – develops and approves sanitary regulations, rules, and hygienic standards, carries out state sanitary supervision over their observance as well as methodological supervision of the work of sanitary and epidemiological services, regardless of their departmental subordination. The Center of State Sanitary and Epidemiological Surveillance of MH (CSSSES) controls the use of pesticides. The CSSSES controls the use of pesticides and performs the following tasks:

---

<sup>3</sup> Law of RUz “On water and water use” (1993), chapter 8, para 25

- Organization and implementation of state sanitary supervision over the conditions of The Center for State Sanitary and Epidemiological Surveillance is responsible for control of pesticide use in agriculture. agriculture;
- Coordination of activities of interested organizations and institutions in protection of public health Coordination of activities of interested organizations and institutions on protection of public health against harmful effects of pesticides and mineral fertilizers;

Provision of organizational and methodological assistance to sanitary and epidemiological institutions and Organizational and methodological assistance to Sanitary and Epidemiological Service institutions of the Ministry of Agriculture on implementation and improvement of control over the use of pesticides and mineral fertilizers in agriculture.

Sanoatgeokontekhnazorat (State Inspectorate for Supervision of Subsurface Resources Geological Investigation, Safe Work in Industry, Mining, Utilities and Household Sector) – works together with the State Committee for Ecology and Environment protection of the RUZ and carries out control in the field of geological investigation, use and protection of subsurface resources.

### **2.2.1. National Environmental Legislation**

National environmental legislation is based on the regulations of the Constitution of Uzbekistan, which was accepted on December 8, 1992, amended in accordance with the Law of Uzbekistan dated 28.12.1993, No. 989-XII, and the Law of Uzbekistan dated 24.04.2003 No. 470-II. There is a requirement that Government, departments, public officers, social associations, and citizens act in accordance with the relevant Constitution and laws. (Article 15). None of the regulations of Constitution can be interpreted to the prejudice of rights and interests of Uzbekistan. None of the laws or other normative-legal acts can contradict norms and principles of the Constitution (Article 16).

In accordance with the Constitution of Uzbekistan, land, its resources, flora and fauna, and other natural resources are national wealth and are subjected to rational usage and protected by government. Article 55 of the Constitution of the Uzbekistan states, “... land, its resources, flora and fauna and also other nature resources are the national wealth and should be rationally used and protected by state”.

The main legal document concerning the forestry sector in Uzbekistan is the “Law on Forest” enacted on April 15, 1999 and reviewed and approved by the Senate on March 29, 2018. Under the Law, the role of managing, protecting, using, and restoring of the forests is entrusted to the SCF, and newly envisaged legal mechanisms are described for participation of self-governing bodies of citizens, non-government organizations (NGOs), and citizens, in ensuring protection and use of forests.

Another central legislative act is the “Law about Especially Protected Natural Territories” (1993) which identifies recreation zones, regime of the state national parks and reserves, and other protective zones.

The “Law about Protection and Use of Flora” (1997) directs the procedure of logging; while Decree No. 62 (1994) with respect to industrial wood plantations regulates and promotes the creation of industrial plantations of poplars and other fast-growing tree species to meet the need of wood processing industry, pulp and paper industry, and for construction purposes.

The fundamental legislative act regulating nature conservation is the Law “On nature protection” No. 754-XII dated December 9, 1992 (last revision was made by Law of Uzbekistan No.59 dated 10.10.2006). This Law states legal, economic and organizational bases for keeping conditions of environment, rational usage of nature complexes. It has the aim to provide balanced harmonic development of relations between humans and nature, protection of ecological systems, nature complexes and separate objects, and guarantee rights of citizens for favorable environment. The influence of economic activity on nature environment is limited by norms and quality standards established for various components of the natural environment. The aim is to guarantee ecological safety of population, production and protection of nature resources.

Law on protection of agricultural plants against pests, disease, and weeds (116-II, August 31, 2000 116-II). The purpose of this Law is regulation of the relations connected with ensuring protection of agricultural plants against wreckers, diseases and weeds, prevention of harmful effects of remedies of plants on health of the person, the surrounding environment.

Mechanisms of safe handling of chemicals, including registration, licensing to prevent the formation of stocks of dangerous chemicals (primarily pesticides) in the country are provided by the Laws of the Republic of Uzbekistan "On Narcotic Drugs and Psychotropic Substances" and "On Protection of Agricultural Plants from Pests, Diseases and Weeds". These mechanisms are also regulated by the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On import, export, export and transit through the territory of the Republic of Uzbekistan of narcotic drugs, psychotropic substances and precursors", Annex to the Resolution of the Cabinet of Ministers of 25 July 1995 "The list of specific goods, import of which is subject to licenses, issued by of the Ministry of Internal Affairs of the Republic of Uzbekistan".

Activities related to the safe handling of chemicals are regulated and/or monitored by the Cabinet of Ministers of the Republic of Uzbekistan (local authorities at different levels), the Ministry of Health, the Ministry of Agriculture, State Committee of Ecology and Environmental Protection, Goskhimkommission, Customs Committee, Ministry of Internal Affairs, security agencies and civil self-governance bodies.

Law “About conservation” (754-XII, December 9, 1992, amended on 14-11-2019). This Law establishes legal, economic and organizational basis of preserving conditions of the environment, rational use of natural resources. It aims to provide the balanced harmonious development of the relations between the person and the nature, protection of ecological systems, natural complexes and separate objects, to guarantee the rights of citizens to the favorable environment.

Law about the Protected Natural Territories (710-II, December 3, 2004, amended on 29-09-2020). The Law is regulating the relations in the field of the organization, protection and use of the protected natural territories. The protected natural territories are the land areas and (or) water space (water area) having priority ecological, scientific, cultural, esthetic, recreational and sanitary and improving value, fully or partially, constantly or which are temporarily withdrawn from economic operation. For the purpose of preserving, reproduction and recovery of natural objects and complexes in the protected natural territories the mode of protection and use is set (further - the mode). The protected natural territories constitute the single ecological system intended for ensuring biological, landscape diversity and maintenance of ecological equilibrium.

According to Article 5. The protected natural territories depending on their purpose and the mode are subdivided into the following categories:

- national parks
- complex (landscape) wildlife areas
- natural parks
- state nature sanctuaries
- the territories for preserving, reproduction and recovery of separate natural objects and complexes
- the protected landscapes
- the territories for management of separate natural resources

Creation of the state biospheric wildlife reserves, national parks, the interstate protected natural territories and other protected natural territories can be provided by the legislation.

Directly related to the project is Article 24 which states that upon the establishment of natural parks, their territory must be designated (zoned) into the following areas:

- zones of strict protection (reserves)
- zones of recreational use
- zones of economic use
- etc. (incl. zones of sanatoriums)

Article 25 further clarifies that all zones “*would have differentiated regime of land use in accordance with their designation*” and any changes in zone boundaries and extent would be regulated by the government authorities following the conclusion of state environmental expertise.

The National Biodiversity Strategy. Since 1995, Uzbekistan is a party to the Convention on Biological Diversity (CBD, 1992). As the instrument of CBD requirements implementation, Uzbekistan adopted its National Biodiversity Strategy, first in 1998, and in 2019 it approved the National Strategy for the conservation of Biological Diversity 2019-2028 (2019 Resolution of the Cabinet of Ministers No 484) as the second National Biodiversity Strategy and Action Plan.

NBSAP as strategic objectives list such commitments as reduction of direct pressures on biological diversity, and sustainable use of its components in protected landscapes; development of the Protected Area system, as well increasing the volume of benefits provided by ecosystem services.

Law “On Atmospheric Air Protection” (1996, amended on 28.09.2020). It describes regulations on atmosphere protection and its objectives. It specifies standards, quality and deleterious effect norms, requirements on fuels and lubricants, production and operation of vehicles and other transport means and equipment, ozone layer protection requirements, obligations of enterprises, institutions and organizations toward atmospheric protection, and compensations for damages from atmospheric pollutions.

Law “On water and water use” (1993). It regulates the water relations, rational use of water by the population and economy. The law regulates the protection of waters from pollution and depletion, and prevention and liquidation of harmful effects of water, improvement of water bodies and the protection of the rights of enterprises and institutions, organizations and dehqan farms and individuals in the field of water relations.

Land Code of the Republic of Uzbekistan (1998). It aims to regulate land relations in order to ensure that present and future generations have science-based, sustainable use and conservation of land, breeding and improvement of soil fertility, conservation and improvement of the environment and creating conditions for equitable development of all forms of management,

the protection of individuals and legal entities' right for land, as well as strengthening the rule of law in this area.

