

Independent Directorate of Local Governance (IDLG)

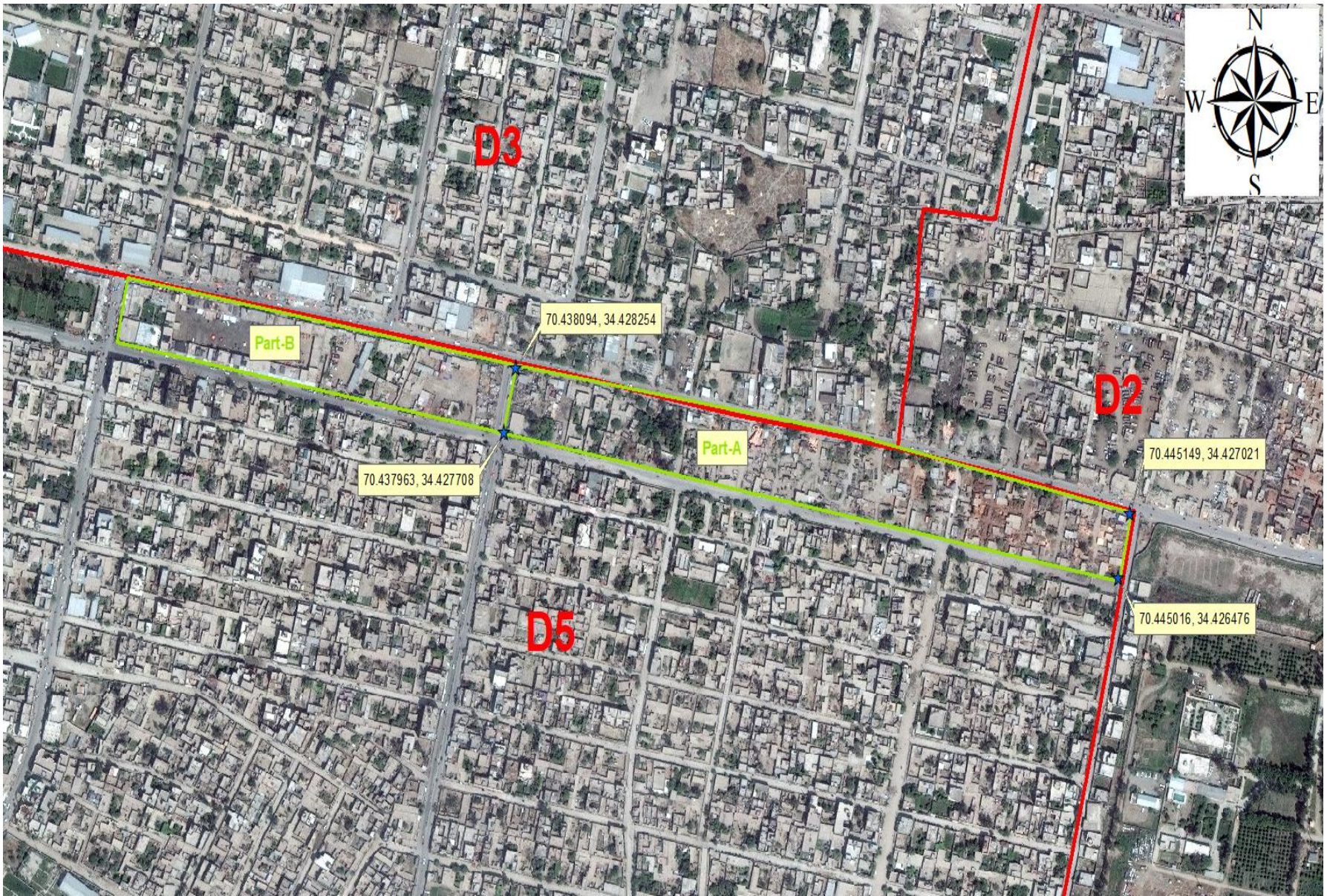
**SAFEGUARD CORRECTIVE ACTION PLAN (SCAP)**  
**Jalalabad City Recreational Park**

Under

**Citizens' Charter Afghanistan Project (CCAP)**

September 2019





GIS map of the park





Park pictures before evacuation by the Municipality (June 14, 2018)



Park Picture After the Evacuation by the Municipality (October 17, 2018)

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**ACRONYMS**

AFN	Afghan Afghani
ARTF	Afghanistan Reconstruction Trust Fund
CCAP	Citizens' Charter Afghanistan Project
CDC	Community Development Council
CDP	Community Development Plan
CPM	Community Participatory Monitoring
DMM	Deputy Ministry for Municipalities
ESS	Environmental and Social Safeguards
FGA	Future Generations Afghanistan
FP	Facilitating Partner
GA	Gozar Assembly
GDP	Gozar Development Plan
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
IDLG	Independent Directorate of Local Governance
ISM	Implementation Support Mission
LLE	Law on Land Expropriation
M&E	Monitoring and Evaluation
MRRD	Ministry of Rural Rehabilitation and Development
MUDL	Ministry of Urban Development and Land
OP	Operational Policy
PAF	Project Affected Family
PAP	Project Affected Person
PIU	Program Implementation Unit
PMU	Provincial Management Unit
RCA	Root Cause Analysis
RPF	Resettlement Policy Framework
SCAP	Safeguards Corrective Action Plan
TPM	Third Party Monitoring
WB	World Bank

## 1. EXECUTIVE SUMMARY

In March 2019, the Implementation Support Mission (ISM) of the Citizens' Charter Afghanistan Project (CCAP) found that the implementation of one of the urban CCAP joint subprojects (Jalalabad City Recreational Park) resulted in involuntary resettlement and forced eviction of households and Business Stall Owners (who were using the park land as monthly tenants) without proper compensation and provisions according to the project Resettlement Policy Framework (RPF). Due to this non-compliance issue the ISM suspended the subproject immediately<sup>1</sup> and asked the implementing agency - IDLG (Independent Directorate of Local Governance) - to take immediate actions addressing the issue of non-compliance by developing a Safeguard Corrective Action Plan (SCAP) to properly identify, compensate, and resettle the affected business owners and households. Based on the April report from the Afghanistan Reconstruction Trust Fund (ARTF) Third Party Monitoring (TPM) Agent – Management Systems International (MSI) - and also the findings from the IDLG assigned senior management team who visited the sub-project site in Jalalabad City several times between March-August it was found that:

