

**M-6 Minsk-Grodno-Polish Border (Bruzgi)  
Transport Corridor Improvement Project  
at the section km 130.4 km – km 197.7 (Grodno  
Region).**

**Resettlement Plan**

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## **1. DESCRIPTION OF THE PROJECT ACTIVITY FOR SECTION KM 130.4 – KM 197.7**

The Public Enterprise “Belgiprodor” has prepared the architectural designs for reconstruction of M-6 Road “Minsk – Grodno - the Polish Border (Bruzgi)” section (km 130.4 – km 197.7) which were considered by the state expert examination.

The design provides for an upgrade of the parameters of the layout, vertical alignment and cross-section of the road to a Category I-B standard in accordance with the Technical Code of Common Practice TKPI 45-3.03-19-2006.

The design of the road alignment provides for the use of the existing road to the maximum extent possible.

The roadway width is 22.7 – 27.7 meters. The cross-section of the road has four lanes with carriageway width in each direction of 2×3.5 meters (7.0 meters) and shoulder width of 3.0 meters including the reinforced part of 2.5 meters. The median width is 2.7 meters including a reinforced part of 0.5 meters each. The adverse camber of the carriageway and paved shoulders is taken at 25‰; the adverse camber of shoulders reinforced by granulated asphalt mixed with vegetable soil and sown grass is taken at 40‰.

## **2. PRINCIPLES AND OBJECTIVES OF THE RESETTLEMENT PLAN**

Within the framework of development of M-6 Minsk-Grodno-Polish Border (Bruzgi) Upgrading Project, at the section km 130.4- km 197.7 (Grodno Region), in compliance with the requirements of the resettlement policy of the World Bank (OP 4.12) and provisions of the Framework Document for resettlement under the Project, RUE “Grodnoavtodor” has developed the Resettlement Plan (hereinafter – RAP) for M-6 Minsk-Grodno-Polish Border (Bruzgi) Upgrading at the section km 130.4 - km 197.7 (Grodno Region).

The purpose of this RAP is to define in detail the procedure that must be followed and activities to be performed, in the result of which the person experiencing the negative impact of the project at least retained the level and conditions of life that existed before starting the project, or even increased it. The RAP will determine the persons, who experience the

negative impact of the project and justify the necessary type and amount of compensation or assistance for resettlement when considering alternatives to avoid or minimize the resettlement impacts.

The potential demand for land plots for the above plan will be limited to sections of the reconstructed road. Compensation will be paid subject to such general principles as:

as a result of careful selection of necessary plots every effort will be made to minimize acquisition of productive and private land and to avoid acquisition of lands, where people live and conduct entrepreneurial activity;

in connection with the above project extent common-use lands will be used to a greater extent for reconstruction of the specified road section;

when withdrawing lands for state needs, which are in private ownership, the property rights of persons, who will suffer from this withdrawal, will be taken into account, complying with the provisions of this RAP.

### **Legislative provisions regulating resettlement**

On the basis of the Contract on rendering independent evaluation services, performed in 2016, between the Republic Unitary Enterprise “Minskavtodor-Center” (hereinafter – RUE “Minskavtodor-Center”) and the Republican Unitary Enterprise “Project Institute Belgiprozem” (hereinafter – RUE “Belgiprozem”) provided services for evaluation of the isolated premises, permanent structures, located on land plots, as well as nearby plantings, as a result of which the amount of damages caused to land users by withdrawal of their land plots and demolition of the immovable property facilities located on them, for M-6 Minsk-Grodno-Polish Border (Bruzgi) Upgrading Project, at the section km 130.4 – km 197.7 (Grodno Region). For the purpose of more objective determination of the amount of full compensation of damages, the evaluation was additionally performed in 2016.

The purpose of determining the amount of damages – compensation for damages to land users;

evaluation of land, types of business activities and other assets, for which the compensation will be paid, will be based on full amount of compensation of damages, connected with the loss of property in accordance with OP 4.12 based on full replacement cost;

the amount of damages, caused to land users, due to land withdrawal and demolition of residential houses and household buildings located on these land plots, the full amount of damages shall be compensated due to the loss of property in accordance with OP 4.12 at full replacement cost without depreciation in accordance with the Legislation of the Republic

of Belarus.

Also infrastructure facilities, such as roads, water pipes and communication networks that will be damaged during construction, shall be substituted.

Within the framework of the project such issues as compensation, registration and transfer of lands shall be resolved with land owners without court intervention.

Decree of the President of the Republic of Belarus of February 2, 2009 No. 58 "On some measures on protection of property rights when withdrawing land plots for state needs" (hereinafter - Decree) determined that the local Executive Committee, or a person, upon its solution, who is given a land plot, are required, before taken the decision on the withdrawal of the land plots for the state needs to offer and provide for choice of the owner of the residential house or apartment in the townhouse or multi compartment house (hereinafter, unless otherwise specified, - flat) (share in right of common ownership of residential space) implementation of one of his rights to obtain:

ownership right over an apartment of standard consumer qualities, and if the market value of the apartment provided less than the cost of compensation houses or apartments, buildings, constructions to be demolished and nearby plantings (share in right of common ownership of the relevant immovable property) in accordance with OP 4.12, - cash compensation in the amount of the difference;

pecuniary compensation for the demolished residential house or apartment, buildings, structures and nearby plantings (for termination of the right of ownership of the share in the common property) in their recoverable amount (and at replacement cost) in accordance with OP 4.12, but not less than the amount of expenses necessary for the construction of the equivalent house or apartment, buildings and structures.