Law “On Wastes” (2002, amended on 15.11.2019). It addresses waste management, exclusive of emissions and air and water pollution, and confers authority to the SNPC concerning inspections, coordination, ecological expertise and establishing certain parameters with regard to the locations where waste may be processed. Enterprises are responsible for their waste, but, if they recycle, they may be provided with assistance from the state budget, the National Fund for Nature Protection or voluntary payments. The principal objective of this law is to prevent negative effects of solid wastes on people's lives and health, as well as on the environment, reduce wastes generations, and encourage rational use of waste reduction techniques in household activities.

Law “On environmental control” (2013, amended on 13.11.2019) - The purpose of this Law is to regulate relations in the field of environmental control. The main objectives of environmental control are: (i) prevention, detection and suppression of violation of the requirements of legislation in the field of environmental protection and rational use of natural resources;(ii) monitoring the state of the environment, identifying situations that can lead to environmental pollution, irrational use of natural resources, create a threat to life and health of citizens; (iii) determination of compliance with the environmental requirements of the planned or ongoing economic and other activities; (iv) ensuring compliance with the rights and legitimate interests of legal entities and individuals, performing their duties in the field of environmental protection and rational use of natural resources.

Law “On Protection and Usage Objects of Archeological Heritage” (2009, amended on 19.04.2019) – regulates relations in the field of protection and usage of objective of archeological heritages, defines ownership rights of such objectives, responsible entities and provides a procedure of archeological investigation of the objectives of archeological heritage. A ‘Presidential Resolution on the Forest System Development Concept to 2030’ (PP-4850) (October 6, 2020) defines the forest sector's strategic goals, policy priorities, and implementation mechanisms, and prioritizes policy, capacities, forest protection activities, incentives for private sector investments, improved monitoring, and expanded economic activities in the sector. The Concept is aligned with the August 23, 2019 Presidential Resolution on ‘Additional Measures to Increase the Efficiency of Forest Use in the Republic’ (PP-4424), and with the Decision of the Cabinet of Ministers in August 2020 on the ‘Creation of Industrial Plantations of Fast-growing Trees’ (no. 520). These call to increase the country's forest area to 6 million hectares in ten years by farmers and Public-Private Partnerships (PPP) through scientific research and incentive-based agroforestry. To implement the Concept, on January 21, 2021, another Presidential Resolution was adopted on ‘Measures to Develop Science and Promote Scientific Research in the Forestry Sector’ (PP-4960).<sup>4</sup> In 2019, the Uzbekistan ‘Concept of Development of the Tourism Industry 2025’ and a corresponding Action Plan were adopted to develop the tourism sector with a focus on rural areas in the regions, and the zoning of ecotourism areas within almost all State reserves. The agencies responsible for forest management in Uzbekistan and Tajikistan recently prepared a draft roadmap highlighting joint activities for cooperation in the sector.

---

<sup>4</sup> Resolution PP-4960 introduces new departments and entities in the FC's structure responsible for scientific research: a Department for Coordination of Scientific Organizations and Introduction of Innovations, a Scientific Experimental Pistachio Farming Station, a Forest Economy Department, and a Design Institute Urmonloyiha (translated as ‘Forestry Project’) as a state institution responsible for improving the quality and effectiveness of design and survey work in the forestry sector.

## **2.2.2 National Social Legislation**

The legal and policy framework of the project is based on national laws and legislations related to land acquisition and compensation policy in Uzbekistan and Environmental and Social Standard (2017) of World Bank. Based on the analysis of applicable laws and policies and WB's Policy requirement, project related LAR principles have been adopted.

Constitution. The Constitution of the Republic of Uzbekistan (December 8, 1992) provides that:

Everyone shall have the right to own property (Article 36). The economy of Uzbekistan, evolving towards market relations, is based on various forms of ownership. The state shall guarantee freedom of economic activity, entrepreneurship and labor with due regard for the priority of consumers' rights, equality and legal protection of all forms of ownership (Article 53);

An owner, at his discretion, shall possess, use and dispose of his property. The use of any property must not be harmful to the ecological environment nor shall it infringe on the rights and legally protected interests of citizens, juridical entities and the state (Article 54);

The land, its minerals, waters, fauna and flora, other natural resources shall constitute the national wealth and shall be rationally used and protected by the state (Article 55).

Land Code (30 of April 1998). The Land Code (LC) is the main regulatory framework for land related matters in Uzbekistan. The LC regulates allocation, transfer and sale of land plots, defines ownership and rights on land. It describes responsibilities of different state authorities (Cabinet of Ministers, province, district, city Hokimiyat) in land management; rights and obligations of land possessor, user, tenant and owner; land category types, land acquisition and compensation, resolution of land disputes and land protection. The LC also defines the terms of rights termination on land plot, seizure and land acquisition of land plot for state and public needs, and terms of seizure of land plot in violation of land legislation. The LC provides that:

Withdrawal of the land or part thereof for state and public needs is made by agreement with land user and tenant by decision respectively khokim of district, city, region or by decision of the Cabinet of Ministers (Article 37, Clause 1). In case of disagreement the land user or tenant of the land with a decision of district (city, region) khokim, or the decision of the Cabinet of Ministers to withdraw the land, this decision may be appealed in court (Article 37, Clause 2);

Losses caused by violation of the rights of land users, tenants and land owners (including lost profits), shall be reimbursed in full (Article 41, Clause 3);

The withdrawal of the land for state or public needs may be produced after allocated to land user or tenant an equivalent land plot and the compensation all losses including lost profits (Article 41, Clause 4).

The LC (Article 36, Clause 1) specifies instances when the right to the land can be terminated. Termination of the right of possession and the right of permanent or temporary use of land is made by decisions, respectively, of khokims of districts, cities, regions or by the decision of the Cabinet of Ministers on the proposal of the bodies exercising state control over the use and protection of land, on the basis of supporting documents justifying the termination of the rights. In case of disagreement with the decisions of the Cabinet of Ministers and the officials of the termination of the right of possession, the right of permanent or temporary land use natural and legal persons may appeal to the court (Article 36, Clause 4).



According to Article 39, Clause 1 land user, tenant and land owner have besides others the right for reimbursement of losses (including lost profits), in case of withdrawal of land or compensation costs for voluntary renunciation of land (Article 39, Clause 1, sub-Clause 7).

The LC (Article 86, Clause 1) specifies the cases where losses of land users must be compensated in full including lost profits:

- seizure, redemption or temporary occupation of land;
- the restriction of their rights in connection with the establishment of water protection zones, coastal strips, sanitary protection zones of water bodies, zones of formation of surface and underground water, zones of resort areas, public areas of biosphere reserves, protected zones around national parks, game reserves, national nature monuments, sites of cultural heritage, discharges, roads, pipelines, communication and power lines.

According to the Article 87, Clause 1 losses of agricultural and forestry production, caused by the withdrawal of agricultural and forest land, including agricultural land, owned and used by individuals to use them for purposes not related to agriculture and forestry, restrictions on the rights of land users and tenants or deterioration land due to the impact caused by the activity of enterprises, institutions and organizations, shall be reimbursed in addition to the indemnity provided for in Article 86. Losses of agricultural and forestry production is compensated by legal and natural persons:

- which removes withdrawn agricultural and forest lands for purposes not related to agriculture and forestry;
- around objects that set security, sanitary and protection zones with the exception of the revolutions of agricultural and forest land, or transfer them to less valuable lands.

Civil Code (29 August 1996). The Civil Code (CC) defines the legal status of participants of civil relations, the grounds and procedure of implementation of property rights and other proprietary rights, rights on intellectual property, regulates the contractual and other obligations, as well as other property and related personal non-property relations. The CC defines general rules of property seizure, determination of property cost and rights for compensation, terms of rights termination.

The CC provides that: person whose right has been violated may demand full compensation for damages, unless the law or the contract provides compensation for losses in a smaller size (Article 14, Clause 1). The Civil Code (Article 14, Clause 2) also specifies that losses are understood as:

- expenses that the person whose right is violated, made or must make to restore the violated right;
- the loss of or damage to property (real damage);
- the revenues that this person would have received under normal conditions of civil turnover if his right had not been violated (lost profits).

According to article 14, Clause 3 “If the person has violated law, revenues received as a result of this, the person whose rights were violated, has the right to demand compensation along with other losses, lost profits in the amount not less than such profits”.