1. 192 temporary business stalls were using the park land as monthly tenants. These project-affected persons (PAPs) were evicted from the park area and none of the affected persons received compensation for loss of their businesses and restoration of livelihoods. The reports indicate that none of the business owners were claiming the ownership of land in the park area as they were tenants. It was also reported that a potential resettlement site was identified by the Municipality in district 6 to relocate the affected business owners. The Municipality intended to provide them with the basic facilities in the new site such as electricity, water, shelter and other facilities including exemption from rent for a duration of 6 to 12 months, but none of the affected business owners were willing to resettle in the selected site as it is far away from the city and chances for reestablishing successful businesses are limited.
2. Apart from business owners, 11 households were also evicted from the park area. These 11 affected families possessed customary documents claiming their ownership on the land in the park. On the other hand, the Municipality claimed land ownership of the park and stressed that the project affected families (PAFs) illegally occupied the government land and therefore they were not eligible for compensation of land and structures/building. The household owners referred their cases to the court but on 5<sup>th</sup> July 2019, the court gave a verdict that the land ownership for the park was indeed with the Jalalabad Municipality.

Based on the above findings, IDLG has developed this Safeguard Corrective Action Plan (SCAP) in close consultation with PAFs. The objectives of this SCAP are designed to address the gap of involuntary (forced) resettlement and non-compliance, meeting the requirements of national laws/regulations, compliance with the World Bank's Involuntary Resettlement Policy (OP-4.12) and the approved RPF for CCAP. The key activities included are as follows:

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<sup>1</sup> World Bank Senior Management was informed of the incident on April 29<sup>th</sup> under the Environmental and Social Incident Report Toolkit (ESIRT) protocols that were approved in November 2018.

- Verification of the PAPs
- Conducting regular consultations with all PAPs
- Estimation of losses, entitlements and valuation of compensation (by an independently established valuation committee appointed by the Government) for each individual PAP and getting their agreement on that
- Payment of compensation package to the PAPs
- Monitoring/auditing and reporting the implementation of compensation process

## 2. INTRODUCTION

This document outlines the Safeguards Corrective Action Plan (SCAP) for the recreational park in 5<sup>th</sup> district of Jalalabad city with an area of 5 hectares, which was being used by around 192 business stall owners as monthly tenants and 11 households who were settled there with customary documents. Box-1 below provides a brief history of the legal ownership of land in the park. This park was selected as a joint project under the urban component of the Citizens' Charter Afghanistan Project (CCAP) in late 2018. The park construction was a top priority for the surrounding Community Development Councils (CDCs) and Gozar Assemblies (GAs) as reflected in their Community Development Plans (CDPs)/Guzar's Development Plans (GDPs) prepared in consultation with Jalalabad Municipality as it would provide economic and social benefits to the populations of these CDCs/GAs.

Following are the surrounding CDCs and GAs who would be the direct beneficiaries of the park joint subproject. This also includes approval dates for their CDPs/GDPs:

1. Mutahida CDC (08-0801-I0036) – December 06, 2017
2. Itifaq CDC (08-0801-I0038) – November 22, 2017
3. Adalat CDC (08-0801-I0039) – November 22, 2017
4. Marhom Ajab Khan CDC (08-0801-I0041) – October 31, 2017
5. Insaf CDC (08-0801-I0042) – November 25, 2017
6. Karti Jamhoriyat CDC (08-0801-I0044) – November 29, 2017
7. GA1 (08-0801-GI0501) – October 14, 2018
8. GA2 (08-0801-GI0502) – October 14, 2018

Please see Annex 4 including such a sample CDP for Itifaq CDC.

Since the rehabilitation of this recreational park under the CCAP sub-project was the top priority of the surrounding CDCs and GAs; therefore, the Municipality was requested to relocate the tenants and households allowing the subproject to start construction work. Based on CDCs/GAs request, the Municipality officials informed the tenants and households by sending official notifications by June 22, 2018 (see Annex 5 - Municipality Notification Letter to PAPs) to shift their businesses to the area which was identified by municipality in district 6 of the city, but the business owners did not consider the notifications and continued their activities in the area. As a result, on July 25, 2018, the Municipality evicted all the business stall owners and households.

Due to some confusion around the provisions and division of responsibilities in the project's Resettlement Policy Framework (RPF), the Provincial Management Unit (PMU) and Facilitating Partner (FP) – Future Generations Afghanistan (FGA) - staff at provincial level thought that, since the relocation process is carried out by municipality itself and estimation of compensation and its documentation will be responsibility of municipality. Therefore, the PMU and FP didn't take any action relating to resettlement and compensation at the first place. In the absence of an estimation of compensation package for any kind of losses and proper documentation, the World Bank's Involuntary Resettlement Policy (OP 4.12) requires preparation of a safeguards corrective action plan (SCAP) to address all the issues related to involuntary resettlement and/or loss of assets or income because of the evictions.



Based on the project RPF, the Independent Directorate of Local Governance (IDLG) has developed this SCAP for the park sub-project which gives a description of national legislations and World Bank (WB) policy for involuntary resettlement and provides assessment of impacts, establishment of an independent valuation committee to estimate the losses and compensation to PAPs as per the market rate. This document also provides institutional arrangements (please refer to section 9) and timeline for SCAP implementation and processes for grievance redress and monitoring and evaluation.

#### **Box-1: History of Land Ownership of Jalalabad Park District 5**

The 5<sup>th</sup> district Jalalabad Park covers an area of 5 hectares in the center of Jalalabad city. Based on the investigations done by the TPM and IDLG teams it was revealed that during the Russian conflict years (1980-90), local warlords and powerbrokers illegally allotted/sold the park land to the members of their patronage networks to use it for small business stalls and other activities. Administrative authorities speculate the land was acquired during or shortly after the Saur revolution in 1978, in the absence of an established municipal government. After 2002 a new group of these powerbrokers and warlords coerced the local Municipality to go into contracts with the occupants. Unfortunately, this practice continued till evacuating the park land and the municipal administration was influenced from time to time to continue renting the park area to small business stalls of wood, coal and construction material like gravel, sand and cement at a small scale.