The Local Executive Committee, if there are objective opportunities, including those confirmed by the general plans of cities and other settlements, detailed urban planning projects, approved in accordance with the legislation, shall offer the owner of a residential building (share in right of common ownership of the dwelling) in addition to the rights listed above implementation of one of his rights:

- construction and (or) receiving of ownership rights over houses, structures, constructions and nearby plantings (shares in right of common ownership of the relevant immovable property), of improvements and total area equal to the facilities to be demolished;

- transfer and restoration of demolished houses, structures, constructions and nearby plantings.

Herewith the issues on granting the land plot to the land user instead of the withdrawn land shall be resolved in due order.

Individuals, who will experience a negative impact from the project, will receive an alternative land plot, apartment or full compensation without deductions for reduction of the cost of land or for other purposes prior to commencement of construction works.

Resettlement shall be performed with the aim of improving safety conditions at the sections of the project, but not for deterioration of sanitary-hygienic conditions of residence of economic entities affected by the project, in particular due to necessity of excavation works and other special construction works in the area of the stated persons.

The route plan of the proposed road reconstruction was determined to minimize the demands for resettlement of citizens specified in paragraph 5.2 of this plan.

RAP shall be applied to all persons who experience a negative impact, regardless of their total number, the degree of impact and the fact of possessing the legitimate right of ownership of land or property. Among those persons experiencing a negative impact, particular attention should be given to the needs of individuals of socially vulnerable groups of the population.

In any case, the provisions of OP 4.12 prevail in case of conflict of interest over the Legislation of the Republic of Belarus.

### **3 PROJECT TERRITORY, TYPES OF LANDS AND THE PROPERTY RIGHT**

According to the M-6 Minsk-Grodno-Polish Border (Bruzgi) Upgrading Project, at the section km 130.4 - km 197.7 (Grodno Region), on the route of the reconstructed sections there are land parcels with existing residential development of estate type (1 house), in the land use of citizens.

In general, the route of the future road passes through the lands under development, lands belonging to individuals, communal lands of Grodno Region, the lands of PJUE “Novy Dvor-Agro”,

GLHU “Ivye Forestry”,

Bakshtovsky, Lelyukinsky and Morinsky village councils

Grodno Region Consumer Society

APUE “Agrotransservis”

SPK “Edkovsky”

SE “Lidskayaptitsefabrica”

SPK “Rassvet-Myto”

LRUSP “Mozheykovo”

GLHU “Lidskiyleshoz”

Dokudovskiy, Vaverskiy, Mazheykovskiy village councils,

OJSC “Torfobriketny zavod “Lidsky”

LLC “Sayat”  
 RUE “Belarusneft-Grodnooblnfteproduct”  
 IOOO “LUCOIL Belarus”  
 TRUE “Belarusian Railway”  
 SE “Schuchin Tribal Poultry Reproduction Plant”  
 GLHU “Schuchin Forestry”  
 Schuchin Village Council  
 OJSC “Vasilishki”  
 SE “Sovhoz Bolshoye Mozheykovo”  
 KUE “Grodnoobldorstroy”  
 RUE “Beltelecom”  
 RUE “Grodnoenergo”  
 Schuchin lands, lands of citizens, as well as unused lands.

Total area of the required lands for permanent under upgrading project makes up 213,8 hectares

#### **4. ALTERNATIVES CONSIDERED TO AVOID OR MINIMIZE RESETTLEMENT IMPACTS**

The basic alignment of the reconstructed section of the M-6 Minsk – Grodno – Polish Border (Bruzgi) Road, at the section km 130.4-km 197.7 (Grodno Region) shall be developed on the basis of its reference to the existing direction. The offset of the new direction of the selected alignment will inevitably lead to an increase in the number of persons, affected by the project.

#### **5. PARTIES, EXPERIENCING THE NEGATIVE IMPACT OF THE PROJECT AND ELIGIBLE FOR COMPENSATION**

On December 28, 2015 and July 25, 2016 there was taken only the decisions of Lida District Executive Committee regarding the preliminary withdrawal of land plots for public needs. The cost estimate of demolished buildings and planting was made on October 31, 2016 and remains valid and adequate.

All land users, who get into the construction area, irrespective of the land property right, are referred to as persons, who are affected and entitled to compensation (or alternative forms of assistance). This includes the following categories:

- the land owners, who lose all or part of their land, buildings or property;
- persons, who are not owners of the land or property, which is

required for the project needs, but whose income directly depends on the land or property, that is required for the project needs (e.g. persons whose land plots will be required for the needs of the project or involved in business activities and any other persons, who are adversely affected by the project);  
the owners of the land, which is in private ownership.