According to article 7 “If an international treaty or agreement stipulates other rules than those stipulated by civil legislation, rules of the international treaty or agreement”. This rule is a common rule for all Uzbekistan’s laws.

According to the Article 8, Clause 3, the rights to the property which are subject to state registration shall arise upon the registration of the relevant rights to it, unless otherwise

provided by law. Article 84, Clause 1 provides that the right of ownership and other real property rights, creation, transfer, restriction and termination of these rights are subject to state registration. This means that without registration the right to real estate property does not enter into the force. This statement is very important for the further understanding of LAR processes related to land acquisition and building's demolition.

Resolution of Cabinet of Ministers № 146 (25 May 2011). This Resolution is aimed to improve the procedure of granting land plots, protect the rights of legal entities and individuals on land and improve the architecture of settlements and the efficient use of their land for construction in accordance with the Land Code and the Town Planning Code. This resolution has approved two Regulations: (i) Regulation on the procedure for granting land for urban development and other non-agricultural purposes, (ii) Regulation on the procedure of compensation for land possessors, users, tenants and owners, as well as losses of agriculture and forestry. The Regulation on the procedure for granting land for urban development and other non-agricultural purposes contains the following provisions:

Order of land plot location, preparation and approval of site selection and land allocation documents without approved planning documentation;

Order of placement, selection and land allocation with approved planning documentation,

- Order for rejection in the selection and land allocation for construction;
- Provision(sale) of land plots for individual housing construction;
- Elements of urban planning documents and development regulation lines.

The Regulation on the procedure of compensation for possessors, users, tenants and land owners, as well as losses of agriculture and forestry includes the following:

- Compensation for losses of owners, users, tenants and land owners;
- Compensation for losses of agriculture and forestry;
- cost of irrigation and developing equal new land plot in return for seized irrigated agricultural land;
- Cost of fundamental improvement of grassland and pasture;
- Scheme for determination of losses of land possessors, users, tenants and owners, as well as losses of agriculture and forestry;
- Coefficients on location of seized land plots.

The losses of land possessors, users, tenants and owners, as well as losses of agriculture and forestry should be compensated before granting of documents certifying rights on land plot. The regulation also orders that demolition of house, or building shall be done only after agreeing on compensation and providing replacement premises. The regulation orders that compensation has to be paid before starting any construction work. The land possessors, users, tenants and owners, whose land plots are seized and to whom land plots are granted, in case of disagreement with defined amount of losses, can appeal to court. In case of acquisition and temporary occupation of land plot or part thereof, the following would be subject to compensation:

- Cost of land plot, owned by individuals and legal entities
- Cost of residential houses, constructions and installations, including incomplete constructions, and also located outside of allocated plot, if its further utilization is impossible due to seize of land plot
- Cost of fruits and berries, protection and other perennial plants
- Cost of incomplete agricultural production
- Lost profit

Above-described Laws and Regulations mention that non-titled and squatters on land and building/structures are ineligible for any compensation.

Collectively, these regulations provide a sound basis for acquiring land for public purposes and for compensating land users according to the registered use of the land in Uzbekistan.

**Tax code.** The Tax Code (TC) is a regulatory framework for taxation related matters of individuals and legal entities. This law regulates compensation for vulnerable group of people in terms of applying discounts or exemption from property taxes, income tax and other taxes stipulated in this TC.

**Labor code and employment law.** These two documents are main legislations regulating labor relations of individuals employed with labor contract by enterprises, institutions, organizations of all type ownership forms, including contracted by individuals. These legislations are considering interests of employees and employers provide efficient function of labor market, just and secure labor conditions, protection of labor rights and employees health, promote to growth of labor productivity, increase of work quality, raising on this matter welfare and social livelihood level of the population.

Both WB policy and the Uzbek law provide for the indemnification of APs who lose a job because of land/assets acquisition under a public interest project. The two, however, differ substantially on how the matter is conceptualized and resolved in practice. WB| policy compounds the matter as an income rehabilitation issue and thus requires that the actual job income lost by the APs is fully reimbursed to them. This approach covers temporary and permanent job losses and is generally implemented through an allowance providing the APs their declared monthly salary (to be substantiated by the supporting documents) for the number of months of business stoppage up to a maximum of 12 months which is the benchmark for permanent job loss. The approach is the same for informal permanent jobs without declared salaries but based on national minimum salary. To guarantee proper policy application the payment of job loss allowances are to be directly disbursed to the APs by the project proponent.

The national legislation, instead, limits the matter to the payment as mandated by the Labor Code of fixed employment termination indemnities due by an employer to his employees and to the obligation of the project proponent to reimburse the employer of the cost of those indemnities mandate by the Civil Code. Such an approach excludes from job loss compensation informal employees without a declared salary, applies only to permanently affected jobs and does not automatically guarantee that the APs receive their job termination dues.

Resolution of Cabinet of Ministers № 44 (15 February 2013). This resolution determines the procedure for the appointment and payment by Makhalla allowances for families with children under the age of 14 years, allowances for child care until the age of two years and allowance for low income families. Following types of families are entitled for allowances:

- families who have lost both parents and children involved in family education
- families where one or both parents are disabled children
- widow (er), raising two or more children under the age of 14, living separately from other relatives
- family with disabled children
- mothers or fathers who are bringing up the children in a single-parent family. In this case the fact of child rearing mother (father) in an incomplete family established by makhalla
- families in which one or both parents are unemployed who has been registered at centers to promote employment and social protection of the population as job-seekers
- single retired persons

The Uzbekistan legislation does not define compensation as targeting the rehabilitation of the APs livelihood. It instead focuses on the mere compensation of directly measurable physical impacts or incomes. This may create some reconciliation problem with WB requirements especially for what concerns the compensation of indirectly affected items that become unusable after impacts or for the provision of severe impacts, vulnerable APs and relocation allowances. Thereby, requirements of WB for vulnerable segments of the population agree with category of residents, determined by the Government. However, to meet the ESS5 WB principle to improve the standards of living of the displaced poor and other vulnerable groups at least national minimum standards, the vulnerable households would need to be provided with a one-time additional allowance.

Resolution of Cabinet Ministers №3857 (16 July 2018). The resolution “On measures to improve the effectiveness of training and realizing projects with participation of international financial institutions and foreign government financial organizations” partly provides that payment of compensation for the land acquisition, demolition of houses, other structures, plantings within the framework of projects with the participation of International Financial Institutions (IFIs), if it is agreed and stated in agreements, then will be carried out by authorized bodies in accordance with the requirements of IFIs or Foreign Governmental Finance Organizations (FGFOs).

Decree of the President of the Republic of Uzbekistan №5495 (1 August 2018). Decree “On measures on cardinal improvement of investment climate in the republic of Uzbekistan” partly provides that the adoption of decisions on the seizure of land for state and public needs is allowed only after an open discussion with interested parties whose land plots are planned to be seized, as well as assessing the benefits and costs; demolition of residential, industrial premises, other structures and structures belonging to individuals and legal entities, with the withdrawal of land plots is allowed after full compensation of the market value of immovable property and losses caused to owners in connection with such withdrawal.

Resolution of Cabinet of Ministers № 911 (16 November 2019). The resolution envisages procedures for acquisition of lands for state and public needs that belong to individuals (individual entrepreneur, citizen of the Republic of Uzbekistan, foreign citizen and stateless persons) and legal entities (business entities, non- governmental organizations) on the basis of ownership, permanent use or temporary use, as well as in the framework of investment projects and compensation for property owners including for the properties located on impacted lands.

According to the Chapter 3 (General procedure for providing compensation to owners due to demolition of properties), Article 11 of the resolution, compensations are paid as follows:

- market value of real estate located on the seized land, and the market value of the right to the seized land
- expenses associated with the temporary acquisition of properties, including relocation
- loss of profits of individuals and legal entities, and other expenses and losses stipulated by law or agreement
- the cost of self-constructed housing, industrial and other buildings and structures should also be covered
- types of compensation provided
- cash
- provision of land plot or another property for the acquired land and property
- other form of compensation as per agreement of parties

By agreement of the parties, the owner may be provided with several types of compensation, considering the estimated value of the property. The term for the provision of a new property

instead of demolished property should not exceed 24 months from the date of provision of another property for temporary use. If a new property is not issued within the indicated period, the entrepreneur pays the owner a fine of 0.01 percent for each day of delay. In this case, the size of the fine should not exceed 50 percent of the value of the violated property. An agreement providing for the provision of property as compensation is subject to state registration in cases provided for by law.