The Jalalabad Municipality claims the ownership of the land for the recreational park affected under the CCAP subproject. The park land was purchased from private owners by the government in 1960s and was transferred to the Municipality by ARAZI/MUDL in 1977. However, IDLG's Deputy Ministry for Municipalities (DMM) sent a letter to MUDL on 16 June 2019 (26/03/1398) (see copy of letter in Annex 2) to get their confirmation on Jalalabad Municipality ownership on the park land. The Provincial Land Authority confirmed that the Government owned the land ownership.

### **3. OBJECTIVES OF THE SAFEGUARDS CORRECTIVE ACTION PLAN (SCAP)**

The contents of this SCAP are designed to address the gap of involuntary (forced) resettlement and non-compliance, meeting the requirements of national laws/regulations, compliance with the World Bank's Involuntary Resettlement Policy (OP-4.12) and the approved RPF for CCAP. The key activities included are:

- Verification of the project affected persons (PAPs)
- Conducting regular consultations with all PAPs
- Estimation of losses, entitlements and valuation of compensation (by valuation committee) for each individual PAP and getting their agreement on that
- Payment of compensation package to the PAPs
- Monitoring/auditing and reporting the implementation of compensation process

## 4. LEGAL AND POLICY FRAMEWORK FOR RESETTLEMENT

### A) The Land Acquisition Law (LAL) 2018

**Article 17** of the law on land acquisition of leased property or property under mortgage states that:

1. Where the desired property is leased or under mortgage or any other legal transaction, the relevant agreement on desired property shall be nullified with consent of parties and the property shall be acquired.
2. Where parties do not agree on nullification, the transaction on desired property shall be nullified by force and the acquiring organization acquire the desired property.
3. Where the owner of property does not pay entitled parties for their rights, acquiring organization, from compensation, shall first pay to entitled party and give the remaining amount to the owner.
4. The occurred loss stipulated in above paragraphs, shall be compensated by the acquiring organization.

**Article 38** of the law on Privileges payable to squatters describes that;

1. Persons who are not owners of the property in the project implementation site but have occupied state land up to five *beswa* to have a shelter, only the costs for building the shelter shall be determined and paid to them.
2. The squatter stipulated in paragraph one of this article shall only be entitled to the incentives having the following conditions:
  - a) The land shall be state land
  - b) The squatter shall not have any property in the same province
  - c) They shall have at least fifteen years occupancy of the property.
  - d) The construction of the squatter shall be of non-concrete materials.

### 4.1. World Bank OP 4.12

This policy deals with the issues and concerns related to land/assets acquisition, their compensation for all categories of affected persons and affected assets, relocation, resettlement, loss of livelihood, access and related issues. If involuntary resettlement is not properly mitigated, it creates severe economic, social and environmental problems in the project area. People face impoverishment when their productive sources are lost, and they are relocated to such environment where their productive skills are not properly utilized, the competition for resources is increased and the community institutions and local networks are weakened. Where it is not feasible to avoid resettlement, these activities should be conceived and executed as a sustainable development program. Displaced persons should be properly consulted and should have opportunities to participate in planning and implementing resettlement programs. The following are the main objectives of Bank's OP 4.12:

- Involuntary resettlement should be avoided where possible, or minimized by exploring other viable alternatives;

- Where it is not possible to avoid resettlement, resettlement activities should be conceived and executed as a sustainable development program, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits;
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living, or at least restore to the extent of pre-displacement levels.
- Displaced persons may be classified and include:
  - Those with formal legal rights to land, including customary and traditional rights recognized under the law of the country;
  - Those who do not have formal legal rights to land at the time the survey begins but have a claim to such land or assets, provided that such claims are recognized under the law or become recognized through a process identified in the resettlement plan; and
  - Those who have no recognizable legal right or claim to the land they are occupying.

#### 4.2. Resettlement Policy Framework (RPF)/CCAP

The Resettlement Policy Framework (RPF) plays a vital role in almost all development projects where people are required to be displaced due to the implementation of project activities. The main purpose of the RPF is to guide/lead resettlement principles, eligibility criteria, compensation entitlements, and organizational arrangements for land acquisition, asset loss, and resettlement of people that may be necessary during implementation CCAP subprojects and emphasize on the below principles:

1. All PAPs are eligible for compensation for losses resulting from project intervention, for compensation for land by holding a legal title or some other acceptable evidence would be required.
2. All compensation will be at replacement value.
3. All stakeholders, particularly PAPs, will be consulted and consultation will be an on-going activity of the project.

As per the CCAP RPF, the following categories of persons will NOT be entitled for compensation for loss of land:

1. Other occupants of lands, or squatters: Persons outside of the classifications of legal ownership and occupancy, or possession, will not be entitled for compensation for the lands that they occupy, but will be compensated for the permanent improvements or structures they may have introduced or built in the affected lands before the cut-off date.
2. Encroachers: “Persons who extend their property beyond that for which they hold a title are encroachers and would not be eligible for compensation for land for which they do not possess a title”.

## 5. ELIGIBILITY AND ENTITLEMENTS

General eligibility is defined as, *“people who stand to lose land, houses, structures, trees, crops, businesses, income and other assets as a consequence of the project, as of the formally recognized*



*cut-off date, will be considered as project affected persons (PAPs)”. For this project, the concepts of ‘general eligibility’ for compensation and who is a PAP is extended to include persons who may be temporarily/permanently displaced and eligible for compensation of losses for houses, structures or businesses and income by the sub-projects but not for the land as it belongs to the Municipality. The PAPs in the project are entitled to various types of compensation and resettlement assistance that will assist in the restoration of their livelihoods, at least to the pre-project standards. They are entitled to a mixture of compensation measures and resettlement assistance, depending on the nature of lost assets and scope of the impact, including social and economic vulnerability of the affected persons. All PAPs are equally eligible for cash compensation and rehabilitation assistance (albeit with differences in entitlements), to ensure that those affected by the project shall be at least as well off, if not better off than they would have been without the project. As per CCAP RPF, under this subproject both the affected PAFs and business stall owners are entitled for compensation for their losses.*

### 5.1. Land Tenure and Compensation Entitlements

The 11 affected families who claim the ownership of the park land will be dealt with according to the below provision of project RPF. But none of the 192 Business Stall Owners claim the land ownership as all of them were renting their stalls from Municipality.

