



REPUBLIC OF TÜRKİYE  
MINISTRY OF TRANSPORT  
AND INFRASTRUCTURE

**AYEM**  
Altyapı Yatırımları Genel Müdürlüğü

**ÇINAR**<sup>®</sup>  
ENGINEERING  
CONSULTANCY INC.



**DİVRİĞİ-KARS-GEORGIA BORDER RAILWAY LINE  
REHABILITATION AND MODERNIZATION PROJECT  
RESETTLEMENT FRAMEWORK  
CNR-ETMIC-RF-001  
(Rev.05)**

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 2 / 54



**Bağlıca Mah. Çambayırı Cad. Çınar Plaza No:66/5 06790 Etimesgut/ ANKARA**

**Tel: +90 312 472 38 39 Fax: +90 312 472 39 33**

**Web: cinarmuhendislik.com**

**E-mail: cinar@cinarmuhendislik.com**

**All rights of this report are reserved.**

All or part of this report cannot be reproduced, copied, electronically reproduced, traded, transmitted, sold, rented, used for any purpose, or used in any form and method in digital and/or electronic media without written permission from Çınar Engineering Consultancy Inc. as per the Law No. 5846 on Intellectual and Artistic Works amended with the Law No. 4110.

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 3 / 54

<b>Project Owner</b>	<b>T. C. Ministry of Transport and Infrastructure Directorate General of Infrastructure Investments</b>
<b>Address</b>	<b>Hakkı Turaylıç Cad. No: 5 06338 Emek/Çankaya/ANKARA</b>
<b>Telephone and Fax Numbers</b>	<b>+90 (312) 203 10 00</b>
<b>Project Title</b>	<b>Divriği-Kars-Georgia Border Railway Line Rehabilitation and Modernization Project</b>
<b>Project Location</b>	<b>Divriği – Erzincan – Erzurum – Kars – Georgia Border</b>
<b>Consultant</b>	<b>Çınar Engineering Consultancy Inc.</b>
<b>Address</b>	<b>Bağlıca Mah. Çambayırı Cad. Çınar Plaza No: 66/5 06790 Etimesgut / ANKARA</b>
<b>Telephone and Fax Numbers</b>	<b>Phone: +90 (312) 472 38 39 Fax: +90 (312) 472 39 33</b>
<b>Report Submission Date</b>	<b>September 2024</b>

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 4 / 54

## TABLE OF CONTENTS

<b>TABLE OF CONTENTS</b> .....	<b>4</b>
<b>LIST OF TABLES</b> .....	<b>5</b>
<b>ABBREVIATIONS &amp; DEFINITIONS</b> .....	<b>6</b>
<b>GLOSSARY</b> .....	<b>7</b>
<b>EXECUTIVE SUMMARY</b> .....	<b>8</b>
<b>1 INTRODUCTION</b> .....	<b>10</b>
1.1 Description of Resettlement Framework .....	11
<b>2 LEGAL FRAMEWORK</b> .....	<b>12</b>
2.1 National Legislation .....	12
2.1.1 Expropriation Law (No. 2942).....	12
2.1.2 Resettlement Law (No. 5543).....	13
2.2 World Bank Requirements.....	15
2.3 Gap Analysis.....	16
<b>3 LAND ACQUISITION PRINCIPLES FOR THE PROJECT</b> .....	<b>22</b>
<b>4 ELIGIBILITY AND CATEGORIES OF AFFECTED PERSONS</b> .....	<b>24</b>
4.1 Project Activities Related to Resettlement and Categories of Affected Persons .....	24
4.2 Vulnerable Groups.....	24
4.3 Cut Off Date.....	25
<b>5 ENTITLEMENTS</b> .....	<b>26</b>
5.1 Calculation for Compensation Payments .....	26
<b>6 PREPARING A RESETTLEMENT PLAN</b> .....	<b>38</b>
6.1 Ex-Post Social Audit .....	39
<b>7 RESPONSIBILITIES AND RESOURCES</b> .....	<b>40</b>
7.1 Implementation Arrangements .....	40
7.2 Budget .....	41
<b>8 PUBLIC DISCLOSURE AND CONSULTATIONS</b> .....	<b>42</b>
<b>9 GRIEVANCE MECHANISM</b> .....	<b>43</b>
<b>10 MONITORING AND REPORTING</b> .....	<b>44</b>
<b>APPENDIX-1 INDICATIVE OUTLINE FOR THE RESETTLEMENT PLAN</b> .....	<b>47</b>
<b>APPENDIX-2 EX-POST SOCIAL AUDIT TEMPLATE</b> .....	<b>52</b>
<b>APPENDIX-3 RESETTLEMENT PLAN PROGRESS REPORTING FORMAT</b> .....	<b>54</b>

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 5 / 54

## LIST OF TABLES

Table 1. Gap Analysis and Measures to Bridge those Gaps .....	17
Table 2. Entitlement Matrix.....	27
Table 3. Roles and Responsibilities .....	40
Table 4. Roles and Responsibilities for Monitoring and the Monitoring Indicators .....	45

## ABBREVIATIONS & DEFINITIONS

<b>AIIB</b>	Asian Infrastructure Investment Bank
<b>AYGM</b>	Directorate General of Infrastructure Investments [Altyapı Yatırımları Genel Müdürlüğü]
<b>BTK</b>	Baku-Tbilisi-Kars
<b>E&amp;S</b>	Environmental and Social
<b>EPSA</b>	Ex-Post Social Audit
<b>ESCP</b>	Environmental and Social Commitment Plan
<b>ESF</b>	Environmental and Social Framework
<b>ESMP</b>	Environmental and Social Management Plan
<b>ESS</b>	Environmental and Social Standard
<b>ETMIC</b>	Eastern Türkiye Middle Corridor Railway Development Project
<b>GM</b>	Grievance Mechanism
<b>IsDB</b>	Islamic Development Bank
<b>Km</b>	kilometer
<b>LMP</b>	Labor Management Procedures
<b>MoEUCC</b>	Ministry of Environment, Urbanization and Climate Change
<b>MoTI</b>	Ministry of Transport and Infrastructure
<b>No.</b>	Numbered
<b>PAD</b>	Project Appraisal Document
<b>PIU</b>	Project Implementation Unit
<b>RF</b>	Resettlement Framework
<b>RLIP</b>	Rail Logistics Improvement Project
<b>RP</b>	Resettlement Plan
<b>SEP</b>	Stakeholder Engagement Plan
<b>SIA</b>	Social Impact Assessment
<b>TCDD</b>	The Republic of Türkiye Directorate General of State Railways [Türkiye Cumhuriyeti Devlet Demiryolları İşletmesi Genel Müdürlüğü]
<b>WB</b>	World Bank

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 7 / 54

## GLOSSARY

**Land acquisition** refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property, and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible. "Land" includes anything growing on or permanently affixed to land, such as crops, buildings and other improvements, and appurtenant water bodies.

**Livelihood** refers to the full range of means that individuals, families, and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering.

**Negotiated settlements** refers to situations where the Borrower needs to acquire specific land or restrict its use for project purposes, but rather than doing so through an expropriation proceeding, the Borrower first tries to arrive at a mutually agreeable negotiated settlement with the landowner/user. In many cases, both parties might find it advantageous to reach a negotiated settlement to avoid the delays and transaction costs associated with the full judicial or administrative process of expropriation or compulsory acquisition.

**Replacement cost** is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.

**Restrictions on land use** refers to limitations or prohibitions on the use of agricultural, residential, commercial, or other land that is directly introduced and put into effect as part of the project. These may include restrictions on access to legally designated parks and protected areas, restrictions on access to other common property resources, restrictions on land use within utility easements, or safety zones.

**Security of tenure** means that resettled individuals or communities are resettled to a site that they can legally occupy, where they are protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate. In no event will resettled persons be provided tenure rights that are in effect weaker than the rights they had to the land or assets from which they have been displaced.

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 8 / 54

## EXECUTIVE SUMMARY

The World Bank (WB), Asian Infrastructure Investment Bank (AIIB) and Islamic Development Bank (IsDB) will be supporting the Directorate General of Infrastructure Investments (AYGM) and the Republic of Türkiye Directorate General of State Railways (TCDD) under the Ministry of Transport and Infrastructure in implementing the Eastern Türkiye Middle Corridor Railway Development– P179128 (ETMIC or the Project). **The objective of the Project is to improve logistics efficiency along the Divriği-Kars-Georgia border railway corridor and to enhance the operational resilience of Türkiye's national railway network.** The proposed project focuses on improving Türkiye's railway infrastructure connectivity at the linehaul level. It will also invest in last-mile connectivity improvements, by modernizing the railway access of the Kars logistics center. And it will strengthen the operational resilience and safety of Türkiye's national railway network through the deployment of digital technology.

The Project has two components as follows:

- Component-1. Rehabilitation and Modernization of the Divriği-Kars-Georgia Border Railway Line
  - Sub-component 1.1. Design, Infrastructure and Superstructure Works, Electrification, and Signalization of the Divriği-Kars-Georgia Border Railway Line
  - Sub-component 1.2. Design Supervision and Construction Supervision Services for the Rehabilitation and Modernization of the Divriği-Kars-Georgia Border Railway Line
- Component-2. Project Management

Within the Project, only the activities under Component-1 may require land acquisition. However, whether land acquisition is required or not or—if required—the scope of the land acquisition cannot be defined at this stage, since the detailed engineering designs including power transmission lines and access roads will be prepared by the contractor.

This **Resettlement Framework (RF)** is developed to establish the resettlement principles and procedures and organizational arrangements to be used in subsequent preparation of Resettlement Plans (RPs) during Project implementation. Once the individual components are designed and the necessary information becomes available, this framework will be guiding the formulation of specific Resettlement Plan (RP)(s). The RF and subsequent land acquisition for the Project will be carried out according to the Environmental and Social Standard (ESS5) on Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement and national laws. This RF covers legal framework, land acquisition principles for the project, eligibility and categories of affected persons, entitlements, principles to prepare a resettlement plan, responsibilities and resources, procedures for public disclosure and resources, grievance mechanism and monitoring and reporting.

**Legal Framework.** Land acquisition laws and procedures in Türkiye have a lengthy history, undergoing periodic updates to enhance their effectiveness and address issues encountered during implementation. Despite these efforts to align with international best practices, certain gaps persist between Turkish legislation and World Bank ESS5. The identified issues include the absence of provisions for livelihoods restoration, insufficient coverage of affected persons, misalignment of compensation with replacement cost, lack of coverage for common property resources, and the absence of continuous consultation and a Grievance Mechanism during resettlement plan implementation. Section 2.3 presents mitigation measures for the gaps.

**Eligibility and Categories of Affected Persons.** ESS5 classifies affected persons into three categories which will be used in compensation calculations within the scope of the Project; (i) who has formal legal rights to land or assets, (ii) who does not have formal legal rights to land or assets but have a claim to land or assets that is recognized or recognizable under national law, (iii) who has no recognizable legal right or claim to the land or assets they occupy or use



<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 9 / 54

Please see Section 4 for categories of affected persons and Section 5 for calculation for compensation payments.

**Implementation Arrangements.** A Project Implementation Unit (PIU) has already been established under AYGM for the ongoing World Bank-financed Rail Logistics Improvement Project – P170532 (RLIP). For this Project, an ETMIC-dedicated PIU sub-unit will be established under this PIU. Among other specialists the ETMIC sub-unit will be staffed by social development specialist who will be responsible for the preparation, implementation and monitoring of the RPs, if required.

**Monitoring.** Social development specialist of the ETMIC sub-unit of the PIU will monitor the implementation of RPs. Semiannual resettlement plan progress reports will be sent to the World Bank.

**Grievance Mechanism.** The grievance mechanism (GM) of the Project defined in the SEP will be used also for resettlement related grievances such as the displaced persons' complaints regarding the land acquisition process, calculation or payment of compensation, provision of assistance, or other relevant matters. The GM does not preclude displaced persons from pursuing legal remedies available to them.

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 10 / 54

## 1 INTRODUCTION

This Resettlement Framework (RF) is developed to establish the principles and procedures to be used in physical or economic displacement caused by land acquisition or restrictions on access or use of natural resources regarding activities planned in the Project to be financed by the World Bank, Asian Infrastructure Investment Bank (AIIB) and Islamic Development Bank (IsDB) in the Eastern Türkiye Middle Corridor Railway Development Project (ETMIC) – P179128. The objective of the Project is to improve logistics efficiency along the Divriği-Kars-Georgia Border railway corridor and to enhance the operational resilience of Türkiye's national railway network. The Directorate General of Infrastructure Investments (AYGM) and the Republic of Türkiye Directorate General of State Railways (TCDD) under the Ministry of Transport and Infrastructure (MoTI) will be implementing the Project activities.

The proposed Project developed around two main components: Component 1 – Rehabilitation and Modernization of the Divriği-Kars-Georgia Border Railway Line and Component 2 – Project Management.