In case of acquiring the land for state and public needs, compensation shall be paid by the Council of Ministers of the Republic of Karakalpakstan, Hokimiyats of the city of Tashkent, regions, or district (city) from the funds of the corresponding centralized fund and other sources not prohibited by law.

In case of acquiring the land for investment projects, the investor pays compensation and compensation can also be paid from other sources not prohibited by law, through:

Transferring funds to the appropriate bank (deposit) account of the affected owner;

In case of acquiring an apartment building the affected owner shall be given apartment for ownership in the same area or another area based on the agreement of parties;

A new apartment can be given from an apartment building (or houses) which are being built on the acquired land plot, as wished by the affected owner. In this case, the owner will be provided with temporary housing for rent paid by the investor, until he/she receives a new apartment in the housing buildings which is being built;

In case of acquiring lands occupied by a non-residential building, as agreed by parties, the affected owner shall be given a non-residential building within the same district (city) and not less than the total area of the acquired non-residential building;

If a non-residential building to be given as compensation from the buildings being built at the acquired land, the affected owner shall be given a temporary non-residential building for rent at the expense of the investor until she/he will receive the compensated non-residential building;

In case of acquiring a land, plot occupied by an individual residential premise (including construction in progress, but registered) - by an agreement of the parties, the owner shall be compensated with an individual residential premise within the district (city);

In case of acquiring a land plot the affected owner shall be given another land plot, the type and area of which is equal to the previous one.

If the market value of the right to the seized land exceeds the market value of the right to the land plot provided as compensation, the difference shall be compensated to the right holder of the land plot.

If the market value of the right to the affected land is lower than the market value of the right to the land granted as compensation, the affected land holder will not be required not pay the difference.

By agreement of the parties, the size, and types of the land plot unit for compensation may be reduced by providing additional land plot as compensation.

In case of acquiring the land plot for housing construction, the investor provides the affected owner and his/her family with temporary rent housing until the completion of construction and transferring the housing unit to the affected owner. In this case, the construction period should not exceed two years from the date of conclusion of the agreement.

Law of the Republic of Uzbekistan #ZRU-410 dated September 22, 2016 on introduction of amendments and additions to the law of the Republic of Uzbekistan “On Labor Protection”.

**Purpose of Law.** The purpose of this Law is to regulate relations in the field of labor protection.

**Legislation on labor protection.** Labor protection legislation consists of this Law and other legislative acts. If an international treaty of the Republic of Uzbekistan establishes rules other than those provided by the legislation of the Republic of Uzbekistan on labor protection, then the rules of the international treaty are applied.

**Scope of Law.** This Law applies to:

- employees who are in labor relations with enterprises, institutions and organizations (hereinafter referred to as organizations), as well as with individual employers
- students of higher educational institutions, students of secondary specialized, vocational educational institutions, students of other educational institutions undergoing industrial practice
- military personnel recruited to work in organizations
- citizens doing alternative service
- persons serving a sentence under a court sentence during the period of their work in organizations determined by institutions for the execution of punishment, as well as persons who are subject to an administrative penalty in the form of administrative arrest, persons involved in other types of work, including those organized in the interests of society and state

This Law also applies to employers.

The persons specified in the first part of this article are hereinafter referred to as employees.

### **3. RIGHTS OF PROJECT AFFECTED PERSONS**

#### **3.1. Eligibility and Entitlements**

Individuals and communities affected by the project activities are those who use natural resources from designated protected areas, forest and rangeland areas as well as any landscape being covered by the project activities in the project target areas. Project Affected Persons (PAPs) would depend on access to the natural resources of project areas, using the resources for their livelihoods. In accordance with ESS5, PAPs would meet three eligibility criteria under the Project:

- (i) Those who have legal rights to land and/or natural resource use in protected areas (including customary land, traditional and religious rights recognized under the national laws and regulations);
- (ii) Those who do not have legal rights to land and/or natural resources at the time the cut-off date begins but have potential legal claim to such land or assets, provided that such claims are recognized under the national laws and regulations or become recognized through this PF&RPF and any follow-up Action Plan; and
- (iii) Those who have no recognizable legal right or claim to the land or natural resources they are occupying and/or using.

The eligible PAPs living in the vicinity of the project-supported protected areas (Zaamin and Zarafshan National Parks) will be identified by a participatory process to determine the exact number and scale of impacts to be compensated by the project. Special attention and priority will be given to vulnerable groups, including the poor, disabled, elderly and female-headed households. Non-local community members accessing the areas for illegal purposes such as logging and/or wildlife hunting are not eligible for project benefits. All PAPs shall be consulted to identify project adverse impacts and, in a joint activity, to establish the eligibility criteria for mitigation or/and compensation measures. The project will work with PAPs, representatives of local community organizations, and local leaders to define the eligibility criteria for project assistance and to define a cut-off date in a participatory manner.

Any illegal encroachment, seizure, or exploitation of the natural resources of the project-supported protected areas that begins only after the project commences will not be eligible for any type of livelihood -collateral or other assistance (in accordance with the ESS5). Additional eligibility criteria for occupants or neighbors of protected areas needing special consideration related to livelihoods will be discussed with relevant stakeholders and will be part of the relevant protected area management plan.

PAPs who may be entitled to compensation under the Project (depending upon the actual impacts) include:

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

Anyone involved in clearly illegal, unsustainable, and destructive activities that undermine the objective of the Project--in this case, non-local community members accessing the areas for illegal purposes such as logging and/or wildlife hunting--are not eligible to benefit from biodiversity stewardship agreements. However, where such users can be identified, the Plan of Action should include mitigation of illegal activities, as outlined below in Table 3.1.

Where land is to be acquired, titled or legalizable PAPs will receive compensation for land acquired by the Project at replacement cost as per the RPF/RAP prepared for the project. This will be in cash at replacement value or land-for-land with a combination of productive potential, location advantages, and other factors of which is at least equivalent to the advantages of the land taken to the satisfaction of the PAP (of equal size and/or productive value and be satisfactory to the PAP). Non-titled PAPs are not eligible for compensation for land but will receive compensation for assets attached to land and other assistance as required, in lieu of land compensation.

Households headed by single women with dependents and other vulnerable households will be eligible for further assistance to fully mitigate project impacts. This could include additional cash allowances, extra support in restoring livelihoods and training.

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

**Table 3.1. Eligibility Criteria and Mitigation Activities**

Eligibility Criteria of PAPs	Type of Impact	Potential Mitigating Activities in Plan of Action
(1) People living within Project areas	Total or partial restriction on resource use for livelihoods	<ul style="list-style-type: none"> <li>• Avoidance of areas with community residences, or minimization of the impact to such areas</li> <li>• Proportional benefit sharing of and participation in management of the biodiversity stewardship agreement</li> <li>• Participation in community capacity development, skills development and ecotourism development</li> <li>• Support to improve livelihood opportunities promoted by the Project determined as beneficial by the community</li> <li>• Proportional benefit sharing in private sector engagement such as eco-tourism development</li> <li>• Inclusive consultation processes, including consultations with specific focus groups such as women, to ensure their views are adequately incorporated into benefits, mitigation measures, monitoring provisions, etc.</li> </ul>



<p>(2) People living outside Project areas, but who rely on use resources inside or outside the areas designated for biodiversity stewardship</p>	<p>Partial restriction on resource use for livelihoods</p>	<ul style="list-style-type: none"> <li>• Identification of alternative resource use options involving participatory processes</li> <li>• Proportional benefit sharing of and participation in management of the biodiversity stewardship agreement</li> <li>• Participation in community capacity development, skills development and ecotourism development</li> <li>• Support to improve livelihood opportunities promoted by the Project</li> <li>• Proportional benefit sharing in private sector engagement such as eco-tourism development</li> </ul>
<p>(3) People who live outside Project areas, but who belong to social groups with cultural or social assets inside areas designated for biodiversity stewardship</p>	<p>Partial restriction of access to cultural or social assets</p>	<ul style="list-style-type: none"> <li>• Ensure continued safe access and realization of necessary rituals, protection of sites, and respect of cultural values</li> <li>• Consultations to determine areas of use, access – so that the project can designate areas of use, where possible, or discuss other solutions</li> </ul>

### 3.2. Considerations for vulnerable groups

Vulnerable Groups are those which may be disproportionately impacted or further disadvantaged by the project, as compared with any other groups due to their vulnerable status. They may require special engagement efforts to ensure their equal representation in the consultation and decision-making process associated with the project. Poor, disabled people, the elderly and women in villages are likely to be particularly vulnerable as they are often more dependent on agriculture, collection of forest products and have less diversified sources of income. To ensure that impacts on vulnerable groups are minimized, if not eliminated, the project will first provide them access to project-relevant information, including livelihood assistance, and second, community-based alternative livelihoods to ensure participation and involvement of vulnerable groups. To ensure women participate in the project, livelihoods support will be directed towards the affected household rather than just the affected persons. Women will be able to apply for alternative livelihood assistance that they lead and manage.