**The following categories of PAFs will be entitled for compensation for loss of land under RPF:**

1. **Legal Title Owners:** Owners having written evidences of land ownership under the formal system of property rights, including deeds, or legal documents with copies in the Court Registries, or any other official documentation issued by, or on behalf of, the government, establishing their right as an owner of the land in question.
2. **Titles with Customary documents:** Owners having documents recognized by both official and customary law as giving rise to ownership rights.
3. **Occupiers of Land for a long period:** Persons who, with oral and other evidence with probative value, can prove that they or their family have been in occupation of the land for at least 35 years.
4. **Other Occupants of land:** Limited to only those persons who have had open, continuous and interrupted possession of land over a very long time, which effectively vests in them legal rights over the lands they occupy through acquisitive prescription.

**The following categories of persons will NOT be entitled for compensation for loss of land:**

3. **Other occupants of lands, or squatters:** Persons outside of the classifications of legal ownership and occupancy, or possession, mentioned above, will not be entitled for compensation for the lands that they occupy, but will be compensated for the permanent improvements or structures they may have introduced or built in the affected lands before the cut-off date.
4. **Encroachers:** “Persons who extend their property beyond that for which they hold a title are encroachers and would not be eligible for compensation for land for which they do not possess a title”.

According to Jalalabad Municipality, all 11 PAFs are Squatters in this case and occupied government land. Most of the PAFs referred their cases to the provincial court, but the court denied their ownership claim. Despite the court's decision, the Municipality agreed with all PAFs to provide them with the land plot in Najmul Jahad Township to resettle their houses. Also, the provincial valuation committee in coordination with the technical teams estimated the non-land assets compensation for all 11 PAFs. Moreover, the valuation committee also estimated the compensation of business stalls in agreement with 192 business owners. On August 20, 2019 the 192 business owners agreed with the estimated compensation for structures and income restoration having no other claims (see Annex 1 - Agreement on Compensation for Business Owners). The eligibility and entitlements cover both the; a) Business Stall Owners; b) Project Affected Families (PAFs) as follow:

## 6. BUSINESS STALL OWNERS

### 6.1. Eligibility and Entitlement

Business stall owners lost their businesses, temporary stalls and income are eligible for the following compensation:

- **Livelihood restoration cost:** Each Business Stall Owner is entitled for a 6 months' income restoration allowance with a monthly cost of AFN 7,500 ( $6 \times 7500 = 45,000$ ).
- **Temporary assets lose compensation:** The Provincial Valuation Committee estimated the assets lose for each of the Business Stall Owners at fair market prices and all 192 Business Stall Owners will receive the estimated amount for their losses of temporary assets (stalls).
- **Transportation Cost:** As transportation facilities were provided by the Municipality during evacuation, therefore none of the Business Stall Owner will receive any transportation cost.

The total compensation amount for 192 Business Stall Owners is equal to AFN 10,658,000 (approx. USD 135,000) comprising of Compensation for loss of temporary assets (AFN 2,018,000) and Livelihood Restoration Cost (AFN 8,640,000). For compensation detail please refer to table 2.

### 6.2. Identification of project affected business owners:

As all the affected business owners were formally registered with the Municipality and they were paying monthly rent to the Municipality, therefore, the IDLG visiting team, PMU, district representatives and the provincial valuation committee confirmed the list of PAPs. To identify the business stall owners, a task team comprising of PIU safeguards specialist, PMU ESS focal point, GAs chairpersons, FP ESS focal point and 5<sup>th</sup> district representative who is responsible for collection of incomes at the Nahia level conducted a field visit and interviewed most of the stall owners who were present in the area. Besides that, the team went through the bank receipts which were used by the business owners for the purpose of payment of their annual taxes, by conducting the two above mentioned mechanisms the identification process was completed stating that the total number of business owners were 192 persons in the park area which is verified by 5<sup>th</sup> district office and GAs chair persons. Close consultations were made with the surrounding CDCs/GAs to ensure no one is missing from the list. Each individual name in the list was cross checked with the affected business owners by conducting a brief interview with each

PAP. The list was also cross checked with the bank receipts used by PAPs for paying monthly rent to the Municipality.

### 6.3. Socio-Economic Information of Business Stall Owners

A brief socio-economic survey was conducted by PMU/IDLG on 24 May 2019, of the 192 Business Stall Owners, using simple questionnaire for data collection as part of the investigation and ‘root cause analysis’ (RCA) for this case. The survey mainly focused on the family size and income of the project affected business owners. Below table provide brief information about the socio-economic status of the affected business owners. Following is the brief socio-economic information of the 192 Business Stall Owners (for further information please see table 1 below).

**Table 1: Summary of socio-economic information of 192 Business Stall Owners**

No	Type of business	Number of PAPs	Average Family Size	Average Size of investment (AFN)		Average Monthly income (AFN)		Average Monthly rent (AFN)	
				previous	present	previous	present	previous	present
1	shuttering	51	8	213,000	205,000	12,250	10,900	1,860	3,000
2	Saw Machine	25		356,732	347,276	13,979	12,473	2,140	3,210
3	carpentry	23		189,167	181,584	11,510	11,081	1,773	3,113
4	Wood seller	16		105,850	99,400	10,409	13,841	1,270	2,271
5	Metal works	23		145,220	139,741	10,788	10,164	1,725	2,908
6	Scrap buyer	10		216,940	210,140	11,173	10,315	2,654	4,410
7	Construction material	9		187,666	183,888	10,448	9,800	2,268	2,277
8	Concrete mixer/ concrete blocks	8		212,900	207,025	11,714	10,896	1,868	2,975
9	Straw seller	6		135,325	132,625	10,608	9,527	1,462	3,074
10	Shops, bakery, hotel and property dealer	10		71,010	70,810	8,616	8,197	1,245	2,40
11	Iron parts, stock, stall and carton maker	11		190,290	184,273	11,280	10,660	1,520	2,463