### **Component 1: Rehabilitation and Modernization of the Divriği-Kars-Georgia Border Railway Line**

This component aims to rehabilitate and modernize the existing 667 km railway line between Divriği and the Türkiye-Georgia border. It includes comprehensive design and construction works to renew railway infrastructure and superstructure, electrify the line, and install advanced signaling systems compliant with EU standards. The project will significantly enhance the line's cargo capacity, increasing it from 750,000 tons per year to 20 million tons per year, while improving resilience to climate hazards through updated engineering standards and the integration of a Distributed Acoustic Sensing (DAS) early-warning system.

#### Sub-component 1.1: Design, Infrastructure and Superstructure Works

The major portion of the budget will be allocated to detailed engineering design and extensive civil works. This includes the renewal of 143 km of railway, electrification of the entire line, installation of a European Train Control System, and construction of new sidings and extension of existing ones. Additional improvements include tunnel clearance and drainage works, construction of bridges and controlled level crossings, and station renovations. These enhancements will not only increase capacity and speed but also significantly reduce GHG emissions by transitioning from diesel to electric trains.

#### Sub-component 1.2: Design Supervision and Construction Supervision Services

This sub-component comprises of supervision services, ensuring high-quality implementation of the design and construction works. It includes oversight of the procurement process and the supervision of the entire project execution to guarantee robust construction standards and adherence to resilience measures against climate and natural hazards. This component will enhance the project's overall efficiency and effectiveness, ultimately delivering a modernized, higher-capacity railway line that meets international standards and supports Türkiye's strategic logistics and environmental goals.

### **Component 2: Project Management**

This component focuses on the mobilization of a specialized firm to manage the project. It covers various aspects such as construction, engineering, social and environmental monitoring, citizen engagement, and results monitoring and evaluation. The objective is to ensure seamless project implementation under the Project Implementation Unit (PIU), enhancing project management capacity and ensuring that all project activities align with the intended outcomes and sustainability goals.

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 11 / 54

Within the Project, only the activities under Component-1 may require land acquisition. However, whether land acquisition is required or not or—if required—the scope of the land acquisition cannot be defined at this stage, since the detailed engineering designs including power transmission lines and access roads will be prepared by the contractor.

### **Implementation Arrangements**

The General Directorate of Infrastructure Investments (AYGM) which is a public institution affiliated with the Ministry of Transport and Infrastructure (MoTI) with a special budget for finance, is the implementing agency of the project.

A PIU has already been established under AYGM for the ongoing World Bank-financed Rail Logistics Improvement Project – P170532 (RLIP). For this Project, an ETMIC-dedicated PIU sub-unit will be established under this PIU. Among other specialists the ETMIC sub-unit will be staffed by social development specialist who will be responsible for the preparation, implementation and monitoring of the RPs, if required.

## **1.1 Description of Resettlement Framework**

The Project is being prepared under the World Bank's (WB) Environmental and Social Framework (ESF). Per Environmental and Social Standard ESS5 on *Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement*, AYGM should avoid or minimize any adverse impacts associated with physical or economic displacement, and ensure arrangements are in place to mitigate any adverse impacts that may occur.

This Resettlement Framework (RF) utilizes the existing national legal and policy framework, incorporating any supplementary measures necessary to achieve consistency in land acquisition with ESS5 principles and standards. Given that the technical design of the Component-1 of the ETMIC will not be finalized prior to appraisal of the Project, this RF is developed to establish the principles and procedures to be used in subsequent preparation of Resettlement Plans (RPs) for the land acquisition requirements of the activities in the Project and the monitoring of these plans.

World Bank approval of RP(s) is required before AYGM invite bids for any contracts in which works are expected to involve physical or economic displacement because of land acquisition or restrictions on access or use of natural resources.

This RF should be read together with other plans and procedures prepared by for the Project, including the Environmental and Social Commitment Plan (ESCP), Environmental and Social Management Plan (ESMP), Labor Management Procedure (LMP), and Stakeholder Engagement Plan (SEP).

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 12 / 54

## 2 LEGAL FRAMEWORK

### 2.1 National Legislation

#### 2.1.1 Expropriation Law (No. 2942)

Expropriation Law (No. 2942) outlines the authority of administrations to conduct expropriation for the implementation of public services based on a public interest decision. Rather than acquiring ownership of immovable property, the law allows for the establishment of an easement if it proves sufficient for the intended purpose.

The procedures for expropriation conducted by administrations include:

- a)** The administration initiates the expropriation process by identifying the title deed records or possessions of the immovable properties that will be affected. An application is then submitted to the land registry office to ensure that an annotation is made in the land registry.
- b)** The administration forms a valuation commission, responsible for determining the estimated value of the immovable property in accordance with established evaluation standards. The valuation criteria include:
  - for lands, considering the net income the property would generate in its current state and based on its location and conditions,
  - for lots, taking into account comparable sales without a specific purpose before the expropriation day, and
  - for buildings, considering official unit prices, building cost calculations, and depreciation. In the case of partial expropriation, the suitability for use and any decrease or increase in value of the remaining part are also taken into consideration when calculating the estimated value of the immovable property.
- c)** The administration formally notifies the owner in writing of its intention to acquire the immovable property through negotiation or barter.
  - If the owner agrees to the administration's request, negotiations ensue, and the parties exchange the price, ensuring that it does not exceed the estimated value of the immovable property. Upon reaching an agreement, the immovable property is either registered ex officio or left to the title deed, and the expropriation fee is paid to the owner either in advance or through a barter arrangement.
  - If the owner rejects the request or if an agreement cannot be reached, or if there is possession, the owner may take the matter to the civil court of first instance. The purpose is to determine the expropriation fee for the immovable property, secure an advance payment of this amount, and register the property in the name of the administration or cancel its registry.

In situations where the rightful owner is unknown or cannot be reached, the expropriation fee is deposited into the bank account specified by the court, ensuring it is available for payment to the rightful owner in the future.

In cases where land is titled in the name of someone else, is ownerless, or has not been acquired by the possessor, only the minimum cost of the buildings and the value of the trees, as determined within the framework of Article 11, are compensated to the possessor.

The draining of cultivated land is typically deferred until the end of the harvest. However, if waiting for the harvest time is impractical, the expropriating administration may request the evacuation of the land, with the condition of compensating the possessor for the crop cost, a figure determined by the court. If the cost of the crop has already been factored into the

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 13 / 54

determination of the expropriation value according to Articles 11 and 12, there is no need to reevaluate and pay this amount again for the evacuation of the immovable property.

In certain special cases, the administration may opt for an urgent expropriation decision, resulting in the seizure of the immovable property by depositing the expropriation fee into the bank specified in the invitation and announcement made in accordance with Article 10. In urgent expropriation, owners are not entitled to apply to the court for the annulment of expropriation, but they retain the right to file a lawsuit seeking a reassessment of the expropriation price.

## 2.1.2 Resettlement Law (No. 5543)

Resettlement activities are regulated by Resettlement Law No. 5543 and Regulation for the Execution of Resettlement Law. Resettlement Law deals with families applying to related governmental agencies in the project region and requesting government assisted resettlement. Resettlement assistance of the government is provided for entitled families while expropriation compensation payments are paid to all individuals possessing immovable properties in the project area. According to Article 3 of the Law, three types of resettlements can be applied as for that the choices and requests of affected families. Article 3 of the Law reads this point as follows;

“ARTICLE 3 – (1)

- a) Agricultural resettlement: Agricultural resettlement is implemented through providing a family with the following; agricultural land at the amount of envisaged in special resettlement project prepared by Ministry of Environment, Urbanization and Climate Change (MoEUCC), house, management building, animal, agricultural devices and tools, workbench and credits one or more.
- b) Non – agricultural resettlement: This type of resettlement is implemented through providing a family with the following: building plot at the amount provisioned in special resettlement project, house, devices, tools, workbench and loans one or more.
- c) Physical settlement: This type of resettlement is implemented through providing construction credit support to a family within the amount of loan determined by the MoEUCC for the aim of re-building (moving) of villages because of unsuitability of a village centers or consolidating of villages because of dispersed settlement or villages which are fragmented as a result of disasters; after selling land (house plot) from village development areas to people in need”.

Article 12 of the Law refers to the resettlement of persons whose immovable assets are expropriated, and specifies eligibility criteria for government assisted resettlement as follows:

“(1) Due to the construction of a dam, an area adjacent to the dam, an area under protection, airport, highway, railway, plant and other facilities related to national economy and defense will be erected by public institutions and organizations; and due to the implementation of special laws and in order to protect historical and natural valuables;

a) The families who have to leave their locations/places as a result of partial or full expropriation of their immovable properties,

b) The families who do not own any immovable property, but who reside in the expropriation area at least for three years before the beginning of the calendar year, in which the resettlement planning studies were commenced, will be resettled to the locations/places indicated by the MoEUCC according to the provisions of this Law, provided that they request.

(2) However, the families who own immovable properties to be expropriated but left their places before the commencement date of resettlement planning studies shall not be resettled. Within the last three years as of this date, the families who sold their immovable properties without any compulsory situation and did not purchase immovable property with the equal or higher

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 14 / 54

value shall not be resettled even if they did not leave their places. The compulsory situations mentioned above shall be determined by the regulations.

(3) Among the families residing in the expropriation area, those who are affected from the expropriation implemented by the public institutions and organizations, can be resettled by the Ministry to a location indicated within their village boundaries upon their written application if they do not want to be resettled by the government in any other place, provided that the suggestion of relevant Governorate and the approval of the Ministry of Interior are obtained.

(4) Among the families included in the scope of this article, and requested to be resettled by the Government;

the families who do not apply within the ninety-day following the ending date of the announcement of resettlement, and

the families who do not commit to deposit the amount determined by the MoEUCC from their expropriation compensation they received or will receive, or their full expropriation compensation and additional increase awarded by court in the case that the amount of expropriation compensation is lower than the amount (determined by the MoEUCC) into the account of the Central Account Unit of the MoEUCC, shall not be resettled.

This article states that the affected family (entitled to expropriation compensation) requesting government assisted resettlement has to commit to deposit a certain amount of this compensation to the MoEUCC. The Regulations/Instructions for implementation of Resettlement Law defines this amount as 120 times of the gross monthly (30 days) minimum wage of any worker who is older than 16 years. If the affected household requesting government assisted resettlement is not entitled to expropriation compensation, then they are not required to pay down payment (as deposit) to the MoEUCC. Upon the completion of resettlement construction process the cost of resettlement shall be paid by the household to the MoEUCC within 15 years after a 5-year grace period and without interest. Naturally, the amount of down payment shall be considered (deducted). The amount of down payment is updated as of this netting date. Furthermore, according to regulations of the Law, if there are workers or persons with pension from any social security organization in the family, total annual amount of their wage/pension should be less than 18 times of monthly minimum gross wage.

Resettlement Assistance; Article 9 of Resettlement Law explains the resettlement assistance (which is similar to WB Standards) as follows:

- a) "At first, house and its' house - plot (for building),
- b) For craftsmen, artisans and tradesmen: workplace and its' building plot and operation credit to enable them providing for their livelihood,
- c) For farmers, land, necessary agricultural inputs, agricultural structures or plot of structure, and in kind and in cash operation and equipment credits as envisaged in agricultural resettlement project (specific),
- d) In case of the request of the right holder families (entitled to resettlement), resettlement credits can be given to the families collectively or individually, if the house, workplace and agricultural land are found by themselves and their suggestions are approved by MoEUCC."

Other assistances can be summarized as follows;

"Transportation (moving) of those entitled families to the resettlement areas (sites) shall be provided free of charge by the government according to the "Transportation (moving) Project" to be prepared (specifically) by the Ministry,"

In sum, landless families, renters of houses and/or workplaces, tenant users of the land, formal/informal users of treasury or forest areas and artisans including itinerant peddlers without immovable property but living in that area can be entitled to government assisted resettlement for which they might be eligible.

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 15 / 54

The Resettlement Law and Regulation for the Execution of Resettlement Law provides for government-assisted resettlement in the rural and urban areas. Two households that will be subject to physical resettlement have been identified in the project area. In addition to compliance with national law, Project will also comply with the World Bank's ESS5 on Involuntary Resettlement in order to address any gaps that are found in Section 3.3 regarding resettlement entitlements.

## 2.2 World Bank Requirements

The Environmental and Social Standard ESS5 of the World Bank's ESF, focusing on Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement, acknowledges the potential adverse impacts that project-related land acquisition and land use restrictions can have on communities and individuals. In light of this recognition, the standard emphasizes the importance of avoiding involuntary resettlement whenever possible. However, if involuntary resettlement becomes unavoidable, it underscores the necessity of careful planning and implementation to minimize adverse impacts. Additionally, the standard emphasizes the importance of providing appropriate measures to mitigate these impacts on displaced persons and the host communities receiving them. The specific objectives set out by ESS5 are as follows:

**Avoidance of Involuntary Resettlement:** Strive to avoid involuntary resettlement through exploration of project design alternatives.