**Table 1 – Categories of individuals and compensation activities**

Category of individuals, who suffer negative impact	Compensation activities
Private owners of land	They will receive the adequate compensation for the land of the equivalent level or compensation in accordance with the Legislation and OP 4.12, based on the land replacement value, including provision of the other residential facilities.
Owners of residential houses with the appropriate land plots	They will receive residential facilities or money compensation, based on full replacement value
Enterprises, educational establishments, structures of Minsk Region Executive Committee, all state structures	They shall transfer lands for project implementation without any compensation.
1. users, who will lose their harvest; 2. owners and workers of enterprises, who may suffer damages due to the project; 3. informal users, who do not have legal rights for the land; 4. users, who do not have legal rights for the land at the moment, but who can prove these rights in court.	They will receive compensations in accordance with OP 4.12 (material compensations or in accordance with full value compensation)

Total amount of damages of land users due to withdrawal of land plots and demolition of residential houses and household facilities located on these plots, in September 2016 makes up **730** thousand rubles or 374,7 US dollars the rate of the National Bank of the Republic of Belarus on the day of evaluation.



In accordance with the Provisions on the procedure of determination of the amount of damages of land owners due to withdrawal of land plots and demolition of residential houses and household facilities located on these plots, adopted by Resolution of the Council of Ministers of the Republic of Belarus No. 462 of 26.03.2008 “On some measures for implementation of Decree of the President of the Republic of Belarus No. 667 of 27.12.2007” (hereinafter – Provisions), approximate amounts of damages shall be determined, while preparing land cadastral documentation, required for work of the committee on selection of the land plot location, and actual amounts shall be determined, while developing the land allocation project.

Approximate and actual amounts of damages (hereinafter – amount of damages), suffered by the landowner (citizen, self-employed entrepreneur, non-state legal entity), due to withdrawal of the land plot and demolition of a single-family residential house or a flat in a town house or multi-dwelling house (hereinafter – flats), nearby buildings and structures, shall be determined on the basis of the market value in accordance with the Legislation, but not less than expenses, required for construction of the equivalent single-family residential house or flat by replacement value in accordance with OP4.12.

Expenses for construction of the equivalent single-family residential house, flats in a town house, nearby buildings and structures shall be determined on the basis of norms for evaluation of residential houses, garden cottages, summer cottages and their neighboring facilities, as well as separately located household (utility and backyard) facilities and garages, adopted by Decree of the Council of Ministers of the Republic of Belarus of 17.05.2007 No. 623, without taking into account the actual physical deterioration of the evaluated facilities on the basis of measurements, performed by the specialists of the territorial organization for state registration of the immovable property, rights for it and transactions with it at presence of the owner and representative of the local executive committee.

The market value of the evaluated facilities has been determined on the basis of these reports.

Individual sand legal entities, who have the right for compensation of the land loss or suffered damages, shall receive the compensation in a full volume before commencement of construction works by the Client on these lands.

#### **a. Private land owners**

The list of land owners (stated in p.5.2 of RAP), who suffer from

negative impact of the project, was prepared on the basis of the performed independent evaluation of RUE “Belgiprozem” and the additional evaluation in 2016.

The mechanism of purchase and payment of the compensation to private land owners provides participation of the three parties: (1)-owners of private house properties; (2)-RUE “Minskavtodor-Center” and (3)-local authorities.

## **6 CENSUS OF PERSONS, EXPERIENCING THE NEGATIVE IMPACT OF THE PROJECT**

RUE “Grodnoavtodor” is the Client of the design documentation in Grodno Region and is responsible for collection of the data on land, land owners and all other persons, who are affected by the project, as well as for census within this RAP.

RUE “Belgiprozem Design Institute” has performed the works for processing the documents for preliminary approval of the selected place of location of the land plots for the reconstructed section of the M-6 Minsk – Grodno – Polish Border (Bruzgi) Road at the territory of Grodno Region, which contain all required data on land users. The upgraded section km 130,4 – km 197,7 includes three administrative-territorial units – Ivye, Lida and Schuchin districts. The documents for land acquisition shall be issued for each district separately. Currently, the materials for Ivye and Schuchin districts have been prepared. The decisions on the withdrawal and provision of lands have been made by the Grodno Regional Executive Committee No. 464 dated August 9, 2016 on withdrawal and provision of land plots with the total area of 4.49 hectares of Schuchin district land, and No. 501 dated August 30, 2016 on withdrawal and provision of the land plots with the total area of 55.0 hectares of Ivye district lands. In these areas the demolition of houses is not provided. The registration of documents for land allotment at the territory of Lida district is being completed; the decision of the Grodno Regional Executive Committee is expected to be made in October this year.

Census of owners of the residential houses at the relevant sections was performed in August 2013 in the process of evaluation with the participation of the specialists of RUE “Belgiprozem Design Institute”, RUE “Grodnoavtodor” and the representative of the District Executive Committee. Decision No. 1255 on the planned withdrawal of land plots and demolition of residential houses was made by Lida District Executive Committee on 09.12.2013 with a validity of 2 years, and again made No. 1273 dated 28.12.2015 with the same validity.