### 3.3. Project activity stages

The project will undertake, in a consultative manner, activities to determine restrictions of access to illegal or/and additional activities in SPNAs and will assess impacts on local livelihoods in consultation with the affected persons and relevant stakeholders. The project will seek to avoid, and if not possible, minimize or mitigate impacts, such as through phased implementation of measures. For example, maps of protected area delineation and consultations will be provided based on spatial planning so that the local population is fully informed about the protected area zoning and use demarcation. The project will ensure the introduction of any restrictions of access after the alternative livelihoods has already been initiated, as needed.

## **4. PARTICIPATION**

The overall objective of the restoration and mitigation measures is to compensate and diversify the livelihoods of persons affected by project-related limitations on natural resource uses, both within and outside of protected areas. The project will support the development of alternative livelihoods for PAPs. The identification of these alternative livelihoods will be in a participatory manner and will be based on equity and community-driven decision making. The goal will be to develop alternative livelihoods through a managed process, such as a plan to support the development of products and services for all paths to distribution.

### **4.1. Community mobilization and engagement**

Community members facing access restrictions will be supported in mobilizing to identify viable participatory activities. This approach will help ensure that there is equality in the process and that all affected users, including vulnerable groups such as women and elderly people are able to participate and benefit from the alternative livelihoods provided by the project. Once eligible people to receive support due to resource constraints have been identified in the participation process, activities will be as follows:

- Assessment of the project stakeholders;
- Determination of trainings and capacity building;
- Determine mechanisms for co-management.

Communities or local populations will be fully involved, and their participation will be encouraged to identify alternative livelihood options that are culturally appropriate. Arrangements made by them with the participation of their local leaders who support the preparation of relevant materials for the project communication will be taken into account within the framework of the project. Based on the information presented above, it is extremely important to:

- a) Consider beneficiaries (from villages and mahallas) as equal partners and stakeholders in the forest management;
- b) Comply with the information needs of beneficiaries with respect to vulnerable groups such as women;
- c) Approach different local organizations, which may have differing views from each other about managing restrictions of access to protected areas, forests, rangelands, etc.;
- d) Accept that community involvement is a time-consuming process and requires time, consistency and proper planning.

### **4.2. Community awareness raising**

The project will provide guidance to facilitate participation with particular attention to the local population to ensure the provision of culturally appropriate information. Awareness raising will be through information sessions before formal consultations begin, which require some type of public meetings, informational presentations, and dissemination of information materials. The process of awareness-raising will entail the following:

1. Professional training at all levels of the organization; and
2. Creating a more efficient work environment through improved working conditions in offices. Consultations will include meetings and focus group discussions to address potential issues related to the project impacts and compliance with traditional practices that can be supported by the project. Communities will be informed of potential access restrictions in workshops, community meetings and focus groups to ensure women's participation. The result of collected information will be taken into account when developing activities and informational materials prepared for the project.

### **4.3. Updating of management plans for PAs**

The project will invest in strengthening the protection and management of the Zaamin National Park and Zarafshan National Park to better enable these PAs to achieve their management objectives, including:

- (a) the long-term conservation of their biodiversity, ecosystem services, natural beauty, and other important natural resources, and
- (b) enhanced NBT and other sustainable park uses. Investing in these two national parks is needed to ensure their long-term viability, improve their management effectiveness, and sustainably increase the number of visitors and associated economic activity in nearby communities.

The Project will update and improve where needed the Management Plans for the Zaamin and Zarafshan National Parks, considering the proposed expansion of NBT-related facilities, while ensuring that tourism and other human activities within these parks would be environmentally sustainable and climate smart.

The Project will support the construction of a new visitor center in both the Zaamin and Zarafshan National Parks during the first 18 months of the Project, compatible with these parks' management objectives and environmental requirements. The new visitor centers are expected to help attract, inspire, engage in dialog, and educate a growing number of tourists in both parks and the communities that reside in the vicinity of the parks. Other project investments in the Zaamin and Zarafshan National Parks will be defined in accordance with the latest Management Plans and are expected to include:

- (i) additional visitor facilities such as the new or rehabilitated hiking trails, scenic viewpoints, observation platforms, picnic areas, campgrounds, other environmentally compatible recreation facilities (such as ziplines), and parking areas where needed;
- (ii) PA management infrastructure such as the construction or improvement of small park buildings (headquarters, ranger outposts, staff housing, etc.), solid waste management facilities, and improved physical demarcation or signage;
- (iii) equipment that could include vehicles; various field, office, and communication equipment, and (for Zaamin National Park) equipment for monitoring and control of human-caused wildfires; and
- (iv) incremental recurrent costs for PA management activities specific to project implementation, such as office and field supplies, field rations, fuel, support for park auxiliaries (such as community volunteers) if any, boundary maintenance, and equipment maintenance during the expected five-year project life.

Given the fact that the project will strengthen protected area management, there might be some new restrictions of access to natural resources that could affect local communities. For example, existing livestock grazing in the mountain meadows of Zaamin National Park might need to be curtailed to better protect the park's wildlife and biodiversity. Therefore, management plans for PAs will be updated and implemented in consultation with communities, and it will be necessary to identify areas of constraint and alternative livelihoods. The project will seek to integrate into wider community development plans to ensure that local planning considers the forest protection and any constraints that may occur. Experience to support staff the local authorities may be required to develop participation plans. Accurate and sufficient baseline information will be essential not only to provide a basis for planning, but also for effectively implementation management, monitoring and evaluation, as well as capacity

building for the village and its members. In general, the development of PAs and integration into community action plans will require:

1. Consultations with the community and relevant stakeholders;
2. Determination of the limitations and consequences of these limitations, including alternative livelihoods, where relevant;
3. Strategic analysis of community development for both PIG and communities;
4. Assessment of current plans for PAs and communities, and whether/how they can be strengthened;
5. Selection and development of the project activities;
6. Establishment of the monitoring system to ensure the livelihoods of affected persons are restored, the PAs will be developed with the full participation of local communities to ensure the communities have access to express their opinions at the choice of project activities and investments.

#### **4.4. Other alternative sources**

Long-term successful implementation of the project will depend on collaboration with local communities on the PAs, as well as with local authorities in designing and organizing to ensure the restoration of local livelihoods. The aim will be to identify alternative activities that are consistent with local natural resources, benefitting environmental protection and restoration, positive for improving the living standards of local people, preserving local traditions and aligning with local government development plans.

#### **4.5. Monitoring and reporting**

All eligible households affected by access restrictions as a result of project activities will be covered by the mitigation measures to be developed in the corresponding Action Plan. The community-based participatory forest management model includes five main stages:

- 1) To identify and establish representative institutions for the stakeholders (villages, mahallas, forestry management) and to define the roles, responsibilities and rights of stakeholders in the forestry;
- 2) To negotiate and agree upon the issues of forest protection and management between the stakeholders to reach a consensus and cooperation of all stakeholders;
- 3) To implement collaborative management in accordance with agreed PAs, such as forest patrol and protection, forest products management, environmental forest service management and forest land planning;
- 4) To undertake monitoring and evaluation involving all stakeholders;
- 5) To monitor the status of PAs, as well as carry out activities on the landscapes restoration.

## **5. POTENTIAL IMPACTS AND MITIGATION MEASURES**

### **5.1. Potential Positive Impacts**

It is expected that the Project will have positive social and environmental benefits at local and national levels. At the local level, direct Project beneficiaries include communities and their members in targeted landscapes, and particularly: individual entrepreneurs, small, medium and micro-sized enterprises, community-based organizations, such as co-operatives, communal property associations, and community trusts. Benefits are expected to include improved access to skills training for business development, finance and markets, improved local governance, and subsequently more profitable community or individually owned businesses sectors and increased household income. Benefits are derived from strengthened cooperation in managing ecosystems and overall better managed habitats. Casual labor and other livelihood opportunities will be created to benefit local communities.