**Prevention of Forced Eviction:** Ensure the prevention of forced eviction in the course of project implementation.

**Mitigation of Adverse Impacts:** Mitigate unavoidable adverse social and economic impacts resulting from land acquisition or restrictions on land use by:

- (a) Providing timely compensation for the loss of assets at replacement cost.
- (b) Assisting displaced persons in efforts to enhance or restore their livelihoods and living standards to pre-displacement levels or levels prevailing before project initiation, whichever is higher.

**Improvement of Living Conditions:** Enhance the living conditions of physically displaced poor or vulnerable individuals through the provision of adequate housing, access to services and facilities, and the assurance of security of tenure.

**Resettlement as Sustainable Development:** Conceptualize and execute resettlement activities as sustainable development programs, allocating sufficient investment resources to enable displaced persons to directly benefit from the project in line with its nature.

**Transparent and Inclusive Planning:** Ensure that resettlement activities are planned and executed with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected by the project.

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 16 / 54

## 2.3 Gap Analysis

Land acquisition laws and procedures in Türkiye have a lengthy history, undergoing periodic updates to enhance their effectiveness and address issues encountered during implementation. Despite these efforts to align with international best practices, certain gaps persist between Turkish legislation and World Bank ESS5. The identified issues include the absence of provisions for livelihoods restoration, insufficient coverage of affected persons, misalignment of compensation with replacement cost, lack of coverage for common property resources, and the absence of continuous consultation and a Grievance Mechanism during resettlement plan implementation.

To address these shortcomings and ensure compliance with ESS5, the measures presented in Table 1 will be implemented during the implementation of the project.



**Table 1. Gap Analysis and Measures to Bridge those Gaps**

Gap	ESS5	Turkish Legislation	Measures to bridge the GAPS
Identification of Potentially Adverse Impacts of Land Acquisition	Adverse direct and indirect livelihood impacts of the land acquisition and other immovable assets identified and minimized.	There is no provisioning in the Turkish Law for livelihood restoration.	AYGM commits to apply requirements of ESS5 through Resettlement Plans.
	<p>Lost livelihoods and decreased living standards are restored and improved.</p> <p>Affected populations and impacts should be:</p> <ul style="list-style-type: none"> <li>• identified through thematic maps, a census an inventory of affected assets,</li> <li>• baseline socio-economic surveys and studies,</li> <li>• analysis of surveys and studies,</li> <li>• consultation with affected populations.</li> </ul>	<p>Inventory of assets are required by Turkish Law.</p> <p>Land acquisition through expropriation requires the preparation of a census of affected immovable assets, and a list of their owners.</p> <p>No studies, surveys and consultations are required. Consultations for negotiated purchase of immovable assets are required by Article 8 of Expropriation Law.</p>	<p>In cases where land-based livelihood impacts are found to predominate a Livelihood Restoration Plan will be developed and implemented.</p> <p>An inventory of assets, structures, crops and trees will be prepared.</p> <p>Full census method will be used during household surveys with landowners/user affected by Project components.</p> <p>Surveys, GIS and Corine database will be analyzed.</p> <p>Consultations in line with the SEP will be carried out.</p>
Physical Displacement	Involuntary resettlement should be avoided or minimized where feasible.	There is no provision regarding the minimization of resettlement in Turkish Laws.	All project specific alternatives will be evaluated and the alternative that would result in a minimal level of physical resettlement will be selected.
	All affected persons losing homes are entitled to resettlement	<p>Resettlement entitlements are limited to certain categories of affected persons.</p> <p>Each nuclear family within affected dwellings is entitled to a resettlement home; this provisioning exceeds international standards.</p> <p>Article 12 of Resettlement Law states that the families who do not own any immovable property, but who reside in the expropriation area at least for three years before the beginning of the calendar year, in which the resettlement planning studies were commenced, will be resettled to the locations/places indicated by the MoEUCC according to the provisions of this Law, provided that they request.</p> <p>According to The Turkish Civil Law No. 4721, Article 713; "A person who holds an immovable property</p>	<p>Impacts on dwellings will be eliminated through design. If dwellings are affected, then it will be handled individually for each case through RPs prepared in accordance with this RF and WB ESS5.</p> <p>AYGM will allocate its available sources and budget to compensate physical and economic displacement of all affected persons including informal users who are not entitled to resettlement in Turkish legislation.</p> <p>All affected persons will be entitled to different types of compensation in accordance with this RF and WB ESS5.</p> <p>Should government led resettlement be opted for, AYGM will be in close coordination and cooperation with MoEUCC to follow the resettlement process (according to Law #5543) to ensure that affected persons are provided with accommodation options</p>

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 18 / 54

Gap	ESS5	Turkish Legislation	Measures to bridge the GAPS
		<p>that is not registered in the title deed and who has possession of the immovable property for two decades without any trial and ownership as an owner may request that the right of ownership on the whole, one part or one part of the immovable property be registered in the title deed".</p> <p>In accordance with this provision, possession by usucapion is only for immovable property which is not registered in the title deed.</p>	and livelihood support before the civil works of the Project commence.
	Resettlement plans should be developed in cases where displacement is unavoidable.	<p>No legal provisioning forces the project proponents to prepare social impact assessment (SIA) and/or resettlement plan under Turkish Law.</p> <p>Resettlement Law 5543 provides resettlement options to displaced persons by asking their preferences for urban versus rural resettlement.</p>	AYGM will prepare and implement RP(s) and SIA studies in accordance with WB ESS5.
	<p>Homes and residential land will be compensated by use of replacement value.</p> <p>Amortization is not allowed.</p> <p>Rural, urban and residential land is compensated by use of market prices.</p>	<p>Lost homes are not compensated by use of replacement value.</p> <p>Homes are compensated by use of their cost of construction with high quality material in the market.</p> <p>Amortization is considered.</p> <p>Residential land is compensated by its market prices, by using net capitalization method.</p>	<p>Cash compensation will be provided at unit price which covers all transaction costs as defined by ESS5 plus the cost of any registration and the transfer taxes.</p> <p>Depreciation of the asset will not be considered.</p> <p>In brief, the compensation for lands and structures will be at replacement cost as defined in the ESS5.</p>
Economic Displacement	The loss of assets or access to assets that results in loss of income or other means of livelihood should be restored.	<p>Economic displacement is implicit in the Expropriation Law that allows compensation for lost assets based on discounted net income.</p> <p>Valuation of agricultural land, trees, vineyards etc. is based on net income capitalization method and will consider additional factors that may have an impact on the immovable asset.</p>	Requirements of ESS5 will be applied through RP(s) and where necessary via a Livelihood Restoration Plan.
	Economically displaced (loss of income as a result of land acquisition) persons should be compensated and offered other assistance where required.	No legal provisioning is made in the Turkish legislation except for those that opt for State-Assisted Resettlement.	Entitlements for economically displaced persons are identified as transitional livelihood support, crop payment for unviable lands, cash compensation for loss of structures, water wells, livestock pens,

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 19 / 54

Gap	ESS5	Turkish Legislation	Measures to bridge the GAPS
			<p>transportation costs, title deed costs and payments regarding the loss of common lands such as grazing lands.</p> <p>Those entitlements will be paid from available sources and budget of AYGM since there is no legal provisioning made in Turkish legislation.</p>
	<p>Project related losses of the affected people should be compensated in full and in cash prior to the actual acquisition of immovable assets.</p> <p>All transaction costs should be paid.</p> <p>Not only title deed holders, but also customary owners, tenants, public land users and squatters are entitled to compensation.</p>	<p>Only the legal owners can receive monetary compensation (via the expropriation of lands).</p> <p>Users rights on public and private property are recognized due to recent changes in the Turkish Law.</p> <p>Traditional rights are recognized (with the exception of forest lands that do not recognize user rights).</p>	<p>All affected persons will be entitled to compensation.</p> <p>Users as well as owners will be compensated for assets and standing crops.</p> <p>Compensation measures that exceed provisions of national law will be covered by AYGM.</p>
Common Property Resources	ESS5 requires compensation for livelihood losses of individuals and communities that result from acquisition of pasturelands.	<p>No legal provisioning is made in the Turkish legislation.</p> <p>The pasture and meadow losses of the families or the associated income losses of villages are not compensated.</p>	Compensation payments regarding the economic livelihood losses arising from not being able to use common lands for grazing purposes will be defined in the RP(s) prepared and implemented by AYGM.
Transitional Livelihood Support	According to ESS5 the borrower will provide transitional support “to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living.”	Transitional support is available only for government led resettlement.	Livelihood supports will be provided by AYGM to economically displaced people.
Monitoring and Evaluation	Procedures to monitor and evaluate the implementation of a Resettlement Plan will be established.	No legal provisioning is made.	<p>AYGM will monitor the RP implementation process regularly (internal monitoring).</p> <p>AYGM will receive support from independent consultants to perform external monitoring and completion audit.</p>
Grievance Mechanism (GM)	<p>A GM will be established to receive and facilitate resolution of concerns and grievances of affected people and communities about the Project.</p> <p>In order to resolve concerns promptly, an understandable and transparent consultative</p>	The use of a grievance mechanism is not provisioned.	AYGM will establish a Grievance Mechanism to receive and facilitate resolution of concerns in accordance with WB policies.

Gap	ESS5	Turkish Legislation	Measures to bridge the GAPs
	<p>process that is culturally appropriate and readily accessible should be used.</p> <p>Affected people will be informed about the GM in the course of the stakeholder engagement process.</p>		
Consultation / Participation	<p>All people affected by land acquisition activities and other key stakeholders should be consulted and involved in resettlement planning.</p> <p>The resettlement site must be chosen through consultation with all displaced people and host communities.</p>	<p>There is no provision regarding to public participation in Turkish Laws. There is no requirement for Stakeholder Engagement Plan.</p> <p>The Resettlement Law allows consultation in the process of selecting the resettlement sites to those who opt for State-Assisted Resettlement.</p>	<p>ESS5 requirement of stakeholder engagement will be met by AYGM.</p> <p>AYGM prepared a Stakeholder Engagement Plan for the implementation of all consultations throughout Project. AYGM will conduct consultation meetings with all people affected by land acquisition activities.</p> <p>Physically displaced persons will be separately consulted in accordance with the ESS10.</p>
Vulnerable Groups	<p>Particular attention is paid to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly woman and children.</p>	<p>Expropriation and Settlement Laws do not make any definition for vulnerable groups.</p> <p>However, the State guarantees that citizens of live their lives in peace and security in accordance with Turkish Constitution, and also encourages them to achieve high socio-economic living standards. In this context, the State implements various rules and measures to protect and support needy, weak, helpless and homeless citizens (e.g., Law No. 2022 on 01.07.1976).</p>	<p>Vulnerable groups affected by the Project are described in Section 4.2.</p> <p>Vulnerable people will be identified to evaluate their losses in terms of livelihood restoration during the negotiation and land acquisition process.</p> <p>Livelihood impacts on these vulnerable groups will be assessed and compensation will be provided from available sources and budget of AYGM where necessary.</p> <p>Special effort will be made to encourage female owners and users to attend to negotiations and to register their entitlements.</p> <p>Verbal communication channels will be available for those who are illiterate.</p> <p>Notary and transportation expenses of the elderly, disabled and sick right holders who are unable to withdraw their payments.</p>
Gender	<p>ESSs address gender-differentiated aspects of impacts and opportunities, as well as gender-responsive consultation processes.</p>	<p>Customary law in the Project areas may deny women the right to ownership and management of cultivated lands.</p>	<p>AYGM will ensure that compensation arrangements should be issued in the names of both spouses or</p>

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 21 / 54

Gap	ESS5	Turkish Legislation	Measures to bridge the GAPS
	The use of land and natural resources affected by the Project should be assessed in a gender inclusive manner and specifically consider women's role in the management and use of these resources.	These customs are not recognized by the Civil Law, which states that all siblings and extended family members, regardless of gender and age, have similar inheritance rights.	heads of households and compensation payments will be deposited in bank account (in both names).  Project's consultation process will capture both men's and women's views, if necessary, through separate forums or engagements.