Address	Description	Total area of dwelling premises (m2)	Persons to be resettled	Income source	Requested/suggested compensation
Lida District, Shpilki village, house No.11	The residential single-family one-storey house with log walls lined with bricks, without sanitary utilities, with 4 sheds and a summer kitchen. There are 0.25 ha of land for maintenance of the residential house. The total replacement cost is 169 million Bel. rubles. 0.3595 ha of the land for maintenance of the house	49,7	Owner – Kovalenko Igor Nikolayevich. His wife (housewife) and son (serves in the army, is not married) are also registered there.	Works as an employed builder	Wants to get a flat in the town of Volkovysk at the place of work or in the town of Lida. In accordance with the law, the owner may be granted to premises with a total area of not less than 45,0 sq. m and provided with free transport for transportation of his property and material values. Also all fees and taxes will be reimbursed. The documents shall be issued for new housing. The market value of perennial plants is 46,46 million Bel. rubles. (5209 US dollars).
Lida District, Radivonishki village, house No. 57	The residential single-family one-storey house with log walls lined with bricks, without sanitary utilities, with three sheds. The total replacement cost is 126 million Bel. rubles. 0.0707 ha of the land for maintenance of the house.	41,6	Owner – Vensky Vladimir Vladimirovich, not registered there, has the residential property in Lida town.	Works	Wants to get a flat in the town of Lida. In accordance with the law, the owner may be granted to premises with a total area of not less than 40,0 sq. m and provided with free transport for transportation of his property and material values. Also all fees and taxes will be reimbursed. The documents shall be issued for new housing. The market value of perennial plants is 2,89 million Bel. rubles. (324 US dollars).
Lida District, Biscuptsy village, house No. 6	Agro-farmstead “ALBA RUTHENIA”, (hotel rooms for rest in a village style)	From the total land area of 4.0 ha 0.06 ha shall be withdrawn for permanent use.	Owner – Bartosik Alexander Iosifovich.		The market value of perennial plants at the withdrawn section is 12,48 million Bel. rubles (1399 US dollars).
Lida District, Radivonishki village, house No. 58	Residential house	0,25 ha (0,116 ha of arable land and 0,134 ha of lands occupied by the	Owner: Burmastrov Leon Alexeevich		The decision of Lida Executive Committee on withdrawal of lands for the project purposes was issued on July 21, 2014. At present the amount of compensation to be paid to landowners is being determined.

		residential facility)			
Lida District, Tsybory village, house No. 67	Residential house and the adjacent plot of arable land	0,25 ha for construction and maintenance of the house and 0,05 ha of arable land	Owner: Peletskaya Raisa Nikolayevna		The decision of Lida Executive Committee on withdrawal of lands for the project purposes was issued on July 21, 2014. At present the amount of compensation to be paid to landowners is being determined.
Lida District, Tsybory village, house No. 72	Residential house and the adjacent plot of arable land	0,25 ha for construction and maintenance of the house and 0,13 ha of arable land	Owner: Makarevich Alexander Vladimirovich		The decision of Lida Executive Committee on withdrawal of lands for the project purposes was issued on July 21, 2014. At present the amount of compensation to be paid to landowners is being determined.
Lida District, Yedki village, 32, Pridorozhnaya Str.	Residential house and the adjacent plot of arable land	0,25 ha for construction and maintenance of the house and 0,16 ha of arable land	Owner: Yushkevich Kristina Boleslavovna		The decision of Lida Executive Committee on withdrawal of lands for the project purposes was issued on July 21, 2014. At present the amount of compensation to be paid to landowners is being determined.
Lida District, Biskuptsy village	Residential house	0,0529 ha for construction and maintenance of the house	Owners: (1/4 for each): Golovach Nina Fedorovna, Mitskevich Maria Fedorovna, Shulga Sofia Fedorovna, Duki Alexander Fedorovich		The decision of Lida Executive Committee on withdrawal of lands for the project purposes was issued on July 21, 2014. At present the amount of compensation to be paid to landowners is being determined.
Lida District, Biskuptsy village, 64	Residential house	0,1618 ha for construction and maintenance of the house	Owners: (1/3 for each): Kursevich Angela Valeryevna, Kursevich Vladislav Viktorovich, Mihalovich Dmitry Valeryanovich		The decision of Lida Executive Committee on withdrawal of lands for the project purposes was issued on July 21, 2014. At present the amount of compensation to be paid to landowners is being determined.

**Total 16 persons.**

## **7 LAND ACQUISITION MECHANISM**

The mechanism is determined by the Provisions on the procedure of implementation of the property rights of citizens and entities, when withdrawing land plots, adopted by Decree of the President of the Republic of Belarus No. 58 of 02.02.2009 and provisions of OP 4.12, providing full compensation of expenses:

1. In case of withdrawal of a land plot for the state needs, with immovable property facilities of citizens and entities located on them, the

local executive committee shall take the decision on further withdrawal of the land plot for the state needs and demolition of the immovable property facilities located on it (hereinafter – decision on further withdrawal of the land plot).

2. The decision on further withdrawal of the land plot shall be made by the local executive committee during five working days after adoption (approval) of the Certificate for the selected place of location of the land plot, if the preliminary approval of the land plot location is made during withdrawal and provision of the land plot in accordance with the legislation.

The term between making the decision by the local executive committee on the further land withdrawal and decision on withdrawal and provision of the land plot cannot be less than three months.