### **5.2. Potential Adverse Impacts**

The exact impact from restrictions will be determined based on identification of where and what specific projects activities will be implemented. However, potential areas have been assessed and any restrictions (for example to forest products, land use that may be imposed) can be managed or mitigated. Outside of the project-supported protected areas (Zaamin and Zarafshan National Parks), the most likely type of potential adverse impacts on livelihoods would be short- or long-term grazing restrictions on (to be selected) SFF lands where tree planting or other landscape restoration is to take place. Potentially affected communities will be involved in identifying any adverse impacts, assessing the significance of the impacts, and establishing criteria for eligibility for mitigation measures. This will be documented in a “Social Impact Assessment” (SIA) that will inform part of the Plan of Action. The SIA will capture direct and indirect impact, livelihood status, list the PAPs and the impacts they are expected to experience, as well as vulnerabilities amongst PAPs and mitigation options and it will be completed prior to commencement of restriction.

### **5.3. Mitigation of impacts**

Mitigation measures against anticipated social and economic impacts of Project activities will be developed under this Project in consultation with local communities in careful consideration of their needs. The mitigation measures shall follow the objective and requirements stated in ESS5 and ESS6 including livelihood restoration and sustainable management of living resources. The Project will work in close consultation with national, provincial and local governments, NGOs, local communities, PAPs and their community organizations. The local organizations include pastoralist and farmers associations, popular committees, village committees, traditional leadership, women, youth, elder councils and other community associations. While developing mitigation measures it is important to:

- Consider beneficiaries as equal partners and stakeholders in the management of forest resources for whom their views will be considered and respected;
- Observe beneficiaries’ information requirements of vulnerable members such as women, elderly, disabled persons and orphans.
- Approach various local organizations (interest groups) that may differ from place to place and have different perspectives on natural resource management; and
- Recognize that engaging local communities is a time-consuming process and that it requires time, consistency and a good planning and should be an integral part of the overall SEP process

Community members facing access restriction will be supported to mobilize themselves in order to identify viable livelihoods activities in a participatory manner. The approach will help to ensure there is equity in the process and that all affected users including vulnerable groups have the opportunity to become involved in and benefit from assistance provided by the Project. Once eligible people for assistance support due to land and resources use limitations are identified in a participatory process, activities will continue as follows:

- Preparing a PAP assessment that will map out their own resources and assets, identify and diagnose constraints and impacts due to access restrictions from household to community level, and identify the required support;
- Defining the training and capacity building to sustain their affected livelihoods and way of transitions to alternative livelihoods;
- Defining co-management arrangements and alternative livelihood activities to be supported, including pertinent training;
- Giving priority to employment of local people where possible;
- Identifying and supporting the welfare and cultural identity of affected local communities;
- Creating conditions for training and facilitate inclusion of PAPs in the various types of business that the project will promote:

Livelihood restoration and development activities measures could include the following, among others:

- Tourism: hospitality, marketing, tourism activities, services to the tourism industry (chefs, electricity technicians, etc.);
- Forest products: commercial forestry, veld and non-timber forest products;
- Agriculture: agronomy, post-harvest management, processing and commercialization;
- Livestock grazing on alternative, suitable lands (separate from the lands to be restored or strictly protected under the project);
- Business services: IT (consulting, services, software development and programming);
- Financial services (including insurance brokers, accounting and tax consultant firms); and advertising, communications and marketing; and
- Economic activities mostly relevant for women.

## **6. PLAN OF ACTION**

The Plan of Action will describe the nature and scope of any restrictions, their anticipated social and economic impacts, the people eligible for assistance, and the specific measures to mitigate the impact. The Plan of Action is to be submitted for World Bank approval during project implementation and before any enforcement of restrictions. The Plan will specify the timing of the imposition of restrictions and describes the scope of and methods for monitoring the extent and significance of adverse impacts and the effectiveness of measures designed to assist PAPs and maintain the sustainability of the conservation area. As a general principle, these arrangements should include opportunities for the affected population to participate in monitoring activities. A protected area management plan can serve as the Plan of Action, provided it adequately covers the appropriate topics.

The Plan of Action will be based on the PF&RPF process and prepared jointly with the PAPs and key stakeholders. The Plan of Action should include succinct descriptions of, but not limited to, the following:

- Description of agreed restriction with extent and time frame;
- Background of the socio-economic status of the community;
- Boundaries of the access restricted land/resources;
- Detailed description of social and economic impacts (social impacts assessment) that will be imposed on the community/stakeholders affected by access restriction;
- Impact mitigation measures to assist access restricted affected community/individuals/ stakeholders with timeframe and budget, including special measures concerning women and vulnerable groups;
- Roles and responsibilities of implementers, collaborators, community, stakeholders, etc. and capacity building plan (of the implementing agencies, community, stakeholders);
- Grievance Mechanism; and
- Result indicators and participatory monitoring and evaluation arrangements.

## 7. IMPLEMENTATION ARRANGEMENTS

The project will be implemented by the SCF-PIU. The SCF-PIU will hire one Environmental specialist and one Social specialist (E&S specialists) who will supervise the overall PF&RPF implementation and coordinate the subproject environmental and social screenings, ESIA, ESMPs and other documents. The E&S Specialists will also inform and report to the SCF PIU director and the WB team about environmental and social issues, OHS incidents, implement solutions and monitor performance. They will be responsible for interaction with relevant regulatory agencies, their regional branches, local authorities, contractors, and other responsible parties as relevant to the environmental and social assessment of subprojects. The PIU will hire additional, province-based E&S specialists or consultants to help screen, assess and monitor impacts at the province level.

For subproject activities under component 2 and 3, in parallel with request for funding, subproject initiators or beneficiaries (ex. Government agencies, international organization, leshozes, private sector, individual entrepreneurs, citizens, community groups, etc.), under the requirement from SCF-PIU, should complete the Environmental and Social Screening Forms (ESMF Annex 2, Parts 1 and 2) to determine the scale of impacts and relevant ESA documentation. These Screening Forms will also be used to identify project investment situations that could adversely affect existing livelihoods (such as new restrictions on livestock grazing to enable tree planting, landscape restoration, or improved National Park protection).

In this case, E&S Specialists can organize field visits with the help of regional SCF-PIU to verify environmental and social impact information and conduct necessary data collection, measurements as relevant.

Subsequently, subproject initiators or beneficiaries, under the oversight of the SCF-PIU will be responsible for developing/commissioning relevant ESA documents (ESIA, ESMP, etc.) and obtaining the appropriate permits prior commencement of any activities.

Table 7.1. Potential parties involved in the Environmental and Social Assessment (ESA)

<b>Subcomponents</b>	<b>Involved parties</b>	<b>Relevant ESA items under SCF-PIU coordination</b>
Sub-component 1.1 Strengthen Institutions and Policies	SCF SCF’s Institute Urmonloyikha Consultants: KFS (Korean Forestry Service) Korean Green Growth Trust Fund (KGGTF), FAO-Uzbekistan	Possibly, SESA and/or technical guidelines from SESA Integration of Environmental and Social principles and standards, requirements into policies
Sub-component 1.2 Develop an ICT Platform for Forest Landscape Restoration and Management. Sub-component 1.3 Strengthen Regional Collaboration	CAREC FAO UNDP, the UCA, ICARDA, and ICBA	n/a



Sub-component 2.1 Enhance Tree-based Landscape Restoration and Management	SCF and <i>leshozes</i> , private sector, individual entrepreneurs	ESIA (partial ESIA) ESMP (incl. specific management plans) ESMP checklist
Sub-component 2.2 Enhance Resilient Livelihoods and Value Chains	SCF. Local khokimiyats. Mahalla Citizen Assemblies. Community groups.	ESIA (partial ESIA) ESMP (incl. specific management plans) ESMP checklist
Component 3. Enhance Protected Areas and Nature-based Tourism	The Forest Research Institute. SCEEP. The Ministry of Tourism and Sports. International Union for Conservation of Nature (IUCN). Private sector, individual entrepreneurs.	ESIA (partial ESIA) ESMP (incl. specific management plans) ESMP checklist

## **8. PUBLIC CONSULTATIONS AND GRIEVANCE MECHANISM**

### **8.1. Public consultation and participation during PF&RPF preparation**

During the project preparation, both virtual and face-to-face public consultations with project stakeholders were held. Face-to-face stakeholder consultations were held for community members and stakeholders in the project locations and PAs.