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 22 / 54

### 3 LAND ACQUISITION PRINCIPLES FOR THE PROJECT

The principles adopted by the Project for compensation and assistance in accordance with the ESS5 are stated below:

- a) For land acquisitions, in addition to national legislation, this document and the RPs to be prepared based on this RF will be applied to close the gaps between the national legislation and the requirements of ESS5.
- b) The project area will be selected in a way that minimizes privately owned land acquisition and the economic and social impacts on the affected people.
- c) The preparation and implementation of the RP will be carried out in a transparent manner with the participation of affected people and relevant institutions. For this purpose, stakeholder definitions and identification, information disclosures and consultation meetings will be held in accordance with the SEP.
- d) All affected persons will be informed about the grievance mechanism.
- e) Compensations and allowances will be given in accordance with the entitlement matrix.
- f) Infrastructure facilities such as roads, water pipelines and communication networks etc. interrupted due to the construction of subprojects will be replaced or compensated.
- g) Land acquisition and resettlement activities will be regularly monitored and reported through semi-annual monitoring reports to ensure timely and effective implementation of the RPs.
- h) Compensation for land, structures, unharvested crops, and all other fixed assets should be paid prior to the time of impact or dispossession.
- i) Negotiated settlement processes are acceptable as an alternative for legal expropriation if appropriately implemented and documented.<sup>1</sup> Pursuant to Article 8 of Expropriation Law, land acquisitions will be realized primarily through negotiations. Negotiated payments cannot be less than full replacement cost. The amount to be paid through negotiated payments will be a compensation sufficient to cover the full replacement cost. Where negotiations fail, acquisition will be done through national legislation (by independent courts) and per the requirements of ESS5 (where there are gaps between requirements).
- j) Land donation is acceptable only if conducted in a wholly voluntary manner and appropriately documented.<sup>2</sup>

<sup>1</sup> Appropriate principles for negotiated settlement transactions include (a) intended project sites are screened to identify competing claims to ownership or use, or other encumbrances that would impede two-party negotiations; (b) if the site is collectively or communally owned or used, the negotiation process includes those individuals or households who directly occupy or use it; (c) prior to negotiations, owners or users are informed by project authorities of their intent to obtain relevant land (and other assets) for project use; (d) owners or users are informed of their rights and options to pursue legal remedies or other actions, and sign a declaration indicating willingness to negotiate; (e) at the onset of negotiations, project negotiators present the owner or user with a proposed package of compensation or other beneficial considerations, along with an explanation as to the basis of this initial offer; (f) owners or users are informed that they may make counterproposals as they may see fit; (g) negotiations are conducted without resort to coercion or intimidation in any form; (h) an agreement establishing payment amounts or other agreed considerations is written, signed, and recorded; (i) payment of compensation and provision of any other agreed considerations is completed prior to taking possession for project use; and (j) owners or users retain the right of access to the grievance mechanism if they have complaints regarding any aspect of the negotiated settlement process.

<sup>2</sup> Any land or asset donation for project use will be consistent with these principles: (a) the potential donor is informed that refusal is an option, and that right of refusal is specified in the donation document the donor will sign; (b) donation occurs without coercion, manipulation, or other pressure on the part of public or traditional authorities;

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 23 / 54

- k) AYGM bears official responsibility for meeting all costs associated with obtaining project sites, including compensation and other considerations due to displaced persons. RP(s) will include an estimated budget for all costs, including contingencies for price inflation and unforeseen costs, as well as organizational arrangements for meeting financial contingencies.

AYGM agrees to take all actions necessary to ensure full and effective implementation of RPs prepared in accordance with the RF, and to otherwise take actions necessary to achieve all relevant provisions of ESS5.

---

(c) the donor may negotiate for some form of payment, partial use rights, or alternative benefits as a condition for donation; (d) donation of land is unacceptable unless provision is made to mitigate any significant impacts on incomes or living standards of those involved; (e) donation of land cannot occur if it were to necessitate any household relocation; (f) for community or collective land, donation can only occur with the consent of individuals directly using or occupying the land; (g) the land to be donated is free of encumbrances or encroachment by others who may be adversely affected; (h) any donated land that is not used for its agreed purpose by the project is returned to the donor in a timely manner; and (i) each instance of land donation is documented, including a statement identifying the land or assets donated and terms of donation, which is signed by each owner or user. Persons donating land or assets for project use may use the project grievance mechanism to raise complaints regarding any aspect of the donation process.

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 24 / 54

## 4 ELIGIBILITY AND CATEGORIES OF AFFECTED PERSONS

ESS5 classifies affected persons into three categories which will be used in compensation calculations within the scope of the Project.

- **Who has formal legal rights to land or assets:** Title owners and the persons who have leases on the land are among the persons classified in this category.
- **Who does not have formal legal rights to land or assets but have a claim to land or assets that is recognized or recognizable under national law:** The cadastre of 99.48% of the lands in Türkiye has been completed.<sup>3</sup> Therefore, although the likelihood of the presence of this category is very small, in cases where exists, their claims will be considered in the context of the Project.
- **Who has no recognizable legal right or claim to the land or assets they occupy or use:** Seasonal resource users, such as herders, grazers, fishers, or hunters unless they have a lease agreement and persons occupying land in violation of applicable laws are classified in this category.

Per guidance paragraph 20 of ESS5, AYGM will conduct a census to identify the persons who will be affected by the project, to establish an inventory of land and assets to be affected, to determine who will be eligible for compensation and assistance, and to discourage ineligible persons, such as opportunistic settlers, from claiming benefits.

The census will be performed with a clear, well-disclosed and well-announced cut-off-date. The people in the project area will be well informed that the claims after the cut-off-date will not be considered.

All affected people, irrespective of their status or whether they have formal titles, legal rights or not, will be eligible for compensation and/or assistance, if they occupied the land before the entitlement cut-off date.

### 4.1 Project Activities Related to Resettlement and Categories of Affected Persons

Although no land acquisition is required at this stage, given that the detailed engineering designs including power transmission lines and access roads will be prepared by the contractor, land acquisition may be required.

The affected persons are any persons who are eligible (as defined in the previous section) and directly affected from the activities either economically or socially, and lost land, asset, income, means of livelihood or lost access to them.

The approximate number of affected persons and potential relocation areas are not known at the time of drafting this RF. Once the subproject details are defined and necessary information becomes available, this information will be incorporated into RPs.

### 4.2 Vulnerable Groups

The vulnerable groups that may be affected by subprojects will be identified through consultations, site visits and census studies during land acquisition.

<sup>3</sup> <https://www.tkgm.gov.tr/kadastro-db/turkiye%27nin-guncel-kadastro-durumu>



<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 25 / 54

Potential vulnerable groups who may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits are envisaged as

- People who lose 10% of the total land assets that generate agricultural income due to land acquisition of the Project.<sup>4</sup>
- Cumulative impacts on affected persons whose land have been already affected by other infrastructure or investment projects (highway, railway, oil or natural gas pipelines etc.) in the region and whose lands will be affected within the scope of this Project.
- Affected persons subject to multiple impacts of the project (multiple lands affected by the land acquisition requirements of project components).
- Affected persons left with unviable land due to project design and land take requirements of the Project.

as well as people with disabilities, farmers with low socio-economic status and women farmers. These groups will be identified and informed about the Project activities/impacts and their rights/entitlements. Specific measures for vulnerable groups are defined in the Entitlement Matrix and will be taken to address their subproject-related losses.

Particular attention will be paid to these measures in the RPs.

### 4.3 Cut Off Date

As also mentioned in the previous sections, a census and asset inventory study will be conducted in order to identify the affected assets to be acquired, their usage and ownership status and formal/informal users, vulnerabilities and the eligible parties. The cut-off date for being eligible for compensation and/or resettlement assistance is the last day during which the census/inventory of assets is completed. Sufficient public awareness of the cut-off date will be given to the community through the responsible agencies, community elders and leaders.

The information about the cut-off date will be published in local newspapers, notice boards in local communities by the corresponding municipalities/institutions and at consultation meetings, with an accompanying explanation informing all owners and users of the initiation of the expropriation process.

<sup>4</sup> Consideration of scale of loss of productive assets as well as changes in institutional, technical, cultural, economic, and other factors may be important in determining the significance of economic displacement. In general practice, however, loss of 10 percent or more of productive land or assets from a household or enterprise often is considered significant. Additional details regarding planning measures for economic displacement are provided in ESS5, Annex 1, paras. 24–29.

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 26 / 54

## 5 ENTITLEMENTS

All the categories defined under Section 4 are eligible to get compensation or assistance, which varies according to their category as set in Table 2, in entitlement matrix. Entitled persons have free will to choose the compensation they want. However, general and special considerations that are identified in Table 2 will be considered by the AYGM.

### 5.1 Calculation for Compensation Payments

Under the Turkish legal framework, a valuation commission consisting of a minimum of three persons internally appointed by the agency responsible for land acquisition determines the estimated value of the immovable property to be expropriated, having regard to the information and documents to be obtained from expert persons, institutions and authorities (such as Provincial Directorate of Ministry of Agriculture and Forestry), the Ministry of Industry and Technology, where necessary, and from local real estate agencies as per Article 8 of the Expropriation Law. According to Article 11 "Principles of determination of expropriation value" of Law no. 2942, below factors are taken into consideration while defining expropriation value:

- The nature of the immovable property or resource,
- The size of the immovable property or resource,
- All the characteristics and elements, which could affect the value of the immovable property or resource, including the individual value of each element,
- Tax declaration, if any,
- Previous values of property determined by official bodies at the date of expropriation,
- For lands, the net income that could be derived from the immovable property or resource (without undertaking any changes, using the immovable property or resource in the same conditions as of the expropriation date),
- For house plots, the amount for which equal (similar) house plots have been sold without any special purpose, prior to the date of expropriation,
- For structures, official unit prices (annually issued by the Ministry of Climate Change, Environment and Urbanization) at the expropriation date and calculations of the cost of building including labor and materials),
- Any other objective criteria that could affect the value of the property or resource, including market values for land and assets.
- For trees, there are criteria of being a fruit orchard or not. If the trees in a land are meeting the criteria of being a fruit orchard the valuation method of that land will be valuation of the land as a fruit orchard otherwise, value of each tree will be added to the value of the land.

**Table 2. Entitlement Matrix**

Impact	Affected Persons	Entitlement in Principle	Mitigation Standards/Measures	Explanations/Responsibilities
<b>A. Loss of agricultural land</b>  - Irrigated land - Rainfed land - Pasture - Groves - Fishpond - Other	Owners	Compensation in kind or at replacement cost	Exchangeable lands of equivalent characteristics and value will be searched for the willing, if available, effort will be shown for exchange.  If the remaining part of the land is "unviable" after partial permanent expropriation, the remaining part will also be expropriated by AYGM without waiting for the application of the affected persons. <sup>5</sup>  Expropriation works and transactions will be performed in accordance with the legislation in force. Lands will be compensated with a suitable replacement cost and in a manner allowing Affected Persons to acquire equivalent assets (to be appraised on the project commencement date).	The expropriation fee will be paid from the expropriation budget of the AYGM, however, replacement cost that the national legislation does not cover will be provided by the available sources and the budget of the AYGM.
	Users with legalizable claims	Compensation in kind or at replacement cost	The land users with customary rights to land will be helped to obtain title deeds for the subject lands.  Exchangeable lands of equivalent characteristics and value will be searched for the willing, if available, effort will be shown for exchange.  If the remaining part of the land is "unviable" after partial permanent expropriation, the remaining part will also be expropriated by AYGM without waiting for the application of the affected persons. <sup>6</sup>  Expropriation works and transactions will be performed in accordance with the legislation in force. Lands will be compensated with a suitable replacement cost and in a manner allowing Affected Persons to acquire equivalent assets (to be appraised on the project commencement date).	The expropriation fee will be paid from the expropriation budget of the AYGM, however, replacement cost that the national legislation does not cover will be provided by the available sources and the budget of the AYGM.

<sup>5</sup> If the remaining part of the expropriated property is not suitable for cultivation/benefit, expropriation of the remaining property must be made within thirty days after the submission of a written notice without the need to file a lawsuit in the administrative court (Expropriation Law Article 12, pr.7).

<sup>6</sup> If the remaining part of the expropriated property is not suitable for cultivation/benefit, expropriation of the remaining property must be made within thirty days after the submission of a written notice without the need to file a lawsuit in the administrative court (Expropriation Law Article 12, pr.7).

Impact	Affected Persons	Entitlement in Principle	Mitigation Standards/Measures	Explanations/Responsibilities
	Renters/Lessees	Prorated compensation for remainder of term; assistance in finding suitable alternative	Renters/Lessees will be informed five months prior to construction activities to ensure they can find another land. Their loss of agricultural production and productive assets will be compensated as written in the relevant rows of this matrix.	Compensation will be paid from own budget of AYGM.
	Other users (squatters, encroachers)	Compensation for improvements; assistance in lieu of land compensation  Provide alternative resource  Livelihood restoration	Their loss of agricultural production and productive assets will be compensated as written in the relevant rows of this matrix.  Provision of defined security of tenure	Compensation will be paid from own budget of AYGM.
<b>B. Loss of residential land</b>	Owners	Compensation in kind or at replacement cost	Exchangeable lands of equivalent characteristics and value will be searched for the willing, if available, effort will be shown for exchange.  If the remaining part of the land is "unviable" after partial permanent expropriation, the remaining part will also be expropriated by AYGM without waiting for the application of the affected persons. <sup>7</sup>  Expropriation works and transactions will be performed in accordance with the legislation in force. Lands will be compensated with a suitable replacement cost and in a manner allowing Affected Persons to acquire equivalent assets (to be appraised on the project commencement date).	The expropriation fee will be paid from the expropriation budget of the AYGM, however, full replacement cost that the national legislation does not cover will be provided by the available sources and the budget of the AYGM.  During the expropriation process, the Department of Real Estate and Expropriation of AYGM will negotiate with owners, evaluate the preferences of the owners for resettlement, and apply the most appropriate choice to restore the living conditions of the owners to better or at least restore the living conditions.
	Users with legalizable claims	Compensation in kind or at replacement cost	The land users with customary rights to land will be helped to obtain title deeds for the subject lands.  Exchangeable lands of equivalent characteristics and value will be searched for the willing, if available, effort will be shown for exchange.	The expropriation fee will be paid from the expropriation budget of the AYGM, however, replacement cost that the national legislation does not cover will be provided by the available sources and the budget of the AYGM.