**Table 2: Compensation package for 192 Business Stall Owners**

code	Name of Business Owner (PAPs Names removed from this version for public disclosure)	Type of business	Compensation for loss of Temporary Assets (AFN)	Livelihood Restoration Cost (AFN)	Total Compensation (AFN)
B-01	PAP 1	shuttering	12,000	45,000	57,000
B-02	PAP 2	shuttering	10,000	45,000	55,000
B-03	PAP 3	shuttering	9,500	45,000	54,500
B-04	PAP 4	shuttering	13,500	45,000	58,500
B-05	PAP 5	Concrete Mixer	11,500	45,000	56,500
B-06	PAP 6	shuttering	14,000	45,000	59,000
B-07	PAP 7	Shuttering	12,500	45,000	57,500
B-08	PAP 8	shuttering	12,000	45,000	57,000
B-09	PAP 9	shuttering	9,500	45,000	54,500
B-10	PAP 10	shuttering	12,500	45,000	57,500
B-11	PAP 11	shuttering	10,500	45,000	55,500



B-12	PAP 12	shuttering	14,000	45,000	59,000
B-13	PAP 13	shuttering	10,500	45,000	55,500
B-14	PAP 14	Stock	11,000	45,000	56,000
B-15	PAP 15	Wood seller	9,000	45,000	54,000
B-16	PAP 16	Scrap buyer	11,500	45,000	56,500
B-17	PAP 17	Scrap buyer	12,000	45,000	57,000
B-18	PAP 18	Carpenter	11,000	45,000	56,000
B-19	PAP 19	Saw machine	15,000	45,000	60,000
B-20	PAP 20	shuttering	11,000	45,000	56,000
B-21	PAP 21	Metal work	9,000	45,000	54,000
B-22	PAP 22	Saw machine	15,000	45,000	60,000
B-23	PAP 23	Metal work	9,500	45,000	54,500
B-24	PAP 24	shuttering	12,500	45,000	57,500
B-25	PAP 25	Wood seller	11,000	45,000	56,000
B-26	PAP 26	Saw machine	13,000	45,000	58,000
B-27	PAP 27	Bakery	8,500	45,000	53,500
B-28	PAP 28	Saw machine	14,000	45,000	59,000
B-29	PAP 29	shuttering	11,000	45,000	56,000
B-30	PAP 30	shuttering	11,500	45,000	56,500
B-31	PAP 31	shuttering	11,500	45,000	56,500
B-32	PAP 32	shuttering	11,000	45,000	56,000
B-33	PAP 33	Straw seller	10,000	45,000	55,000
B-34	PAP 34	Metal work	9,000	45,000	54,000
B-35	PAP 35	Metal work	9,000	45,000	54,000
B-36	PAP 36	Metal work	12,000	45,000	57,000
B-37	PAP 37	Carpentry	11,000	45,000	56,000
B-38	PAP 38	hotel	5,000	45,000	50,000
B-39	PAP 39	Bakery	5,000	45,000	50,000
B-40	PAP 40	Wood seller	7,000	45,000	52,000
B-41	PAP 41	Wood seller	7,000	45,000	52,000
B-42	PAP 42	Wood seller	7,000	45,000	52,000
B-43	PAP 43	Saw machine	13,000	45,000	58,000
B-44	PAP 44	shuttering	12,000	45,000	57,000
B-45	PAP 45	Metal work	9,000	45,000	54,000
B-46	PAP 46	Concrete blocks	9,500	45,000	54,500
B-47	PAP 47	Iron parts	9,500	45,000	54,500
B-48	PAP 48	Scrap seller	10,000	45,000	55,000
B-49	PAP 49	Iron parts	11,500	45,000	56,500
B-50	PAP 50	Scrap buyer	11,000	45,000	56,000
B-51	PAP 51	Carpentry	10,500	45,000	55,500
B-52	PAP 52	Scrap buyer	11,500	45,000	56,500
B-53	PAP 53	Carpentry	9,000	45,000	54,000
B-54	PAP 54	Carpentry	12,500	45,000	57,500
B-55	PAP 55	Carpentry	9,000	45,000	54,000
B-56	PAP 56	Metal work	10,000	45,000	55,000
B-57	PAP 57	Saw machine	13,500	45,000	58,500
B-58	PAP 58	Carpentry	10,000	45,000	55,000
B-59	PAP 59	Saw machine	17,000	45,000	62,000
B-60	PAP 60	Carpentry	12,000	45,000	57,000
B-61	PAP 61	Saw machine	13,000	45,000	58,000