The decision on the further withdrawal shall contain:

- the grounds for this withdrawal;
- immovable property facilities to be demolished, either registered in due order and or not registered, including the facilities being constructed, except for unauthorized structures;
- owners of these facilities, rent payment receivers (if the immovable property is in rent);
- variants of implementation of the rights of owners of immovable property facilities, in accordance with Clauses 4 and 5 of Decree, adopting the current Provisions;
- instruction on performance of the evaluation of immovable property facilities;
- persons, authorized by the local executive committee to provide implementation of the rights of citizens and organizations in accordance with Clauses 4 and 5 of Decree, as well as to sign the statement of disagreements, if required;
- rights and obligations of the individual, who is provided with the land plot (if required);
- other issues, connected with further withdrawal of the land and demolition of the immovable property facilities, located on it.

**When making decision** on further withdrawal of the land plot, the local executive committee shall evaluate the possibility of implementation of the rights of owners of the residential houses (shares in right of common ownership of the residential facilities) in accordance with the part one of Clause 5 of Decree, adopting the current Provisions.

If the citizen, being the owner of the demolished immovable property facilities, did not empower the other person to resolve the issue of the fortune of this property, is unknown or his place of residence is unknown (for companies – their location), the local executive committee shall take measures to find him in accordance with the Legislation, involving the internal affairs bodies.

## **Compensation**

1. After receiving the copy of the decision (extract from the decision) on further withdrawal of the land plot the owner of the immovable property to be demolished does not have the right to divide, sell, exchange, lease and perform other alienation activities of the immovable property facilities to be demolished, as well as pledge without approval of the local executive committee, issued the decision on further withdrawal of the land plot,
2. Costs of the activities, directed at increasing the value of the land plot or the immovable property facilities, located on it, suffered by the owner, after receiving the copy of the decision (extract from the decision) on further withdrawal of the land plot without approval of the local executive committee, are not subject to compensation.
3. If the owner of the immovable property facilities to be demolished chooses one of the rights, provided by the OP 4.12 or Clauses 4 or 5 of Decree, adopting the current Provisions, he shall apply to the local executive committee that made the decision on further withdrawal of the land plot. The application shall be submitted by the owner during a month from the date of receipt of the proposals on implementation of the rights under Clauses 4 and 5 of Decree, adopting the current Provisions.
4. After studying the application on the selected method of implementation of rights under Clauses 4 and 5 of Decree, adopting the current Provisions of the owner of the immovable property facilities to be demolished, the local executive committee shall inform him about the definite variant (variants) of implementation of the rights. In this case the concrete variant of implementation of the rights chosen by the owner can be changed by the local executive committee only upon approval of the owner of the immovable property facilities to be demolished in accordance with the OP 4.12.
5. If the citizen, being the owner of the residential house (flat), buildings, structures to be demolished and nearby plantings (shares in right of common ownership of the relevant immovable property), the right to

receive the money compensation can be implemented with consent of the family members with the full legal age, registered at place of residence in the residential house (flat), and guardianship authorities, if in the residential house (flat) to be demolished the underage members of the owner's family, being in socially dangerous position or demanding state protection are registered there, or citizens, who have been declared legally incapable or limited in capability by court, live in the residential house (flat) to be demolished, or this residential house (flat) belongs to children-orphans or children, without parents' care.

6. If, when implementing the rights, under Causes 4 and 5 of Decree, adopting the current Provisions, the market value of the provided residential house, buildings, structures and hereby plantings or the flats of typical consumer properties exceeds the market value of the immovable property facilities under rent, provision of such residential facilities (flat) is possible only with the consent of the rent receiver.
7. When choosing by the individuals, being the participants of common property, of one of the rights in accordance with Clause 4 or 5 of Decree, adopting the current Provisions, their shares under the right shall correspond to their shares in the property right for the immovable property facilities to be demolished.
8. Total area of the lot of typical consumer properties, which is obtained in to ownership, shall have the area not less than the area of houses (flats) to be demolished, or with the consent of the owner it may be less of the total area of the residential house (flat) to be demolished, but not less than the total area, defined on the basis of 15 sq. meters for the owner and each member of his family, registered at the place of residence in the residential house (flat) to be demolished.
9. If it is impossible to provide one flat of typical consumer properties of the same total area, specified in the part one of the current clause, the owner may obtain several flats of typical consumer properties into ownership.
10. The citizen, having in accordance with legal acts the right for additional area over the established minimal norm of provision of total area of the residential facilities, shall be provided with the additional area as a room or equivalent to 15 sq. meters of the total area.
11. If the organization, being the owner of the immovable property facilities to be demolished, chooses the right, specified in the second paragraph of Clause 4 of Decree, adopting the current Provisions, this organization shall be provided with the flat (flats) of typical consumer properties, with the area equivalent to the area of the residential house

(flat) to be demolished.

12. If the citizen, being the owner of the immovable property facilities to be demolished, chooses the right to obtain into ownership the residential house or flat of typical consumer properties instead of the immovable property facilities to be demolished, the members of his family, registered at the place of residence in the house (flat) to be demolished, or other citizens, having the right of ownership and usage of the residential house (flat), provided to the owner, under the same conditions, applied during residence in the former residential house (flat).
13. Resettlement of the citizen by judicial procedure, being the owner of the immovable property facilities to be demolished, and the members of his family from the residential house (flat), located on the land to be withdrawn, as well as demolition of residential house (flat), buildings, structures and hereby plantings, may be implemented only after state registration of the property right of the citizen for the immovable property facilities, or receiving money compensation by this citizen for the immovable property facilities to be demolished.