<sup>7</sup> If the remaining part of the expropriated property is not suitable for cultivation/benefit, expropriation of the remaining property must be made within thirty days after the submission of a written notice without the need to file a lawsuit in the administrative court (Expropriation Law Article 12, pr.7).

Impact	Affected Persons	Entitlement in Principle	Mitigation Standards/Measures	Explanations/Responsibilities
			<p>If the remaining part of the land is "unviable" after partial permanent expropriation, the remaining part will also be expropriated by AYGM without waiting for the application of the affected persons.<sup>8</sup></p> <p>Expropriation works and transactions will be performed in accordance with the legislation in force. Lands will be compensated with a suitable replacement cost and in a manner allowing Affected Persons to acquire equivalent assets (to be appraised on the project commencement date).</p>	
	Other users (squatters, encroachers)	Compensation for improvements; assistance in lieu of land compensation	<p>Transport expenses will be covered, or transportation support will be given.</p> <p>Provision of defined security of tenure</p>	If necessary, AYGM will mediate the provision of in-kind and cash support to households within the scope of the Social Assistance and Solidarity Encouragement Law No. 3294.
<b>C. Loss of commercial land</b>	Owners	Compensation at replacement cost, commercial real estate value	<p>Exchangeable lands of equivalent characteristics and value will be searched for the willing, if available, effort will be shown for exchange.</p> <p>If the remaining part of the land is "unviable" after partial permanent expropriation, the remaining part will also be expropriated by AYGM without waiting for the application of the affected persons.<sup>9</sup></p> <p>Expropriation works and transactions will be performed in accordance with the legislation in force. Lands will be compensated with a suitable replacement cost and in a manner allowing Affected Persons to acquire equivalent assets (to be appraised on the project commencement date).</p>	Compensation will be paid from own budget of AYGM, however, replacement cost that the national legislation does not cover will be provided by the available sources and the budget of the AYGM.
	Users with legalizable claims	Compensation in kind or at replacement cost	The land users with customary rights to land will be helped to obtain title deeds for the subject lands.	The expropriation fee will be paid from the expropriation budget of the AYGM, however, replacement cost that the national legislation does

<sup>8</sup> If the remaining part of the expropriated property is not suitable for cultivation/benefit, expropriation of the remaining property must be made within thirty days after the submission of a written notice without the need to file a lawsuit in the administrative court (Expropriation Law Article 12, pr.7).

<sup>9</sup> If the remaining part of the expropriated property is not suitable for cultivation/benefit, expropriation of the remaining property must be made within thirty days after the submission of a written notice without the need to file a lawsuit in the administrative court (Expropriation Law Article 12, pr.7).

Impact	Affected Persons	Entitlement in Principle	Mitigation Standards/Measures	Explanations/Responsibilities
			<p>Exchangeable lands of equivalent characteristics and value will be searched for the willing, if available, effort will be shown for exchange.</p> <p>If the remaining part of the land is "unviable" after partial permanent expropriation, the remaining part will also be expropriated by AYGM without waiting for the application of the affected persons.<sup>10</sup></p> <p>Expropriation works and transactions will be performed in accordance with the legislation in force. Lands will be compensated with a suitable replacement cost and in a manner allowing Affected Persons to acquire equivalent assets (to be appraised on the project commencement date).</p>	not cover will be provided by the available sources and the budget of the AYGM.
	Other users (squatters, encroachers, illegal businesses)	Compensation for improvements; assistance in lieu of land compensation	<p>Transport expenses will be covered, or transportation support will be given.</p> <p>Provision of defined security of tenure</p>	Compensation will be paid from own budget of AYGM.
<b>D. Temporary loss of land</b> (establishment of easement rights and restrictions on land use)	Owners, occupants, users	Compensation for duration of project use; restoration of land to prior condition	<p>The easement right fee for the land stipulated by the Law will be compensated.</p> <p>The mentioned land will be restored to a usable status before it is delivered to the owner.</p>	Compensation will be paid from own budget of AYGM.
	Users with legalizable claims	Compensation for duration of project use; restoration of land to prior condition	<p>The land users with customary rights to land will be helped to obtain title deeds for the subject lands.</p> <p>The easement right fee for the land stipulated by the Law will be compensated.</p> <p>The mentioned land will be restored to a usable status before it is delivered to the owner.</p>	Compensation will be paid from own budget of AYGM.
<b>E. Loss of agricultural production</b>	Producers	Opportunity to bring to market, or compensation at market value at maturity (or compensation at net	Each product and/or tree will be evaluated according to their own characteristics (annual or perennial, maturity, average yield of at least 3 years, etc.).	Compensation will be paid from own budget of AYGM.

<sup>10</sup> If the remaining part of the expropriated property is not suitable for cultivation/benefit, expropriation of the remaining property must be made within thirty days after the submission of a written notice without the need to file a lawsuit in the administrative court (Expropriation Law Article 12, pr.7).

Impact	Affected Persons	Entitlement in Principle	Mitigation Standards/Measures	Explanations/Responsibilities
<ul style="list-style-type: none"> <li>- crops</li> <li>- fruit/nut trees</li> <li>- timber trees</li> <li>- aquaculture</li> <li>- forest product</li> <li>- livestock forage</li> <li>- livestock</li> </ul>		<p>present value for trees and livestock)</p>	<p>For the trees, leaving the salvage to the entitled, for the willing.</p> <p>A special commission will determine the market values of these crops or trees. It is important to identify the users who will experience loss of agricultural income due to land acquisition, rather than landowners.</p>	
<p><b>F. Loss of productive fixed assets</b></p> <ul style="list-style-type: none"> <li>- irrigation facilities</li> <li>- fencing</li> <li>- wells</li> <li>- troughs</li> <li>- sheds</li> <li>- barns</li> <li>- other</li> </ul>	<p>Asset owners/users</p>	<p>Direct replacement of productive fixed assets or compensation at replacement cost (non-depreciated value including labor and materials)</p>	<p>Leaving the salvaged materials after demolition of the building to the entitled, for the willing.</p>	<p>The expropriation fee will be paid from the expropriation budget of the AYGM, however, full replacement cost that the national legislation does not cover will be provided by the available sources and the budget of the AYGM.</p> <p>During the expropriation process, the usage conditions of these structures will be consulted with the asset owners/users, and the most appropriate entitlement option will be determined.</p>
<p><b>G. Loss of residential structures</b></p> <p>(Often categorized by major building material, fixed improvements, or other features)</p>	<p>Owners</p>	<p>Direct house replacement or compensation at replacement cost (non-depreciated value including labor and materials); transitional assistance</p> <p>Relocation allowance or assistance</p>	<p>Transport expenses will be covered, or transportation support will be given. Assistance to move personal belongings and other movable assets.</p> <p>Leaving the salvaged materials after demolition of the building to the entitled, for the willing.</p>	<p>The expropriation fee will be paid from the expropriation budget of the AYGM, however, full replacement cost that the national legislation does not cover will be provided by the available sources and the budget of the AYGM.</p> <p>During the expropriation process, the Department of Real Estate and Expropriation of AYGM will negotiate with owners, evaluate the preferences of the owners for resettlement, and apply the most appropriate choice to restore the living conditions of the owners to better or at least restore the living conditions.</p> <p>AYGM will be in close coordination and cooperation with MoEUCC to follow the resettlement process to ensure that affected persons are provided with accommodation options and livelihood support before the civil works of the Project commence.</p>

Impact	Affected Persons	Entitlement in Principle	Mitigation Standards/Measures	Explanations/Responsibilities
				<p>If necessary, AYGM will mediate the provision of in-kind and cash support to households within the scope of the Social Assistance and Solidarity Encouragement Law No. 3294.</p>
	Occupants with legalizable claims	<p>Direct house replacement or compensation at replacement cost (non-depreciated value including labor and materials); transitional assistance</p> <p>Relocation allowance or assistance</p>	<p>Transport expenses will be covered, or transportation support will be given. Assistance to move personal belongings and other movable assets.</p> <p>Leaving the salvaged materials after demolition of the building to the entitled, for the willing.</p>	<p>The expropriation fee will be paid from the expropriation budget of the AYGM, however, full replacement cost that the national legislation does not cover will be provided by the available sources and the budget of the AYGM.</p> <p>During the expropriation process, the Department of Real Estate and Expropriation of AYGM will negotiate with owners, evaluate the preferences of the owners for resettlement, and apply the most appropriate choice to restore the living conditions of the owners to better or at least restore the living conditions.</p> <p>AYGM will be in close coordination and cooperation with MoEUCC to follow the resettlement process to ensure that affected persons are provided with accommodation options and livelihood support before the civil works of the Project commence.</p> <p>If necessary, AYGM will mediate the provision of in-kind and cash support to households within the scope of the Social Assistance and Solidarity Encouragement Law No. 3294.</p>
	Illegal structures	<p>Direct house replacement or compensation at replacement cost (non-depreciated value including labor and materials); transitional assistance</p> <p>Relocation allowance or assistance</p>	<p>Transport expenses will be covered, or transportation support will be given. Assistance to move personal belongings and other movable assets.</p> <p>Leaving the salvaged materials after demolition of the building to the entitled, for the willing.</p>	<p>The full replacement cost that the national legislation does not cover will be provided by the available sources and the budget of the AYGM.</p> <p>During the process, the Department of Real Estate and Expropriation of AYGM will negotiate with owners, evaluate the preferences of the owners for resettlement, and apply the most appropriate choice to restore the living conditions of the</p>



Impact	Affected Persons	Entitlement in Principle	Mitigation Standards/Measures	Explanations/Responsibilities
				<p>owners to better or at least restore the living conditions.</p> <p>AYGM will be in close coordination and cooperation with MoEUCC to follow the resettlement process to ensure that affected persons are provided with accommodation options and livelihood support before the civil works of the Project commence.</p> <p>If necessary, AYGM will mediate the provision of in-kind and cash support to households within the scope of the Social Assistance and Solidarity Encouragement Law No. 3294.</p>
	Renters/Lessees	<p>Prorated compensation for remainder of term; assistance in finding suitable alternative; transitional assistance</p> <p>Relocation allowance or assistance</p>	<p>Transport expenses will be covered, or transportation support will be given. Assistance to move personal belongings and other movable assets.</p> <p>Renters/Lessees will be informed five months prior to construction activities to ensure they can find another accommodation.</p>	<p>If necessary, AYGM will mediate the provision of in-kind and cash support to households within the scope of the Social Assistance and Solidarity Encouragement Law No. 3294.</p>
<p><b>H. Loss of commercial structures</b></p> <p>(Often categorized by major building material, function and capacity, fixed improvements, or other features)</p>	Owners	<p>Compensation at replacement cost for structures, fixed equipment and other improvements; transitional assistance</p>	<p>Transportation, modification, repair, installation, road correction etc. costs that will occur will be compensated.</p> <p>Leaving the salvaged materials after demolition of the building to the entitled, for the willing.</p> <p>Additionally, (a) Compensation of the loss of net income during the period of transition, (b) Support for the transfer and reinstallation of the plant, machinery, or other equipment, (c) Support for reestablishing commercial activities, (d) Livelihood restoration, (e) Allowance for temporary loss of wages (up to six months), and (f) Assistance in identifying alternative employment opportunities.</p>	<p>The expropriation fee will be paid from the expropriation budget of the AYGM, however, full replacement cost that the national legislation does not cover will be provided by the available sources and the budget of the AYGM.</p> <p>During the expropriation process, the usage conditions of these structures will be consulted with the users, and the most suitable moving options will be determined.</p> <p>AYGM will be in cooperation with institutions such as the District Government, Municipality, Ministry of Finance (for Treasury land) and TOKI in finding alternative lands and building new structures that may be required.</p>