B-62	PAP 62	Carpentry	10,500	45,000	55,500
B-63	PAP 63	Saw machine	14,000	45,000	59,000
B-64	PAP 64	Carpentry	10,000	45,000	55,000
B-65	PAP 65	Saw machine	13,000	45,000	58,000
B-66	PAP 66	Saw machine	14,000	45,000	59,000
B-67	PAP 67	Saw machine	14,500	45,000	59,500
B-68	PAP 68	Saw machine	13,000	45,000	58,000
B-69	PAP 69	Saw machine	12,500	45,000	57,500
B-70	PAP 70	Saw machine	13,000	45,000	58,000
B-71	PAP 71	Straw seller	10,000	45,000	55,000
B-72	PAP 72	Saw machine	14,000	45,000	59,000
B-73	PAP 73	Carpentry	12,000	45,000	57,000
B-74	PAP 74	Straw seller	9,000	45,000	54,000
B-75	PAP 75	shuttering	8,000	45,000	53,000
B-76	PAP 76	shuttering	8,000	45,000	53,000
B-77	PAP 77	shuttering	9,000	45,000	54,000
B-78	PAP 78	shuttering	9,000	45,000	54,000
B-79	PAP 79	shuttering	8,500	45,000	53,500
B-80	PAP 80	Carpentry	11,000	45,000	56,000
B-81	PAP 81	Scrap buyer	10,500	45,000	55,500
B-82	PAP 82	Metal work	9,000	45,000	54,000
B-83	PAP 83	Carpentry	11,000	45,000	56,000
B-84	PAP 84	Saw machine	11,500	45,000	56,500
B-85	PAP 85	Saw machine	13,500	45,000	58,500
B-86	PAP 86	Wood seller	9,000	45,000	54,000
B-87	PAP 87	Wood seller	9,000	45,000	54,000
B-88	PAP 88	Wood seller	8,000	45,000	53,000
B-89	PAP 89	Saw machine	14,500	45,000	59,500
B-90	PAP 90	Wood seller	8,000	45,000	53,000
B-91	PAP 91	Wood seller	8,000	45,000	53,000
B-92	PAP 92	Saw machine	14,500	45,000	59,500
B-93	PAP 93	Wood seller	8,000	45,000	53,000
B-94	PAP 94	Saw machine	11,500	45,000	56,500
B-95	PAP 95	Metal work	10,500	45,000	55,500
B-96	PAP 96	Metal work	8,500	45,000	53,500
B-97	PAP 97	Metal work	10,000	45,000	55,000
B-98	PAP 98	Wood seller	8,500	45,000	53,500
B-99	PAP 99	Carpentry	8,000	45,000	53,000
B-100	PAP 100	Carpentry	11,000	45,000	56,000
B-101	PAP 101	Saw machine	14,000	45,000	59,000
B-102	PAP 102	Wood seller	10,000	45,000	55,000
B-103	PAP 103	Wood seller	9,500	45,000	54,500
B-104	PAP 104	Straw seller	9,000	45,000	54,000
B-105	PAP 105	Metal work	8,000	45,000	53,000
B-106	PAP 106	Metal work	7,500	45,000	52,500
B-107	PAP 107	Carpentry	8,500	45,000	53,500
B-108	PAP 108	Iron Parts	12,500	45,000	57,500
B-109	PAP 109	Concrete blocks	12,000	45,000	57,000
B-110	PAP 110	shuttering	11,500	45,000	56,500
B-111	PAP 111	shuttering	11,000	45,000	56,000

B-112	PAP 112	shuttering	12,000	45,000	57,000
B-113	PAP 113	shuttering	9,000	45,000	54,000
B-114	PAP 114	shuttering	10,000	45,000	55,000
B-115	PAP 115	shuttering	9,500	45,000	54,500
B-116	PAP 116	shuttering	9,500	45,000	54,500
B-117	PAP 117	shuttering	9,000	45,000	54,000
B-118	PAP 118	shuttering	9,500	45,000	54,500
B-119	PAP 119	shuttering	10,000	45,000	55,000
B-120	PAP 120	shuttering	8,000	45,000	53,000
B-121	PAP 121	shuttering	12,500	45,000	57,500
B-122	PAP 122	shuttering	12,000	45,000	57,000
B-123	PAP 123	shuttering	11,000	45,000	56,000
B-124	PAP 124	Stock	11,000	45,000	56,000
B-125	PAP 125	shuttering	12,000	45,000	57,000
B-126	PAP 126	shuttering	11,000	45,000	56,000
B-127	PAP 127	shuttering	10,000	45,000	55,000
B-128	PAP 128	Shuttering	10,500	45,000	55,500
B-129	PAP 129	Carpentry	11,500	45,000	56,500
B-130	PAP 130	Shuttering	12,000	45,000	57,000
B-131	PAP 131	Concrete blocks	10,500	45,000	55,500
B-132	PAP 132	Concrete blocks	14,000	45,000	59,000
B-133	PAP 133	Metal Work	11,500	45,000	56,500
B-134	PAP 134	Stall	6,000	45,000	51,000
B-135	PAP 135	Metal Works	11,000	45,000	56,000
B-136	PAP 136	Metal Works	11,000	45,000	56,000
B-137	PAP 137	Shuttering	14,000	45,000	59,000
B-138	PAP 138	Shuttering	11,000	45,000	56,000
B-139	PAP 139	Shuttering	11,000	45,000	56,000
B-140	PAP 140	Shuttering	9,000	45,000	54,000
B-141	PAP 141	Shuttering	13,000	45,000	58,000
B-142	PAP 142	Carpentry	11,000	45,000	56,000
B-143	PAP 143	Shuttering	9,000	45,000	54,000
B-144	PAP 144	Stall	8,500	45,000	53,500
B-145	PAP 145	Stock	13,000	45,000	58,000
B-146	PAP 146	Shop	6,000	45,000	51,000
B-147	PAP 147	Carpentry	16,500	45,000	61,500
B-148	PAP 148	Saw machine	13,000	45,000	58,000
B-149	PAP 149	Shuttering	12,500	45,000	57,500
B-150	PAP 150	Shuttering	11,000	45,000	56,000
B-151	PAP 151	Concrete machine	10,500	45,000	55,500
B-152	PAP 152	Metal Work	13,500	45,000	58,500
B-153	PAP 153	Carpentry	7,000	45,000	52,000
B-154	PAP 154	Metal Work	10,000	45,000	55,000
B-155	PAP 155	Carpentry	6,500	45,000	51,500
B-156	PAP 156	Carpentry	7,000	45,000	52,000
B-157	PAP 157	Shuttering	11,000	45,000	56,000
B-158	PAP 158	Scrap buyer	10,000	45,000	55,000
B-159	PAP 159	Wood seller	10,500	45,000	55,500
B-160	PAP 160	Shuttering stock	10,000	45,000	55,000
B-161	PAP 161	Scrap buyer	11,000	45,000	56,000