### **Dispute resolution**

1. If the application has not been submitted within the established term or if the owner of the immovable property facilities and the local executive committee that adopted the decision on withdrawal of the land plot did not come to agreement on the choice of the right, specified in Clauses 4 and 5 of Decree or in compliance with the OP4.12, adopted the current Provisions, or its implementation, as well as if the owner does not agree with the amount, method and (or) conditions of compensation for suffered damages, the local executive committee shall make up the statement of disagreements, which is signed by the owner, executive, authorized by the relevant local executive committee, and the person, who is provided with the land (if any).
2. If the owner of the immovable property facilities to be demolished refuses to sign the statement of disagreements, relevant mark shall be made in the protocol, which is signed by the person composed it. The owner refusing to sign the statement of disagreements, has the right to explain the reasons of refusal, which is recorded in the statement of disagreements or attached to it (the relevant mark is made in the statement).
3. Local executive committee or the person, who is provided with the land plot, during two weeks from the date of signing of the statement



of disagreements shall apply to court with the claim on purchase of the immovable property facilities or on dispossession of the owner, family members and other persons, having the right of ownership and usage of these immovable property facilities, providing them with other immovable property facilities in accordance with the requirements of the Provisions and Decree, adopting the current Provisions during two weeks from the date of signing of the statement of disagreements. In this case the decision on withdrawal and provision of the land plot can be made by the local executive committee only after entering of the court decision into force.

4. If, when implementing the rights, under Clauses 4 and 5 of Decree, adopted the current Provisions, the market value of the provided residential house, buildings, structures and nearby plantings or flat of typical consumer properties exceeds the market value of the immovable property facilities to be demolished, the difference in their cost shall not be compensated by the owner.

Reimbursed expenses are connected with:

- ✓ Resettlement, including relocation within the Republic of Belarus;
- ✓ Temporary usage of the other residential facilities, until the residential house (flat) is provided in accordance with Decree;
- ✓ All fees associated with the registration fees of the property right for the residential house (flat) provided;
- ✓ Official registration of the land submitted instead of the withdrawn land, and the rights for it;
- ✓ Reimbursement of expenses due to loss of movable property in the cases specified in the second part of Clause 17 of Provisions on the procedure of enforcement of the property rights of citizens and entities in connection with withdrawal of lands, adopted by Decree of the President of the Republic of Belarus No. 58 dated 02.02.2009.

## **8 IMPACT ON THE INFRASTRUCTURAL FACILITIES**

Many infrastructural facilities border on the route of the reconstructed section of the M-6 Minsk – Grodno – Polish Border (Bruzgi) Road, at the section km 130.4– km 197.7 (Grodno Region) have been constructed for the last twenty years. The perspective location of the territory adjacent to the construction route was taken into consideration during

construction. The infrastructural facilities are not affected by the alignment of the reconstructed road; their location as infrastructural and service facilities will be closer to the road, which will provide favorable conditions for their development.

## **9 AWARENESS OF PEOPLE AFFECTED BY THE PROJECT**

Public hearings and participation in the process of RAP implementation are required, as they provide people, affected by the project the possibility to contribute in the project implementation, reduce the possibility of conflicts and increase profits, which will be gained by these people.

This plan shall be additionally provided by e-mail to each person, affected by the project.

Public hearings were performed by Ivey and Schuchin District Executive Committees in cooperation with the State Enterprise “Belgiprodor” (Minsk, 28, Surganova str., 220000 and RUE “Grodnoavtodor” (Grodno, 9, Zamkovaya str., 220073 during the period from 2013 to 2014. The data on the performed hearings was posted on the site of Ivey and Schuchin Region Executive Committee and in district periodical publications. During the all hearings there were no proposals and remarks on the part of citizens and entities.

Negotiations with persons, affected by the project, were performed by personal communication with the employees of RUE “Grodnoavtodor” and studying their requests for compensations, and with employees of RUE “Belgiprozem” for issuing land management files and land allotment for reconstruction of the road.

During 2014-2015 at least 5-6 meetings were organized with the citizens, affected by the project, including the meetings with the representatives of local authorities for explanation of their rights.

The documents of public hearings are kept by the organizations; the copy of the minutes is stored at RUE “Grodnoavtodor”.

All persons, referred to as interested parties (individuals and legal entities), participated in the hearing process.

The information about the project was given to the public through local mass media by posting articles in newspapers, in the Internet resources, for gaining considerable contribution and enhancing success of project implementation. The additional information about the project was posted on the website of RUE “Grodnoavtodor” and tut.by, and it was available for design organizations for execution of design works.

The party responsible for public disclosure and collection of

opinions and comments is RUE “Grodnoavtodor”.

This plan shall be additionally provided by mail to each person, affected by the project. Upon the approval of the resettlement plan by the World Bank it will be published on the website of RUE "Grodnoavtodor" in Russian and on the website of Infoshop of the World Bank. Public consultant services on resettlement shall be provided.

During the repeated consultations in February 2017 there were no comments from citizens whose land plots are withdrawn for public needs.