Impact	Affected Persons	Entitlement in Principle	Mitigation Standards/Measures	Explanations/Responsibilities
	Occupants with legalizable claims	Compensation at replacement cost for structures, fixed equipment and other improvements; transitional assistance	<p>Transportation, modification, repair, installation, road correction etc. costs that will occur will be compensated.</p> <p>Leaving the salvaged materials after demolition of the building to the entitled, for the willing.</p> <p>Additionally, (a) Compensation of the loss of net income during the period of transition, (b) Support for the transfer and reinstallation of the plant, machinery, or other equipment, (c) Support for reestablishing commercial activities, (d) Livelihood restoration, (e) Allowance for temporary loss of wages (up to six months), and (f) Assistance in identifying alternative employment opportunities.</p>	<p>The expropriation fee will be paid from the expropriation budget of the AYGM, however, full replacement cost that the national legislation does not cover will be provided by the available sources and the budget of the AYGM.</p> <p>During the expropriation process, the usage conditions of these structures will be consulted with the users, and the most suitable moving options will be determined.</p> <p>AYGM will be in cooperation with institutions such as the District Government, Municipality, Ministry of Finance (for Treasury land) and TOKI in finding alternative lands and building new structures that may be required.</p>
	Illegal structures	Compensation at replacement cost for structures, fixed equipment and other improvements; transitional assistance	<p>Transportation, modification, repair, installation, road correction etc. costs that will occur will be compensated.</p> <p>Leaving the salvaged materials after demolition of the building to the entitled, for the willing.</p> <p>Additionally, (a) Support for the transfer and reinstallation of the plant, machinery, or other equipment, (b) Support for reestablishing commercial activities, (c) Livelihood restoration, (d) Allowance for temporary loss of wages (up to six months), and (e) Assistance in identifying alternative employment opportunities.</p>	<p>The full replacement cost that the national legislation does not cover will be provided by the available sources and the budget of the AYGM.</p> <p>The usage conditions of these structures will be consulted with the users, and the most suitable moving options will be determined.</p> <p>AYGM will be in cooperation with institutions such as the District Government, Municipality, Ministry of Finance (for Treasury land) and TOKI in finding alternative lands and building new structures that may be required.</p>
	Renters/Lessees	Prorated compensation for remainder of term; compensation at replacement cost for fixed equipment and other improvements; transitional assistance	<ul style="list-style-type: none"> <li>• Loss of income due to relocation will be compensated for the duration of relocation (disassembly, transportation and assembly).</li> <li>• Amendments, repairs, paint etc. expenses to be made for the location to be ready for operation will be met in a way not to be lower quality than the old facility. Transportation costs of the machinery, equipment, goods at the facility will be paid.</li> </ul>	<p>AYGM will cooperate with institutions such as the District Government, Municipality, Ministry of Finance (for Treasury lands) and TOKI in finding and building a new place for the establishment.</p>

Impact	Affected Persons	Entitlement in Principle	Mitigation Standards/Measures	Explanations/Responsibilities
			<ul style="list-style-type: none"> <li>If there is any material that cannot be reused when disassembled, it will be compensated.</li> <li>Support will be provided on legal consultancy (lawyer) costs and new expenses for necessary permits, EIA documents, etc.</li> </ul>	
<b>I. Loss of agricultural livelihood</b>	Affected agricultural producer, worker who lost more than 10% of yearly income.	In addition to compensation for lost land and assets, persons whose livelihoods are significantly affected receive alternative employment, skills training, business development assistance, or other additional assistance linked to livelihoods restoration or improvement	<ul style="list-style-type: none"> <li>Livelihood support projects will be developed and implemented in cooperation with relevant institutions for farmers whose livelihoods depend on agriculture and have lost their land.</li> <li>Temporary or permanent employment opportunities especially cleaning, chauffeur, security, cookery etc. during the construction and operation period will be offered to affected persons.</li> <li>Special applications will be made for income loss compensation if necessary.</li> <li>Livelihood supports may include: <ul style="list-style-type: none"> <li>Helping surplus treasury immovable to be transferred to the ownership of unauthorized users.</li> <li>When possible, AYGM will allow the sale of lands it owns for the unauthorized users in accordance with the Law in force.</li> <li>AYGM will inform project-affected persons about the possibilities of renting or purchasing a new land from General Directorate of National Estate.</li> <li>AYGM will provide suitable support in the event that the entitled PAPs apply to benefit from İŞKUR's Social Benefit Program and receive it or obtain funds from Social Aid and Solidarity Foundations.</li> </ul> </li> </ul>	<p>AYGM will develop projects jointly with the Provincial / District Directorates of Agriculture and Forestry and cooperatives in the region and will provide livelihood support for households who have lost their livelihoods.</p> <p>AYGM will also inform the landowner about the necessary procedures for the supports that can be provided under the Resettlement Law and ensure that they receive livelihood support.</p> <p>AYGM will also ensure that, in the case of households who have lost their income sources, these households will receive the necessary support as an intermediary in line with social assistance programs under the Social Assistance and Solidarity Encouragement Law No. 3294.</p> <p>For the provision of temporary or permanent employment opportunities, prioritization of local employment and displaced persons will be stipulated in contracts to be made with the Construction Contractor and AYGM will ensure that these people have been provided with employment opportunities in the Project.</p>
<b>J. Temporary loss of business income</b>	Owner, enterprise	Payment of support for period of disruption	<ul style="list-style-type: none"> <li>In order to establish the business in a new place without stopping operation/activity, it will be ensured that the new location is found and made ready before the project construction begins. Any income loss will be compensated if the new facility was not put into operation before the construction of the project or if there</li> </ul>	

Impact	Affected Persons	Entitlement in Principle	Mitigation Standards/Measures	Explanations/Responsibilities
			was a business interruption/ work stoppage during the relocation.	
<b>K. Temporary loss of employment or wages</b>	Employees	Payment of wages or unemployment support for period of disruption (including the insurance premiums)	<ul style="list-style-type: none"> <li>All actions are to be planned in a manner that allows business to stay in operation.</li> <li>In cases of retrenchment due to relocation of businesses, additional support will be provided find jobs for workers whose contracts have been terminated. For this, cooperation will be made with organizations such as Chamber of Industry.</li> </ul>	At this stage, there is no identified support program specifically for employees who may face unemployment. However, the project's scope and plans will include measures to minimize the risk of unemployment.
<b>L. Loss of public or community infrastructure, facilities or services</b>	Public or private owners	Compensation at replacement cost for damage or destruction of infrastructure and facilities; assistance in restoring functionality and accessibility of services	<ul style="list-style-type: none"> <li>The current infrastructure and services will be protected and regulated so as not to bring economic losses to its users.</li> <li>Any type of impact on other public assets used by locals will be consulted with relevant state authorities (BOTAŞ, DSI, Agricultural Directorates, municipalities) and compensated at full or avoid through project design.</li> </ul>	AYGM will make official correspondence with the institutions such as General Directorate of Cultural Heritage, DSI, municipalities, and Provincial Directorates of Agriculture for the protection of these assets.
<b>M. Material assistance to vulnerable or disadvantaged</b>	Displaced illegal residents, users or occupants	In addition to applicable forms of compensation and assistance, provision of defined security of tenure <sup>11</sup>	In addition to mitigation measures described in relevant rows, AYGM guarantees to give priority to unauthorized users and/or families of vulnerable communities regarding possible temporary or permanent employment opportunities relevant to the project.	Compensation will be paid from own budget of AYGM.
	Occupants displaced from substandard housing	Arrangements for obtaining replacement housing <sup>12</sup> meeting minimum legal or community standards		Compensation will be paid from own budget of AYGM.
<b>N. Damages to structures, houses and</b>	All PAPs	Contractor of the construction will conduct necessary examination and assessment to compensate	PAPs will be informed of rights regarding the effects of construction phase and the grievance redress mechanism in place.	Compensation will be paid from own budget of the Construction Contractor.

<sup>11</sup> As defined in footnote 7 of ESS5, "security of tenure" means that resettled individuals or communities are resettled to a site that they can legally occupy, where they are protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate. In no event will resettled persons be provided tenure rights that are in effect weaker than the rights they had to the land or assets from which they have been displaced.

<sup>12</sup> As stated in General Note 27.1 of ESS5 "replacement housing" should, as appropriate, be of sufficient quality to protect inhabitants from weather conditions and environmental hazards and provide for their physical safety; and housing structures should provide adequate space, taking into account household size and the number of women and children.

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 37 / 54

Impact	Affected Persons	Entitlement in Principle	Mitigation Standards/Measures	Explanations/Responsibilities
<b>products during construction</b>		and fix damages. In cases where the damage and injuries cannot be fixed, damaged structures will be compensated as per the Resettlement Framework.	Leaving the salvaged materials after demolition of the building to the entitled, for the willing.	

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 38 / 54

## 6 PREPARING A RESETTLEMENT PLAN

AYGM is obligated to develop RPs for all subprojects causing physical or economic displacement due to land acquisition or related restrictions on resource access or use.

The initiation of RP preparation occurs once the physical footprint of a proposed investment is identified, confirming that a specific site (or sites) must be acquired for project use. The ETMIC sub-unit of the PIU will initially assess proposed sites to identify current usage and tenurial arrangements, pinpointing the site (or sites) that minimize physical and economic displacement. Subsequently, ETMIC sub-unit of the PIU will conduct a census survey to enumerate all displaced persons on the selected site (or sites) and assesses land and other assets to be acquired for project use.

Each RP will adhere to the principles, planning procedures, and implementation arrangements outlined in this RF.<sup>13</sup> An indicative outline for RP is provided in Appendix-1.

To maintain confidentiality and prevent any bias against displaced persons, a separate set of individual compensation files for each displaced household or person will be handled confidentially by the borrower.

Eligibility criteria for compensation and other forms of assistance summarized in Table 2 can be also used for consultation with displaced persons.

Additional planning measures must be integrated into RPs for projects causing physical or significant economic displacement, encompassing the following aspects:

***For projects causing physical displacement<sup>14</sup>:***

- a) Explanation of relocation arrangements, including options for displaced persons and transitional support for moving or other expenses.
- b) Description of resettlement site selection, preparation, and measures to mitigate impacts on host communities or the physical environment, incorporating environmental protection and management.
- c) Measures to enhance living standards and address the needs of relocating poor or vulnerable households, ensuring replacement housing meets minimum community standards and comes with security of tenure.
- d) Description of project design measures to improve living standards, access to community services or facilities, or other project-related benefits.
- e) Any necessary measures to address the impacts of resettlement on host communities.

***For projects causing significant economic displacement<sup>15</sup>:***

- a) An account of the scale and scope of likely livelihood-related impacts, encompassing agricultural production, commercial activity, and natural resource use for livelihoods.
- b) Options for livelihoods assistance (such as employment, training, small business support, assistance in providing replacement land of equivalent productive value, among others) for those losing agricultural land or resource access.

<sup>13</sup> Additional details regarding preparation of an RP are provided in Annex-1 of ESS5.

<sup>14</sup> Additional details regarding planning measures for physical displacement are provided in ESS5, Annex 1, paras. 17–23.

<sup>15</sup> Consideration of scale of loss of productive assets as well as changes in institutional, technical, cultural, economic, and other factors may be important in determining the significance of economic displacement. In general practice, however, loss of 10 percent or more of productive land or assets from a household or enterprise often is considered significant. Additional details regarding planning measures for economic displacement are provided in ESS5, Annex 1, paras. 24–29.

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 39 / 54

- c)** Assistance measures available to commercial enterprises (and workers) affected by the loss of assets or business opportunities related to land acquisition or project construction.
- d)** Project measures to enhance productivity or incomes among displaced persons or communities.

The RPs will undergo review and clearance by the World Bank.

## 6.1 Ex-Post Social Audit

ESS5 is applicable to both permanent and temporary physical and economic displacement arising from land acquisition or land use restrictions that occurred before the project (maximum five years), provided these actions were undertaken or initiated in anticipation of or in preparation for the Project. While retroactively meeting certain aspects of ESS5, such as consultation and disclosure, may not be feasible, a due diligence review (an ex-post social audit [EPSA]), will be conducted by the ETMIC sub-unit of the PIU. The objectives of this review are to:<sup>16</sup>

- a)** Document and evaluate the effectiveness of past mitigation measures addressing the environmental and social impacts of previous resettlements.
- b)** Assess compliance with national legislation.
- c)** Identify gaps in meeting ESS5 requirements.
- d)** Identify any outstanding complaints, grievances, or issues.
- e)** Determine measures to address identified gaps and grievances.

Besides the renovation of existing railways, Project also includes construction of new sidings and extension of existing ones and establishment of power transmission lines. Since the design of these activities are not completed, it was not possible to know whether there will be any need for EPSA during the preparation of this RF. Therefore, the need for EPSA will be clarified once the designs of the activities—new sidings and extension of existing ones and power transmission lines—are completed and the decision to conduct an EPSA will be made on a case-by-case basis considering the aforementioned principles. An EPSA will be prepared if the required land was acquired within the past five years.

If displacement-related activities are ongoing at this aforementioned stage, these activities will be halted until the EPSA is prepared and completed, and ESS5 requirements are being adhered to.

The EPSA may involve document reviews, field visits, interviews, and consultations with affected individuals and key stakeholders. In Türkiye, the updating of land registers and subdivision of lands due to inheritance laws often results in numerous landowners with small fractions of land. For the EPSA, focusing on the land plot rather than the owner(s) may be a practical approach, although it may limit the ability to assess the livelihood impact of land acquisition on affected persons, which is a key objective of ESS5 not covered by Turkish law. An indicative outline for the EPSA is provided in Appendix-2.

The EPSA will undergo World Bank review and clearance to ensure that land acquisition aligns with the objectives and principles of national legislation and ESS5. If an EPSA reveals non-compliance with ESS5, MoTI will take necessary actions, guided by the ETMIC sub-unit of the PIU and defined in this RF, to scale up land acquisition works and address gaps, including mitigation or compensation for impacts generated by the subproject(s).