The first public consultation was organized on 24th September 2021, with the project team consulting directly project-affected parties as identified in project, such as the regional branches of SCF, specialized entities within SCF (UrmonLoyikha, the Forest Research Institute, etc.), Ministry of Tourism and Sports, SCEEP, Ministry of Agriculture, etc. During consultations, the project team presented the anticipated risk and impact categories of the project, as well as the process for preparing the Environmental and Social Assessment and other environmental and social management instruments in accordance with national legislation and the WB ESF standards. The consultation also discussed environmental and social impacts of the project, including: risks that may occur as a result of changes in water bodies and landscapes; potential spread of invasive tree or shrub species; change of natural habitats; risks associated with excessive harvesting of non-timber forest products (NTFP) or timber forest products, etc. Also, the consultation discussed the project's impact on farmers, livestock owners and communities. Minutes of first public consultation are in **Attachment 1**.

The next consultations were carried out in Zarafshan PA on November 2, 2021, Zaamin PA on November 3, 2021, and Bobotog, Pop, and Kitab districts on December 3, 2021. The consultations were attended by representatives of a diverse range of stakeholders, in particular with representatives of the district executive authorities, Mahallya Citizens Assembly representatives from communities surrounding the PAs, employees of the forestry enterprises and PAs, irrigation water users, pasture users, and women of the districts who are involved in farming and pastoral activities. Minutes of public consultation are in **Attachment 2**.

The consultation started with the presentation of the proposed project, including its objectives, and planned physical and capacity-building investments in the Zarafshan and Zaamin National Parks area. During the meeting, participants reviewed the map of the national park and discussed the need to improve the zoning of the areas. Stakeholders noted that human pressure on the areas surrounding the park had increased and human settlements are getting closer to the boundaries of the park year by year. It is well known that the livestock from human settlements around the park enters the park's area for grazing (including the reserve areas), and there are cases of unauthorized wood fuel and plants being collected from the protected zones. During the meeting, it was acknowledged by the park authorities that cooperation with the surrounding communities is key to achieving the goal of protecting the parks and that grazing area alternatives should be provided to the population who depend on such land resources for livelihoods.

### **8.2. Public consultation and participation during project implementation**

During the project implementation the SCF PIU will conduct community meetings and stakeholder consultations under the relevant project components and project activities. Communities, populations and local authorities will be consulted on the benefits and potential impacts during the project implementation. Site specific environmental and social impact assessments will be conducted with target areas where potential impacts on local population, land and other resources are identified. At least two consultative meetings will be held.

The SCF activities, project impacts and mitigation measures will be presented during the first meeting. Thereafter, the second public consultative meeting will be held to determine if there is support for the project activities and mitigation plans. During the consultation, detailed procedures will be outlined for each village to determine the potential impacts and possible support within the SCF. Further, a grievance mechanism will be set up for complaints so that affected persons can raise their concerns.

Representatives of local communities, women, and PAs will be included in the conflict resolution mechanisms. Outcomes of the consultations will be documented in periodic reports and submitted to the World Bank for review.

An updated social assessment will be conducted during implementation to monitor the project's positive and negative impacts and to receive feedback from the project-affected parties. Monitoring is critical to ensure an appropriate level of resilient landscape restoration. Based on the social assessment results further measures shall be taken to ensure comprehensive expected benefits and mitigation of negative impacts. If necessary, additional activities for institutional strengthening and capacity building of PAs and local communities living in the project area shall be implemented.

### **8.3. Grievance mechanism**

The PIU will ensure that a grievance mechanism (GM) for the project is in place, in accordance with ESS10 as early as possible in project development to address specific concerns about compensation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. Where possible, the grievance mechanism will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes in an impartial manner.

Grievance procedures will be required to ensure that PAPs are able to lodge complaints or concerns, without cost, and with the assurance of a timely and satisfactory resolution of the issue. The procedures also ensure that the entitlements are effectively transferred to the intended beneficiaries. Stakeholders will be informed of the intention to implement the grievance mechanism. The GM is designed to comply with the national legislation as well as the international standards, they typically address both environmental and social issues. In accordance with ESS10, the project specific GM accommodates the anonymous complaints as well.

It must be especially noted that under ESS5, status of those without legal title is clearly defined. In accordance with this policy, those people who do not possess official legal title or judicial rights for the land use, but still use the state land are entitled to receive compensation, taking into account the investments they made into the state land, their labor and lost assets, but not for land ownership as in the case of a titled owner. Instead, alternative sites will be allocated for their legal use, or other forms of assistance in lieu of land compensation will be provided to those informally using or occupying land to the project cut-off date.

The grievances and complaints can be addressed through the following levels:

Table 8.1. Grievance Redress and Feedback Mechanism

To whom is the complaint filed	Form of submission	Complaint management procedure	Time for consideration of complaints
<p><b>THE FIRST LEVEL</b>  <b>Office of local SCF offices</b>                      Address: tbc                      Tel.: tbc                      Fax: tbc                      E-mail address: tbc                      Officer responsible for maintaining the GM Log: tbc</p>	<p>Verbal                      Written                      In electronic format</p>	<p>Local SCF offices:                      1. Register complaint/proposal in the Log for registration of complaints and proposals;                      2. Provide a judgement and proposed solution. If the complainant is not satisfied, he/she can escalate the complaint to the PIU office.                      3. Maintain and monitor the process of reviewing and responding to complaints;                      4. Prepare monthly reports in writing to the PIU Social Specialist on the status of complaints and their follow-up.</p>	<p>3 days                       10 days</p>
<p><b>THE SECOND LEVEL</b>  <b>GRC at PIU level</b>                      PIU SCF: tbc                      Address: tbc                      Tel: tbc                      Fax: tbc                      E-mail address: tbc                      Officer responsible for maintaining the GM Log: tbc</p>	<p>in written form                      in electronic form</p>	<p>PIU office:                      1. Registers a complaint in the Log for complaints and proposals;                      2. Maintains and monitors the process of reviewing and meeting the complaints;                      3. Considers the complaint; such consideration may require additional verification of the issue, including collection of additional documents.                      4. Provides its judgement and proposed solution to the complainant. If the complainant is not satisfied he/she may request an appeal of the outcome of the grievance process.                      5. Reports on a monthly basis in writing to the SCF (depending on the nature of the issue) on the status of work with complaints.</p>	<p>5 days                       15 days</p>
<p><b>Appeals Process: If the complainant wishes to appeal and/or the complaint requires additional study, the GM process will require another 30 days.</b></p>			

If, after going through the appeals process, the complainant is not satisfied with the judgement and proposed solution, he/she may pursue their complaints through legal recourse in the courts.

The PIU will be responsible for:

- Analyzing the qualitative data on the number, substance and status of complaints and uploading them into the project databases established by PIU;
- Monitoring outstanding issues and proposing measures to resolve them;

- Preparing quarterly reports on GM to be shared with the WB.

Biannual reports to be submitted to the WB shall include section related to GM which provides updated information on the following:

- Status of GM implementation (procedures, training, public awareness campaigns, budgeting etc.);
- Qualitative data on number of received grievances (applications, suggestions, complaints, requests, positive feedback), highlighting number of resolved grievances;
- Quantitative data on the type of grievances and responses, issues provided and grievances that remain unresolved;
- Level of satisfaction by the measures (response) taken;
- Any correction measures taken.

A grievance can be submitted through the following channels:

Table 8.2. Channels for accessing information and submitting grievances

<b>Description</b>	<b>Contact details</b>
Grievance Redress Committee – 1 <sup>st</sup> tier	District and local SCF offices
Grievance Redress Committee – 2 <sup>nd</sup> tier	Project Implementation Unit
Grievance Redress Responsible person at SCF	Islamov Zafar Tahirovich
Address:	Universitet street, building #2, 100163, Tashkent, Uzbekistan
Telephone:	+99871 2630756, +99871 2630824
Hotline:	+99871 2630756
Fax:	+99871 2630756
E-mail:	<a href="mailto:murojaat@urmon.uz">murojaat@urmon.uz</a>
Web-platform:	<a href="https://urmon.uz/">https://urmon.uz/</a>
Social media platforms:	
Anonymous complaints are also entertained by any of the above channels. The GMs will included procedures to handle sensitive and confidential complaints, including those related to sexual exploitation and abuse/sexual harassment (SEA/SH).	

## Attachment 1

### Uzbekistan Resilient Landscapes Restoration Project (P174135) (UZ RESILAND)

**Venue:** State Committee on Forestry’s administrative building, Tashkent Region

**Date:** September 24, 2021

**Public Consultation:** Disclosure the Environment and Social Management Framework

**Presented by:** Sobirjon Umarov, Head of Department Resist of Desertification and Drought

#### Stakeholders:

- The State Committee of Forestry (SCF),
- Zomin National Park (ZNP),
- The State Committee of Ecology and Environment Protection (SCEEP),
- The State Committee for Tourism Development (SCTD),
- Ministry of Water Resources (MWR),
- Ministry of Investment and Foreign Trade (MIFT),
- Chamber of Commerce and Industry (CCI),
- Ministry for Support of Mahalla and Family (MSMF),
- Tashkent State Agrarian University (TSAU) and others.