## 10 COMPLAINTS PROCEDURES

It should be emphasized, that the risk of complaints will be brought down to a minimum owing to the fact that the citizens, who are to be resettled, will participate in the work of the evaluation committee and will have the possibility to reach a consent in the process of general discussion. If such a consent is not reached, the citizens have the right to send to RUE “Minskavtodor-Center”: 220073, Minsk, 37, Kalvariyskaya Str. claims relating to the fact that the decision of the evaluation committee bears losses, which shall be considered during fifteen days, and the claims, requiring additional studying and checking – during a month.

The claim can be directed to RUE “Minskavtodor-Center” either in a written form, or by e-mail ([http://office@madc.mtk.by](mailto:office@madc.mtk.by)). The term for claiming is not stipulated by the Law, as the individual regarding that his/her rights are violated, can make a complaint (claim) at any time.

After adoption of the resettlement plans relating to a certain land plot, the persons, negatively affected by the project, can engage in negotiations with RUE “Minskavtodor-Center” and local authorities, as only after taking solution on further withdrawal of land plots for state needs, and evaluation of the immovable property facilities, the market value of immovable property facilities, including nearby plantings, is determined, it is impossible to provide one hundred percent settlement of disputes. Negotiations will be performed as required at any stage.

The claims, relating to any aspect of the project, will be considered by negotiations, directed to reaching mutually acceptable consent. Citizens, suffered from negative impact of the project, may act according to the following procedures:

the person, negatively affected by the project, may fill the request form and submit it for consideration to RUE “Minskavtodor-Center”. The request shall be applied in the form stated in **Annex 1**;

if the consent or voluntary settlement agreement is not reached, or if the person, negatively affected by the project, does not receive a reply, this

person may apply to local authorities.

The specialist, who will consider the claims and complaints and will try to resolve them at the local level, shall be appointed. At public meetings individuals, negatively affected by the project, will receive the contact information for connection with this specialist. Further registration will continue, and the required information will be periodically sent to the World Bank in the Republic of Belarus;

If the person, negatively affected by the project, is not satisfied with the received decision, he may finally apply to court of appropriate jurisdiction.

The complaint procedure shall be implemented at the local level in the process of RAP public hearings. Moreover, the mechanism of processing of complaints shall be available for local population in local authorities. In accordance with Law of the Republic of Belarus No.300-3 “On application of citizens and legal entities” of 18.07.2011, claims shall be considered during fifteen days, and the claims, requiring additional studying and checking – during a month.

## 11 EXPENSES, BUDJET and CUT-OFF DATE

Local authorities are responsible for financing resettlement of citizens. The definite amount of expenses will be defined by the results of evaluation, consultations with owners of residential houses and the decision made by local authorities.

The procedure of evaluation of the land plots shall be provided in accordance with the current Legislation of the Republic of Belarus.

Below table reflects an estimate budget allocated for resettlement activities:

Item	Size of expenses	
	BYN (thousand Belarusian rubles)	USD\$ (thousand)
Compensation for trees and other plants	99,6	51.64*
Compensation for buildings/structures	310,3	180.89*
Compensation for especially marginalized or vulnerable groups	Not applicable here; no such PAPs identified	
Other misc. expenses related to RAP	10%	10%
Administrative expenses	5%	5%
Total	471,4	208.02

**Cut-off date for this project is the date when the census began (December 2015).**

On December 28, 2015 and July 25, 2016 there was taken only the decisions of Lida District Executive Committee regarding the preliminary withdrawal of land plots for public needs. The cost estimate of demolished buildings and planting was made on October 31, 2016 and remains valid and adequate.

**Table with the timeline of implementation of all resettlement related activities**

#	Activity	Responsible Party	Beginning	End
A	Preparation of the RAP			
1	Finalizing a detailed design of section <u>km 130.4-km 197.7</u>	MinskAvtodor	November 2016	January 2017
2	Receipt of cadaster information and necessary maps	GrodnoAvtodor	July 2013	September 2013г.
3	Consultations with project affected people	GrodnoAvtodor and MinskAvtodor	December 2015	April 2017
4	Decisions on expropriation in Lida	GrodnoAvtodor	December 2015	July 2016
5	Dates of preliminary public consultations/publications on the project	GrodnoAvtodor	January 2014	February 2014
6	Census of project affected people	Grodnoavtodor	December 2015	July 2016
8	Valuation	Grodnoavtodor Minskavtodor	July 2016	May 2017
9	Final decisions on expropriations in Lida	GrodnoAvtodor	June 2017	September 2017
10	Drafting the RAP	MinskAvtodor	November 2016	January 2017
11	Public consultations on the draft RAP	MinskAvtodor and GrodnoAvtodor	January 2017	February 2017

12	Changes into the draft RAP and its subsequent approval and disclosure	WB	February 2017	April 2017
15	Legal basis for domestic Grievance Redress Mechanism	Procedures on grievance redress in instances of land expropriation for public use is outlined in the Presidential Decree 2009		
16	Bank institutions responsible for disbursing the compensation	“BelarusBank”		
B	Implementation of the RAP			
1	Payment of compensation	MinskAvtodor	March 2017	June 2017
2	Commencement of civil works		August 2017	
3	Monitoring of the implementation of RAP	MinskAvtodor and GrodnoAvtodor	Ongoing throughout project implementation	Ongoing throughout of the project implementation