<sup>16</sup> The EPSA does not supersede provisions of ESS5 or the ESF, and the World Bank remains solely responsible for determining what is required to achieve consistency with those requirements throughout the course of project implementation.

## 7 RESPONSIBILITIES AND RESOURCES

### 7.1 Implementation Arrangements

Department of Real Estate and Expropriation of AYGM will be the main authority to carry out the expropriation process, but it is not responsible for the implementation of the RP(s).

A PIU has already been established under AYGM for the ongoing World Bank-financed Rail Logistics Improvement Project – P170532 (RLIP). For this Project, an ETMIC-dedicated PIU sub-unit will be established under this PIU. Among other specialists the ETMIC sub-unit will be staffed by a social development specialist who will be responsible for the preparation, implementation and monitoring of the RPs, if required.

The social development specialist of the ETMIC sub-unit of the PIU will work in close cooperation with the Department of Real Estate and Expropriation and will follow the land acquisition activities in order to ensure that land acquisition activities are carried out in accordance with relevant national laws and ESS5. Table 3 shows the distribution of roles and responsibilities for RP implementation.

**Table 3. Roles and Responsibilities**

Unit	Responsibility
Department of Real Estate and Expropriation	<ul style="list-style-type: none"> <li>Communicates with land owners / users to inform them about their rights and land acquisition process</li> <li>Identifies formal / informal land users and assets and vulnerable groups on the affected lands, establishes a commission for value determination</li> <li>Manages and executes all transactions related to land acquisition in accordance with Turkish legislation.</li> <li>Provides regular land acquisition process information to ETMIC sub-unit of the PIU, including complaints and meeting records in negotiation meetings</li> <li>Carries out the organizational and institutional consultations required for the fulfillment of the RP commitments.</li> </ul>
ETMIC sub-unit of the PIU	<ul style="list-style-type: none"> <li>Works in close cooperation with the Department of Real Estate and Expropriation to ensure that the land acquisition process complies with the ESS5, ensures that value calculations are made to meet the requirements of ESS5.</li> <li>Implements and develops processes related to the grievance mechanism, management of entitlement supports/compensations and stakeholder engagement.</li> <li>Leads, follows and monitors the site personnel for the proper execution of processes related to the grievance mechanism, management of entitlement supports/compensations and stakeholder engagement.</li> <li>Coordinates with the parties for the proper implementation of processes related to the grievance mechanism, management of entitlement supports/compensations and stakeholder engagement.</li> <li>Tracks and reports information activities conducted within the scope of RP entitlement applications / complaints / requests</li> <li>Monitors and reports the progress made regarding the commitments defined in the RP</li> <li>Determines whether other actions are necessary to achieve RP implementation objectives</li> <li>Examines whether the RP entitlement applications are eligible (there might be some people who are not identified as PAPs during the census but claim rights).</li> <li>Verifies that measures for the restoration of livelihoods are implemented and evaluates their effectiveness</li> <li>Prepare brochures and other informative materials related to land acquisition in line with SEP</li> </ul>
Independent Consultants	<ul style="list-style-type: none"> <li>Monitors and reports the progress made regarding the commitments defined in the RP.</li> <li>Reviews internal monitoring activities, records and reports and proposes solutions to verify compliance with RP commitments and identify problem areas in RP implementation.</li> <li>Monitor compensation and mitigation implementations and evaluate the appropriateness of the activities</li> <li>Verifies that measures for the restoration of livelihoods are implemented and evaluates their effectiveness and suggests corrective measures to ETMIC sub-unit of the PIU if any required</li> </ul>



<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 41 / 54

## Trainings

The social development specialist of the ETMIC sub-unit of the PIU will provide training to the Department of Real Estate and Expropriation on World Bank's ESS5 standards and principles. Additional support and refresher training will also be provided if needed during implementation.

## 7.2 Budget

The budget of the Project will not be used for implementation of RPs, EPSAs,. The non-exhaustive list of estimated budget items that will be included in the RPs, EPSAs are:

- For physical displacements
  - expropriation costs,
  - relocation assistance, etc.
- For economic displacements
  - cost of identifying a viable alternative location,
  - cost of transfer and reinstallation of the plant, machinery, or other equipment, and
  - assistance in identifying alternative employment opportunities.

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 42 / 54

## 8 PUBLIC DISCLOSURE AND CONSULTATIONS

A Project specific Stakeholder Engagement Plan (SEP) has been constituted for the Project, aligning with the World Bank's ESS 10 on *Stakeholder Engagement and Information Disclosure*. The SEP document will be available on the official website of AYGM. Both this RF and other related documents have undergone disclosure in draft form for stakeholder consultations.

The SEP formulated for this Project outlines a comprehensive stakeholder engagement program that encompasses the consultation subject, information to be disclosed, engagement methods, target stakeholders, responsible parties for engagement, and the timing for engagement. It also includes the disclosure methods and the minimum duration for public disclosure before engaging in activities.

In accordance with the SEP, AYGM will disclose the EPSAs<sup>17</sup> and RPs at the local level in a format accessible to affected persons in the Turkish language and any other languages necessary for the affected population or stakeholders. The documents will also be made available on the Project's website in both Turkish and English following World Bank review. AYGM will actively seek comments from displaced persons regarding the proposed plans. Final disclosure of the EPSA and RP will take place after considering received comments and obtaining approval from the World Bank.

The final EPSA and RP will include summaries of meetings held with displaced persons, detailing dates, locations, and the number of participants. It will encompass comments, questions, and concerns expressed by displaced persons during these meetings, along with the responses provided to them.

All personal data obtained during the preparation of EPSAs and RPs will be handled in compliance with the Personal Data Protection Law No. 6698. Accordingly, the disclosure of EPSAs and RPs will be conducted in a manner that adheres to this law to ensure that privacy rights are respected.

---

<sup>17</sup> Among renovation of existing railways, Project also includes construction of new sidings and extension of existing ones and establishment of power transmission lines. Since the design of these activities are not completed, it was not possible to know whether there will be any need for EPSA during the preparation of this RF. Therefore, the decision to conduct an EPSA will be made on a case-by-case basis considering the aforementioned principles. The need for EPSA will be clarified once the designs of the activities are completed. If displacement-related activities are ongoing at this aforementioned stage, these activities will be halted until the EPSA is prepared and completed, and ESS5 requirements are being adhered to.

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 43 / 54

## 9 GRIEVANCE MECHANISM

A critical element in World Bank policies concerning resettlement, land acquisition, and compensation involves establishing a framework for public consultation, engagement, and creating a process for addressing the grievances of affected individuals.

RF will be officially published on the AYGM website in both English and Turkish, and it will also be made accessible through the World Bank's external website. AYGM will engage with relevant stakeholders to seek their input on the RF prepared according to ESS1 and Turkish Regulations, and the RF prepared according to WB ESS5 and Turkish regulations. These will be discussed in Stakeholder Engagement Meetings.

During the development of RPs, consultations will be organized with all individuals impacted by the Project. Special effort will be made to ensure full participation of women. The objective of these consultations will be to discuss the RP, ensuring all PAPs' interest are reflected and full compensation and livelihood restoration is ensured. These discussions will be conducted in an accessible and meaningful manner. The RP will be shared for review and discussion before these meetings take place. ETMIC sub-unit of the PIU will address the questions raised by affected individuals during these consultations. All consultation meetings, including attendees and issues raised, will be documented for reference.

The Project's GM, as outlined in SEP, will also address resettlement-related grievances. This includes complaints from displaced persons regarding the land acquisition process, compensation calculation or payment, provision of assistance, and other relevant matters.

However, it is important to note that the GM does not prevent displaced persons from pursuing legal remedies available to them. According to Expropriation Law No. 2942, owners of immovable property subject to expropriation have the right to file a lawsuit for annulment in the administrative jurisdiction against the expropriation transaction. Additionally, a lawsuit for correction against material errors can be filed in the judicial jurisdiction within thirty days from the date of notification by the court. If the notification cannot be made due to the inability to identify the owner(s) of the immovable property, the date of announcement made by the court in the newspaper replaces the date of notification.

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 44 / 54

## 10 MONITORING AND REPORTING

ETMIC sub-unit of the PIU will monitor the implementation of RPs as part of its internal monitoring and will provide quarterly monitoring reports to the World Bank regarding the status of land acquisition and implementation of the RPs. For this Project, an external monitoring mechanism will be established through which the competent resettlement monitoring professionals will monitor implementation progress and provide advice to ETMIC sub-unit of the PIU on any necessary corrective actions and will conduct an implementation review when all mitigation measures in the RP are substantially complete. The implementation review evaluates the effectiveness of mitigation measures in achieving RP and ESS5 objectives and recommends corrective measures to meet objectives not yet achieved.

An indicative outline for the resettlement plan progress reports is provided in Appendix-3.

ETMIC sub-unit of the PIU will carry out regular supervision missions to the project sites.

The roles and responsibilities for monitoring and the indicators to be monitored and reported are given in .Table 4

**Table 4. Roles and Responsibilities for Monitoring and the Monitoring Indicators**

Responsible Party	Type	Roles in M&E process	Frequency	Indicators
ETMIC sub-unit of the PIU	Internal Monitoring	<ul style="list-style-type: none"> <li>Preparation of RP progress reports and submission to Project management and WB</li> <li>To follow the land acquisition process in order to compensate the losses of all affected persons</li> <li>To ensure that all landowners' (formal and informal) livelihoods are compensated timely and appropriately through the RP Fund</li> <li>To ensure that all affected persons, especially vulnerable ones, can easily express their concerns that may arise in the RP implementation process and respond to them in time.</li> <li>To monitor the engagement activities regarding land acquisition to be carried out with relevant stakeholders in accordance with the SEP</li> <li>To ensure that the grievance mechanism is transparent and accessible to all affected persons</li> <li>To closely monitor the compliance of all planned RP implementation with the program and the budget.</li> <li>To plan in detail the subsequent measures to be taken in consultation with the relevant parties of the RP implementation.</li> <li>Providing the internal monitoring data and all other necessary documents to the external monitoring and completion audit Consultant</li> <li>Taking action in practice when necessary, giving information about corrections.</li> </ul>	Quarterly	<ul style="list-style-type: none"> <li>Number of economically displaced households and individuals by project component and/or land acquisition type,</li> <li>The number of public information and consultations needed during the RP implementation on land acquisition and restoration of livelihoods,</li> <li>Number of compensation payments completed,</li> <li>Amount and percentage of payments made as a result of court proceedings and payments made as a result of negotiations,</li> <li>Number of ongoing/open court cases among total court cases</li> <li>Number and type of complaints about land acquisition and compensation process,</li> <li>Status of complaints (open, closed), closing time and resolution status,</li> <li>Number of affected persons received any compensation payments and/or subsistence from current budget and sources of AYGEM,</li> <li>Number of stakeholders contacted during the RP implementation (types of stakeholders, issues raised /discussed and gender distribution of participation) and feedback from consultations,</li> <li>Number and type of support provided to vulnerable groups among affected persons</li> </ul>
Independent Party	External Monitoring	<ul style="list-style-type: none"> <li>Perform monitoring activities to verify compliance with RP commitments and identify problem areas in RP implementation</li> <li>Preparation of external monitoring reports by reviewing internal monitoring records and reports and using both desktop data and field observations</li> <li>To provide advice to ETMIC sub-unit of the PIU on corrective actions and measures to be taken to improve RP implementation</li> </ul>	Semi-annually	<ul style="list-style-type: none"> <li>Number of information and consultation activities performed related to the resettlement process</li> <li>Number of consultations with vulnerable groups</li> <li>Number of households physically displaced,</li> <li>Number of affected persons receiving transitional livelihood support or</li> <li>other compensation</li> <li>Number of affected persons/households receiving additional support</li> <li>Number of compensation agreements awarded and reconciled</li> </ul>

Responsible Party	Type	Roles in M&E process	Frequency	Indicators
				<ul style="list-style-type: none"> <li>• Number of ongoing lawsuits for which no consensus can be reached</li> <li>• Percentage of complaints resolved in a timely manner</li> </ul>
	Completion Audit	<ul style="list-style-type: none"> <li>• Upon the completion of resettlement activities, performing a RP Completion Audit, preparing the audit report and submitting it to the Project management.</li> </ul>	At the end of the Project	<ul style="list-style-type: none"> <li>• Number of complaints that cannot be resolved/closed on time</li> <li>• Qualitative feedback from affected persons on RP implementation</li> <li>• Whether households have returned to pre-displacement living standards and income sources</li> <li>• How the compensation / crop payments received are evaluated by the households</li> <li>• Whether payments are made at full replacement price</li> <li>• Satisfaction status of the households regarding the physical displacement</li> </ul>

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 47 / 54

## Appendix-1 Indicative Outline for the Resettlement Plan

### Resettlement Plan

#### Minimum Elements of a Resettlement Plan

1. Description of the project.  
General description of the project and identification of the project area.
2. Potential impacts.  
Identification of:
  - (a) The project components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the time frame of the project;
  - (b) The zone of impact of such components or activities;
  - (c) The scope and scale of land acquisition and impacts on structures and other fixed assets;
  - (d) Any project-imposed restrictions on use of, or access to, land or natural resources;
  - (e) Alternatives considered to avoid or minimize displacement and why those were rejected; and
  - (f) The mechanisms established to minimize displacement, to the extent possible, during project implementation.
3. Objectives.  
The main objectives of the resettlement program.
4. Census survey and baseline socioeconomic studies.  
The findings of a household-level census identifying and enumerating affected persons, and, with the involvement of affected persons, surveying land, structures, and other fixed assets to be affected by the project. The census survey also serves other essential functions:
  - (a) Identifying characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
  - (b) Information on vulnerable groups or persons for whom special provisions may have to be made;
  - (c) Identifying public or community infrastructure, property or services that may be affected;
  - (d) Providing a basis for the design of, and budgeting for, the resettlement program;
  - (e) In conjunction with establishment of a cut-off date, providing a basis for excluding ineligible people from compensation and resettlement assistance; and
  - (f) Establishing baseline conditions for monitoring and evaluation purposes.