B-162	PAP 162	Scrap buyer	10,000	45,000	55,000
B-163	PAP 163	Scrap buyer	10,000	45,000	55,000
B-164	PAP 164	Iron seller	10,500	45,000	55,500
B-165	PAP 165	Concrete blocks	10,000	45,000	55,000
B-166	PAP 166	Metal Work	9,000	45,000	54,000
B-167	PAP 167	Metal Work	9,500	45,000	54,500
B-168	PAP 168	Metal Work	7,000	45,000	52,000
B-169	PAP 169	Construction material	9,000	45,000	54,000
B-170	PAP 170	Cement seller	7,000	45,000	52,000
B-171	PAP 171	Bakery	6,500	45,000	51,500
B-172	PAP 172	Barber	5,000	45,000	50,000
B-173	PAP 173	Property dealer	10,000	45,000	55,000
B-174	PAP 174	Construction material	14,000	45,000	59,000
B-175	PAP 175	Construction material	12,000	45,000	57,000
B-176	PAP 176	Construction material	9,000	45,000	54,000
B-177	PAP 177	Construction material	8,000	45,000	53,000
B-178	PAP 178	Construction material	8,500	45,000	53,500
B-179	PAP 179	Iron seller	11,500	45,000	56,500
B-180	PAP 180	Coffee shop	10,000	45,000	55,000
B-181	PAP 181	Scrap buyer	14,000	45,000	59,000
B-182	PAP 182	Metal Work	10,000	45,000	55,000
B-183	PAP 183	Cotton machine	11,000	45,000	56,000
B-184	PAP 184	Carpentry	8,000	45,000	53,000
B-185	PAP 185	Carpentry	8,000	45,000	53,000
B-186	PAP 186	Metal Work	7,000	45,000	52,000
B-187	PAP 187	Metal Work	9,000	45,000	54,000
B-188	PAP 188	Shop	5,000	45,000	50,000
B-189	PAP 189	Carton Maker	11,000	45,000	56,000
B-190	PAP 190	Carton Maker	12,000	45,000	57,000
B-191	PAP 191	Shop	10,500	45,000	55,500
B-192	PAP 192	Saw machine	12,000	45,000	57,000
<b>Total</b>			<b>2,018,000</b>	<b>8,640,000</b>	<b>10,658,000</b>

All business owners were requested to create their bank accounts but only 157 of them opened their bank accounts as of September 15<sup>th</sup>, 2019 and shared with IDLG to process their compensation, while 35 of them were absentees and their compensation amount will be transferred into an escrow account. Once the absentees open their bank accounts their compensation from an escrow account will be transferred to their individual accounts.

## 7. AFFECTED HOUSEHOLD OWNERS

To identify the number of households who were settled in the park area, the IDLG team consulted with 5<sup>th</sup> district officials and GAs chair persons, because there were no exact records in the area to prove exact number of households residing there. Following these consultations, a total of 11 households were confirmed by 5<sup>th</sup> district officials and GAs chair persons to be living there. These affected households were asked to present their ownership documents on the land and based on their ownership documents the process of compensation was followed for them.

According to Jalalabad Municipality all the Project Affected Families (11 households) were squatters, but the PAFs challenged their claim in the provincial court. The court eventually denied their claim for land ownership. Nonetheless, the municipality agreed to provide each of the affected families the plot of land in Najmul Jahad Township in Jalalabad city to re-establish their houses. On September 18, 2019, all PAFs agreed with the allotted land and provided written agreement that they are satisfy with the compensation package and will have no other claim/complaint against the park rehabilitation work.

### 7.1. Identification of Project Affected Families (PAFs):

An initial list of the affected household was present with the Municipality, which was cross checked with each affected household and the 5th district’s representatives. Also, close consultation was made with the surrounding CDCs/GAs to validate the list and ensure that no one is missing from the list.

All the 11 affected household are eligible to receive the following:

- **Compensation for losses of buildings/structures and other assets** lost due to eviction (calculated by the provincial valuation committee at fair market prices). These impacts will be compensated in cash at replacement cost, free of depreciation, salvaged materials and transaction costs deductions.
- **Transportation cost** (the transportation cost estimated by the provincial valuation committee different for each household depending on the remoteness of destination for each of the 11 households)
- **Household rent** for 3 months (estimated by the provincial valuation committee different for each household as per size of the family members and number of newly rented apartments). As two of these households (Zalmi and Mohammad Afzal) were not residing at their houses and these were used as storages for construction materials. As they were not residing in the park area during the evacuation therefore, they were not eligible for transportation cost and rental allowance.
- **Residential plots** in Najmul Jahad township for each affected household. Security of tenure with title deeds will be given to each household free of cost and taxes.

The details of the compensation package are provided in table-3 below:

**Table 3: Compensation Package for Non-Land Assets of 11 PAFs**

Code	Name of Family Head (PAFs Names Removed from this version for public disclosure)	Value of Housing Structure Lost (replacement value) (AFN)	Value of Other Household Assets Lost due to Eviction (AFN)	Transportation Allowance (AFN)	Rental allowance - 3 months (AFN)	Total Compensation Amount (AFN)
HH-01	PAF 1	1,662,300	1,542,950	5,000	60,000	3,270,250
HH-02	PAF 2	2,539,550	562,350	10,000	27,000	3,138,900
HH-03	PAF 3	1,210,250	267,650	7,500	37,500	1,522,900
HH-04	PAF 4	2,213,300	851,510	8,000	36,000	3,108,810
HH-05	PAF 5	2,236,800	513,080	12,500	117,000	2,879,380

HH-06	PAF 6	1,034,000	437,820	0 <sup>2</sup>	0	1,471,820
HH-07	PAF 7	838,400	339,750	5,000	15,000	1,198,150
HH-08	PAF 8	2,604,900	481,500	4,000	36,000	3,126,400
HH-09	PAF 9	695,800	418,375	10,000	22,500	1,146,675
HH-10	PAF 11	427,500	1,077,000	0 <sup>3</sup>	0	1,504,500
HH-11	PAF 12	1,734,300	622,935	44,000	135,000	2,536,235
<b>Total</b>						<b>24,904,020</b>

**Table 4: Non-Land Assets Compensation Detail**

No	Non-land Assets	Number	Length (m)	Area (m2)	Total Amount (AFN)
1	Boundary Wall		1,169	3,207.2	2,660,155
2	Rooms	97		1,804,5	9,280,250
3	Bath Rooms	49		244	1,342,600
4	Kitchens	16		153	837,000
5	Stairs	6		50.4	310,800
6	Shops	64		6,774	2,572,300
7	Pathways		332	1,580.5	554,225
8	Water Wells	10	391 m (depth)		523,150
9	Household Rent Allowance	3 months			486,000
10	Other assets cost such as halls, parapet walls, septic tanks, railing, trees, relocation etc.				6,337,540
<b>Total</b>					<b>24,904,020</b>

All the 11 affected families have created their bank accounts and shared with IDLG for processing their compensation package. Among 11 PAFs, five PAFs are the heirs and they need to prepare official legal heirs Certificate (before end September 2019) to get the compensation.