#### Discussed main topics on the PC:

Mr. Umarov set out: the project description and its components; potential planning project activities; national environmental; social legislation and relevant WB ESS requirements. Identified social and environmental risks and mitigation measures. He explained the components of ESMF, SEP and LMP; the role of each stakeholders; labor requirements and risks and the resources necessary to address labor issues. He described the GM process. He also explained assistance to vulnerable and rural households involved in the project.

#### After the presentation the participants raised the following questions:

#	Questions	Answers
1	SCTD: Is it possible to install turnstiles at the entrances to national parks as part of the project?	The feasibility study of the project is underway and the issue is still open. We are also interested in installing turnstiles and creating a holistic database system for visitors and monitoring of forest plantation.
2	CCI: Whether private entities will be involved in this project?	One of the main requirements of the project component is the involvement of private entities in the implementation of the project. So, private entities can build guest houses or offer other assets. Also, as part of the project we will involve the local population in business activities.
3	SCTD: The expected impact of the project on the local population.	During the initial study, no impact of the project on settlements that are not expected to be relocated was identified. Possible impact of the project on land users, such as farmers and other users. After a detailed project design and completion of the Feasibility Study, it will be clear exactly what the impact will be. If affected persons are identified, the Bank's ES standards will be implemented.
4	MWR: Whether the project is expected to have an impact on water bodies?	Yes, of course, when creating new forest plantations, which are 30 thousand hectares of industrial forests, 70 thousand hectares of forests, total is 100 thousand ha, we will ask your Ministry to provide all possible assistance in the irrigation of seedlings. We are also considering the option of water accumulation in the mountainous areas; such a technique is used in world practice.

**Photos:**



**NOTE: List of attendees/stakeholders will be included in the next version of the PF/RPF**

## Attachment 2

### Uzbekistan Resilient Landscapes Restoration Project (P174135) (UZ RESILAND)

**Venue:** Bobotog district, Surkhandarya region

**Date:** December 3, 2021

**Public Consultation:** Disclosure the Environment and Social Management Framework

**Presented by:** Director of the Bobotog Forest Department

**Stakeholders:**

- Bobotog branch of the State Committee of Forestry,
- Surkhandarya branch of the State Committee of Ecology and Environment Protection,
- Surkhandarya branch of the State Committee for Tourism Development,
- Local community

**Discussed main topics on the PC:**

Mr. Abduvokhid Zakhadullaev presented the project, including its components, potential planning project activities, national environmental, social legislation and relevant WB ESS requirements. He identified social and environmental risks and mitigation measures. He explained: the components of ESMF, SEP and LMP and the role of each stakeholders; labor requirements and risks and the resources necessary to address labor issues. He also described the GM and assistance to vulnerable and rural households involved in the project. Finally, he set out the project objectives and the role communities can play in the project. Mr. Zakhadullaev stressed that the project focuses on reforestation and restoration of forested areas by extensive planting of new trees.

**After the presentation the participants raised the following questions:**

#	Questions	Answers
1	When will be the project start?	Currently our team are working on the FS, approximately at the second half of the next year.
2	Will we be allowed to graze our livestock?	We understand the livelihoods importance and we are working on finding the alternatives. The reason is that uncontrolled grazing can have negative impact on the degradation of lands and we must think about saving the land.
3	Can we plant fruit trees? Can the project help with watering?	Water and irrigation are main issues. Our experts looking for watering solutions. We are planning to plant pistachio trees in this area. Yes, you can plant fruit trees too.
4	How the project can support us in planting trees, or construction guesthouses?	Under the project supposed to provide loans for small businesses. Regarding guesthouses the issue is under consideration.



**Photos:**



**NOTE: List of attendees/stakeholders will be included in the next version of the PF/RPF**

**Uzbekistan Resilient Landscapes Restoration Project (P174135) (UZ RESILAND)**

**Venue:** Kitob district, Kashkadarya region

**Date:** December 3, 2021

**Public Consultation:** Disclosure the Environment and Social Management Framework

**Presented by:** Abduvokhis Zahadullaev, the Head of the International Relations Department

**Stakeholders:**

- Kitob branch of the State Committee of Forestry,
- Kashkadarya branch of the State Committee of Ecology and Environment Protection,
- Kashkadarya branch of the State Committee for Tourism Development,
- Local community

**Discussed main topics on the PC:**

Mr. Abduvokhid Zakhadullaev made a presentation about the project and its components. He explained the potential planning for project activities, national environmental, social legislation and relevant WB ESS’s requirements. He said social and environmental risks had been identified and preliminary mitigation measures added. He described the components of ESMF, SEP and LMP and the role of each stakeholders; labor requirements and risks and the resources necessary to address labor issues. He described the GM process and explained assistance to vulnerable and rural households involved to the project. He also set out the project objectives and the role communities can play in the project. Mr. Zakhadullaev highlighted point that the project focus is the reforestation and restoration of forested areas by extensive planting of new trees.

**After the presentation the participants raised the following questions:**

#	Questions	Answers
1	When the project can be started?	At present moment, our team is working on the FS, the project will commence approximately at the second half of the next year.
2	Will we be allowed to graze our livestock?	We understand the livelihoods importance and we are working on finding the alternatives. The reason is uncontrolled grazing can have a negative impact on the degradation of lands and we must think about saving the land.
3	Women and young generation of our village are looking for the new opportunities. Can we get any support from the project?	Yes, the main aim of the project is to provide grants to vulnerable groups and minorities. Residents of the village can prepare a business plan and submit to the PIU.
4	Will be additional construction in terms of the project? And can we work in the construction team?	Construction of guesthouses is planned by private owners. We’ll provide you with their contacts so that you can apply for a job.
5	Will we have any trainings to be able to run business in tourism?	I think that the final design of the FS can answer this question

**Photos:**



**NOTE: List of attendees/stakeholders will be included in the next version of the PF/RPF**

**Uzbekistan Resilient Landscapes Restoration Project (P174135) (UZ RESILAND)**

**Venue:** Pop district, Namangan region

**Date:** December 3, 2021

**Public Consultation:** Disclosure the Environment and Social Management Framework

**Presented by:** Abduvokhis Zahadullaev, the Head of the International Relations Department

**Stakeholders:**

- Kitob branch of the State Committee of Forestry,
- Namangan branch of the State Committee of Ecology and Environment Protection,
- Namangan branch of the State Committee for Tourism Development,
- Local community

**Discussed main topics on the PC:**

The presentation about the project was delivered by Mr. Abduvokhid Zakhadullaev, who discussed the project components, potential planning project activities, national environmental, social legislation and relevant WB ESS requirements. He also explained that social and environmental risks had been identified and preliminary mitigation measures added. He described the components of ESMF, SEP and LMP; the role of each stakeholders; and labor requirements and risks, as well as the resources necessary to address labor issues. He explained the GM process and assistance to vulnerable and rural households involved to the project. He set out the project’s objectives and the role communities can play in the project. Mr. Zakhadullaev stressed that the project focus is the reforestation and restoration of forested areas by extensive planting of new trees.

**After the presentation the participants raised the following questions:**

#	Questions	Answers
1	When the project can be commenced?	At present moment, our team is working on the FS, and it is planned to start approximately at the second half of the next year.
2	As I see the project will provide our village a grant? What the requirements to get funding?	Yes, the project has a limited number of grants. Local people have to provide a detailed vision of their idea, maybe as a business plan, and submit it to the PIU. We will announce requirements for the funding.
3	We have good experience in planting orchards. Can we get financial support for the extension of our orchard?	Yes, you have to submit your idea explaining how you will extend/ develop your business and, after selection, you might get a financial support.
4	In order to develop tourism, I’d like to build a hotel or a cafe, can I get a loan for that?	This is a good question. The project is supposed to help developing small businesses, so you can apply for funding as part of this project. The final version of the feasibility study will detail the conditions for obtaining funding.
5	If I’ll get a grant, should I set up of business in Pop or other districts too?	The final design of the FS will provide details for obtaining loans.

**Photos:**



**NOTE: List of attendees/stakeholders will be included in the next version of the PF/RPF**