As the Bank may deem relevant, additional studies on the following subjects may be required to supplement or inform the census survey:

  - (g) Land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, nontitle-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
  - (h) The patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; and

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 48 / 54

- (i) Social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.
5. Legal framework.  
The findings of an analysis of the legal framework, covering:
- The scope of the power of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
  - The applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal time frame for such procedures, and any available grievance redress mechanisms that may be relevant to the project;
  - Laws and regulations relating to the agencies responsible for implementing resettlement activities; and
  - Gaps, if any, between local laws and practices covering compulsory acquisition, imposition of land use restrictions and provision of resettlement measures and ESS5, and the mechanisms to bridge such gaps.
6. Institutional framework. The findings of an analysis of the institutional framework covering:
- The identification of agencies responsible for resettlement activities and NGOs/CSOs that may have a role in project implementation, including providing support for displaced persons;
  - An assessment of the institutional capacity of such agencies and NGOs/CSOs; and
  - Any steps that are proposed to enhance the institutional capacity of agencies and NGOs/CSOs responsible for resettlement implementation.
7. Eligibility.  
Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.
8. Valuation of and compensation for losses.  
The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation for land, natural resources, and other assets under local law and such supplementary measures as are necessary to achieve replacement cost for them.
9. Community participation.  
Involvement of displaced persons (including host communities, where relevant):
- A description of the strategy for consultation with, and participation of, displaced persons in the design and implementation of the resettlement activities;
  - A summary of the views expressed and how these views were taken into account in preparing the resettlement plan;
  - A review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them; and
  - Institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as ethnic minorities, the landless, and women are adequately represented.
10. Implementation schedule.  
An implementation schedule providing anticipated dates for displacement, and estimated initiation and completion dates for all resettlement plan activities. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.
11. Costs and budget.



<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 49 / 54

Tables showing categorized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

12. Grievance redress mechanism.

The plan describes affordable and accessible procedures for third-party settlement of disputes arising from displacement or resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

13. Monitoring and evaluation.

Arrangements for monitoring of displacement and resettlement activities by the implementing agency, supplemented by third-party monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

14. Arrangements for adaptive management.

The plan should include provisions for adapting resettlement implementation in response to unanticipated changes in project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes.

#### Additional Planning Requirements Where Resettlement Involves Physical Displacement

When project circumstances require the physical relocation of residents (or businesses), resettlement plans require additional information and planning elements. Additional requirements include:

15. Transitional assistance.

The plan describes assistance to be provided for relocation of household members and their possessions (or business equipment and inventory). The plan describes any additional assistance to be provided for households choosing cash compensation and securing their own replacement housing, including construction of new housing. If planned relocation sites (for residences or businesses) are not ready for occupancy at the time of physical displacement, the plan establishes a transitional allowance sufficient to meet temporary rental expenses and other costs until occupancy is available.

16. Site selection, site preparation, and relocation.

When planned relocation sites are to be prepared, the resettlement plan describes the alternative relocation sites considered and explains sites selected, covering:

- (a) Institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is better or at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
- (b) Identification and consideration of opportunities to improve local living standards by supplemental investment (or through establishment of project benefit-sharing arrangements) in infrastructure, facilities, or services;
- (c) Any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites;
- (d) Procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- (e) Legal arrangements for regularizing tenure and transferring titles to those resettled, including provision of security of tenure for those previously lacking full legal rights to land or structures.

17. Housing, infrastructure, and social services.

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 50 / 54

Plans to provide (or to finance local community provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services); plans to maintain or provide a comparable level of services to host populations; any necessary site development, engineering, and architectural designs for these facilities.

18. Environmental protection and management.

A description of the boundaries of the planned relocation sites; and an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

19. Consultation on relocation arrangements.

The plan describes methods of consultation with physically displaced persons on their preferences regarding relocation alternatives available to them, including, as relevant, choices related to forms of compensation and transitional assistance, to relocating as individual households, families, or with preexisting communities or kinship groups, to sustaining existing patterns of group organization, and for relocation of, or retaining access to, cultural property (e.g., places of worship, pilgrimage centers, cemeteries).

20. Integration with host populations.

Measures to mitigate the impact of planned relocation sites on any host communities, including:

- (a) Consultations with host communities and local governments;
- (b) Arrangements for prompt tendering of any payment due the hosts for land or other assets provided in support of planned relocation sites;
- (c) Arrangements for identifying and addressing any conflict that may arise between those resettled and host communities; and
- (d) Any measures necessary to augment services (e.g., education, water, health, and production services) in host communities to meet increased demands upon them, or to make them at least comparable to services available within planned relocation sites.

#### Additional Planning Requirements Where Resettlement Involves Economic Displacement

If land acquisition or restrictions on use of, or access to, land or natural resources may cause significant economic displacement, arrangements to provide displaced persons with sufficient opportunity to improve, or at least restore, their livelihoods are also incorporated into the resettlement plan, or into a separate livelihoods improvement plan. These include:

21. Direct land replacement.

For those with agricultural livelihoods, the resettlement plan provides for an option to receive replacement land of equivalent productive value, or demonstrates that sufficient land of equivalent value is unavailable. Where replacement land is available, the plan describes methods and timing for its allocation to displaced persons.

22. Loss of access to land or resources.

For those whose livelihood is affected by loss of land or resource use or access, including common property resources, the resettlement plan describes means to obtain substitutes or alternative resources, or otherwise provides support for alternative livelihoods.

23. Support for alternative livelihoods.

For all other categories of economically displaced persons, the resettlement plan describes feasible arrangements for obtaining employment or for establishing a business, including provision of relevant supplemental assistance including skills training, credit, licenses or permits, or specialized equipment. As warranted, livelihood planning provides special assistance to women, minorities, or vulnerable groups who may be disadvantaged in securing alternative livelihoods.

24. Consideration of economic development opportunities.

The resettlement plan identifies and assesses any feasible opportunities to promote improved livelihoods as a result of resettlement processes. This may include, for

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 51 / 54

example, preferential project employment arrangements, support for development of specialized products or markets, preferential commercial zoning and trading arrangements, or other measures. Where relevant, the plan should also assess the feasibility of prospects for financial distributions to communities, or directly to displaced persons, through establishment of project-based benefit-sharing arrangements.

25. Transitional support.

The resettlement plan provides transitional support to those whose livelihoods will be disrupted. This may include payment for lost crops and lost natural resources, payment of lost profits for businesses, or payment of lost wages for employees affected by business relocation. The plan provides that the transitional support continues for the duration of the transition period.

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 52 / 54

## Appendix-2 Ex-Post Social Audit Template

### EX-POST SOCIAL AUDIT (EPSA)

#### 1. Project Background (0.5 page)

- a) **Summary Project Description** supported with appropriate maps and including identification of components, from the Project Appraisal Document (PAD) (link to the PAD can be provided for details). Focus should be the subproject subject to the EPSA not the main Project.
- b) **Identification of Components to Utilize Land in Question** where physical displacement or land acquisition has taken place, including description of scale of land and number of people affected for all categories of affected assets. Description of any project-related restrictions on resource use or access.

#### 2. About the Ex-Post Social Audit (EPSA) (0,5 -1 page, details can be provided in the Annexes)

- a) **Why EPSA is Required.**
- b) **Reference to Gap Analysis of Country Systems and Gap Filling Measures Identified** in relation to meeting ESS5 requirements, as these require particular attention in the EPSA.<sup>18</sup>
- c) **Description of the EPSA Methodology Used.**

#### 3. Land Acquisition Carried Out and Gaps in Procedures (3-5 pages)

- a) **Description of Eligibility Criteria Applied** in the land acquisition for compensation and all other forms of assistance provided, including the cutoff date for eligibility.
- b) **Description of Land and Asset Valuation Procedures Applied**, and compensation standards followed.
- c) **Consultation and Disclosure Arrangements** followed in connection with the acquisition process.
- d) **Description of Grievance Mechanism Available for Affected Persons.**
- e) **Identification of Gaps in Applied Procedures, Process and Resulting Outcomes** of acquisition and displacement and compensation hereof vis-à-vis national law and ESS5.

#### 4. Gaps in Eligibility Criteria and Compensation

- a) **List of all Affected Parcels** with reference to the gap analysis (see footnote 18), including information on affected parcels (usage status of the parcels, identified formal/informal users, landowners, shareholders, vulnerability situations, identified assets on the parcel, total parcel area / affected parcel area percentage, compensation paid for each parcel).

<sup>18</sup> The identified gaps comprise the following: (i) no provisions for livelihoods restoration; (ii) no coverage of affected persons including non-title holders, public land users, squatters and customary owners, or special provisions for poor and vulnerable people, community engagement, gender impacts and grievance mechanisms (GMs); (iii) compensation is not fully aligned with replacement cost alignment, as Turkish law deducts depreciation from market value, and excludes cost of registration and transfer taxes; (iv) Turkish law does not cover compensation for common property resources; (v) no provision for continuous consultation and establishment of GM during implementation of the resettlement plan (Türkiye. Comparison between World Bank Environmental and Social Framework and with country laws)

Table XX: Number of parcels and affected persons subject to land acquisition (*this table is given as a template and can be adjusted to project scope in line with the guidance provided above in bullet 4.a*)

Component	Permanent		Temporary				Informal users (if any)		TOTAL	
	Purchased		Easement		Rental		# of parcels	# of	# of parcels	# of affected persons
	# of parcels	# of affected persons	# of parcels	# of affected persons	# of parcels	# of affected persons				
Component X										
Component Y										
Component Z										
<b>TOTAL</b>										

- b) **List of Compensation Paid to Affected Persons** (*quantify the deduction of depreciation and the cost of registration and transfer taxes*)
- c) **Consolidated List of Gaps in Affected Person Identification and Compensation Paid, and List of All Grievances Submitted.**

## 5. Conclusion

- a) **Time-Bound Mitigation Plan to Address Gaps Identified.** (1-2 pages)

## Annexes

<b>RESETTLEMENT FRAMEWORK</b>		<b>CNR-ETMIC-RF-001</b>
Rev.05	Date: September 2024	Page 54 / 54

## Appendix-3 Resettlement Plan Progress Reporting Format

### Resettlement Plan Progress Report

[The cover of the Report will include date of preparation and the reporting period as (month) to (month) 20XX]

#### **1 - Subproject Description**

*(This section remains relatively unchanged in the reports unless there is change in design)*

Brief description/overview of the subproject, including: any associated facilities needed for its functionality and success, including those associated facilities financed by other sources; key components; reports should up-date any changes or variations in design which may change land access requirements.

#### **2 – Implementation Summary**

A summary of all tasks and activities undertaken up to date on land acquisition and/or resettlement should be provided. Progress on issues such as negotiations for land, court cases, compensation payments, community engagement, site selection, physical relocation, livelihood restoration plan and grievances should be explained.

#### **3 - Emerging Issues and Recommendations**

This section should describe the key issues and report on its state of resolution/non-resolution.

#### **4 –Follow-up on Previous Recommendations**

This section will not exist for the first report as it will not have any follow-up requirements from a previous period. As of the second report this section will provide information on key issues brought up in the previous report and measures taken to mitigate them. Any unresolved issue will once again be pointed out in this section.

#### **5 – Conclusion**

General progress of RP implementation will be evaluated and future actions in line with the recommendations will be discussed in this section.

#### **6- Summary Tables for the Implementation of Resettlement Plan**

In line with its monitoring indicators set out in the RP, this section will provide through several tables, both period specific and accumulated information on RP implementation. The tables can be provided separately in an excel worksheet or directly under this section depending on the content of information presented. The tables will include the total area of land being acquired, number of affected persons (disaggregated by gender, and vulnerability status), number of affected households, the category of entitlement, status of land acquisition process, status of disbursement of compensation, etc.