As a part of M-6 Minsk-Grodno-Polish border(Bruzgi) road upgrading at the section km 130,4 – km 197,7 4 the following land plots are subject to partial withdrawal:

No	Address	Owner	Removal of perennial plants, BYN	Total sum of compensation, BYN
	Vyvery village council, Myto village	Kudriavskaya V.M.	420,00	420,00
	Tarnovo village council, Tsybory village, house 51	Matsulevich V.V.	940,00	940,00
	Mozheikovo village council, Gostilovtsy village, house 2	Nekhviadovich Y.G.	2 400,00	2 400,00
	Near Tsybory village	Oleferovich V.V.	7 342,66	7 342,66
Total amount of losses:				11 102,66

Money compensation payment deadline is May 31, 2017.

The procedure of partial withdrawal of land plots is regulated by Decree of the President of the Republic of Belarus No.58 of 02.02.2009 “On

some measures for protection of property rights, when withdrawing land plots for state needs”.

## **12. MONITORING AND EVALUATION**

RUE “Minskavtodor-Center” shall appoint the specialist for monitoring of the procedures of purchase of residential facilities or compensation payment and submission of reports to RUE “Minskavtodor-Center” and the Representation of the World Bank in the Republic of Belarus on the procedure of activities for resettlement and payment of compensation in accordance with the RAP activities, as well as on any violations and problems, while implementing the resettlement activities plan, which refers to certain houses, or on any negative consequences for citizens, affected by the project.

For monitoring of resettlement RUE “Minskavtodor-Center” shall prepare the report on implementation of the resettlement project and submit it to the official representative in the World Bank of the Republic of Belarus.

## **13. LEGAL FRAMEWORK**

1 Decree of the President of the Republic of Belarus No. 667 of 27.12.2007 “On withdrawal and provision of land plots” (National Register of legal acts of the Republic of Belarus No.1/9264 of 2008);

2 Decree of the President of the Republic of Belarus No.58 of 02.02.2009 “On some measures for protection of property rights, when withdrawing land plots for state needs” (National Register of legal acts of the Republic of Belarus No. 1/10444 of 2009);

3 Decree of the President of the republic of Belarus No.10 of 06.08.2009 “On arrangement of additional conditions for investment activities in the Republic of Belarus” (National Register of legal acts of the Republic of Belarus No.1/10912 of 2009);

4 Land Code of the Republic of Belarus No.425-3of 23.07.2008 (National Register of legal acts of the Republic of Belarus No. 2/1522 of 2008);

5 Housing Code of the Republic of Belarus No. 428-3of 28.08.2012 (National Register of legal acts of the Republic of Belarus No.1/9264 of 2008);

6 Law of the Republic of Belarus “On application of citizens and legal entities” No. 300-3of 18.07.2011 (National Register of legal acts of the Republic of Belarus No. 2/1852 of 2011);

7 Resolution of the Council of Ministers No. 462 of 26.03.2008

“On some measures for implementation of Decree of the President of the Republic of Belarus No.667 of 27.12.2007 (National Register of legal acts of the Republic of Belarus No.2/1980 of 2012);

8 Resolution of the Council of Ministers No. 623 of 17.05.2007

“On standards for evaluation of residential houses, garden cottages, summer cottages and their neighboring facilities, as well as separately located household (utility and backyard) facilities and garages” (National Register of legal acts of the Republic of Belarus No.5/25213 of 2007);

9 Regulation on the procedure for determination of the amount of losses, suffered by the land users due to withdrawal of land plots and demolition of immovable property facilities located on them, adopted by Decree of the Council of Ministers No.462 of 26.03.2008 “On some measures for implementation of Decree of the President of the Republic of Belarus No. 667 of 27.12.2007” (National Register of legal acts of the Republic of Belarus No.5/27442 of 2008).

10 **OP 4.12 Operating guide of the World Bank for involuntary resettlement** of December 2001.



**Annex 1**

Application Form

RUE “Minskavtodor-Center”  
37, Kalvariyskaya Str.  
Minsk, 220037

Full name of a citizen\_\_\_\_\_

Residence address\_\_\_\_\_

Request

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«    » \_\_\_\_\_ 2014      \_\_\_\_\_      \_\_\_\_\_  
Day, month signature Full name

**Annex 2****Resettlement stages (from 01.01.2017 to 01.04.2017)**

Item No.	Activity	Reference	Term
1.	Public disclosure of the plan of activities for resettlement and construction project		1 month
2.	Discussion of the plan of activities for resettlement and construction project	p.1 of Table	
3.	Taking decision on further withdrawal of lands by the Executive Committee	Adopted Certificate of choice of the land plot	
4.	Submission of written applications by citizens on the choice of the type of compensation	p.3 of Table	
5.	Taking decision by the Executive Committee on provision of citizens with flats, land plots or money compensation (in accordance with earlier submitted applications)	p.3 of Table and written applications of citizens	1 month
6.	Resettlement of citizens	p.5 of Table	
7.	Taking decision by the Executive Committee on withdrawal of lands for state needs and demolition of facilities on them (after completion of resettlement)	Land management files and implementation of p.5 of Table	1 month
		<b>TOTAL:</b>	<b>3 months</b>