Compensation eligibility is limited by the cut-off date (August 25, 2019). IDLG informed local communities regarding this cut-off date, through their local offices and through the relevant local government agencies and CDCs/GAs. Those that settle after the cut-off date will not be entitled for compensation of loses. All non-land assets including structures, and other assets including rental allowances are based on fair market prices valuated by the provincial technical and valuation committees.

## 8. STAKEHOLDERS CONSULTATION

As part of the RCA to evaluate and find solution to the case of Jalalabad Recreational Park, two IDLG teams comprising of PIU and Operations Directors and the task team members including Social Safeguards Specialist and CCAP engineers traveled to Jalalabad on March 27, 2019, and April 8, 2019 respectively. The first team met the mayor to discuss the existing situation of the people displaced and discussed necessary supports required by the team in evaluating and preparing all

<sup>2</sup> Note that this property was not a residential house, instead it was used for the purpose of materiel stock and no one was living there. Hence, the owner of the property is not eligible for transportation cost and rental allowance.

<sup>3</sup> This property was also not a residential house. Instead it housed 30 shops which were rented to the business owners, so the owner of the property is not eligible for transportation cost and rental allowance.

necessary documentations. The 2<sup>nd</sup> team was tasked to collect information on the existing situation and actual number of displaced business owners and households.

The team started its evaluation to find out the actual number of PAPs in the park area and consulted all PAPs/PAFs and their representatives including project affected communities. For the second time a team comprising of technical unit head and social safeguards specialist planned a mission to Jalalabad from 8–15 April 2019 to follow the case. The mission with cooperation of Jalalabad PMU head and the PMU environment and social safeguards (ESS) focal point met the mayor and discussed the issue. As a result, a team consisting of the IDLG social safeguards specialist, PMU ESS focal point, FP ESS focal point and 5<sup>th</sup> district 2<sup>nd</sup> GA chair person was assigned to conduct separate meetings with the PAPs and collect information on their investment size, income both at the previous locations and the new locations. Meanwhile, on May 24, 2019 the mission collected brief socio-economic information of the affected Business Owners and PAFs.

Despite individual consultation with each PAP/PAF, the 192 Business Stall Owners were asked to introduce their representatives for an effective consultation. Following the selection of 12 representatives, various meetings conducted with the officials/representatives from Municipality, GA2 chairperson, PMU engineers/ESS Focal Person. On June 27, 2019, the 12 representatives invited to the Technical and Sectorial Office of Jalalabad Municipality and agreed upon losses and the compensation amount estimated for the 192 business owners. The compensation amount shared with each PAF on September 18, 2019 and each of them agreed with the amount allocated for their compensation. For the detailed meetings list and consultation during SCAP preparation process, please see Annex 6.

The following table include the list of the 12 representatives selected by 192 Business Stall Owners.

**Table 5: List of Representatives Selected by Business Stall Owners**

No	Name of representative	Father name	Contact number (removed from this version for public disclosure)	Number of PAPs whom he represents
1	Mir Wais	Said Mir	00	12
2	Zaitoonullah	Amin Jan	00	16
3	Qari Roman	Mir Mohammad	00	18
4	Said Padsha	Ali Mohammad	00	23
5	Mohammad Amin	Amir Jan	00	17
6	Gul Nabi	Moh. Hashim	00	13
7	Zabihullah	Moh. Sharif	00	15
8	Noor Mohammad	Padsha	00	14
9	Azam Khan	Jan Khan	00	20
10	Mir Ahmad	Nazar Mohamad	00	14
11	Mir Hamza	Abdul Hamid	00	16
12	Said Rahim	Abdul Rahim	00	14

## 9. INSTITUTIONAL ARRANGEMENTS

### 9.1. Provincial Valuation Committee:

The Article 28 of the Land Acquisition Law (2018) requires all the expropriating authorities to establish a committee for the purpose of evaluating, determining the prices and calculating just and fair compensation of the land under acquisition within the city under the leadership of Mayor. To meet the national legal framework and WB requirement of the WB Policy on Involuntary Resettlement (OP 4.12), a provincial valuation committee was established comprising of relevant government offices, including representatives of provincial governor office, municipality, Directorate of Urban Development and Land (DUDL), Ministry of Justice (MoJ), Provincial Management Unit (PMU), Facilitation Partner (FGA), Gazar's Assemblies and CDCs representatives. Details of the committee members are as follows:

**Table 6: List of Valuation Committee members**

No	Organization	Representative Name	Position
1	Provincial governor office	Said Rohullah	ESS specialist
2	Municipality	Massoud	Head of Sectorial and Technical department
3	MUDL	Shafiq	Civil engineer
4	Justice	Mohammad Ghayas	prosecutor
5	PMU	Said Saboor Hashemi	Civil engineer/ESS focal point
6	FP	Abdul Jabbar	Chief engineer/ ESS focal point
7	GAs/CDCs	Zarab Gul as representative of PAPs	2nd GA chair person
8	PIU	Mir Waisuddin Saifi	PIU ESS specialist

The committee assigned with the following responsibilities;

- Identify the actual number of PAPs/PAFs (business owners and households)
- Estimation of losses of businesses, structures, land and livelihood restoration
- Estimate the compensation package for PAPs/PAFs
- Meeting with PAPs/PAFs representatives to share the compensation amount with them and get their agreement on it. Prepare PAPs/PAFs identification forms and facilitate opening of bank accounts for PAPs.
- Prepare timeline for payment of compensation amount to PAPs/PAFs
- Assist the Grievance Redress Committee (GRC) in cooperation of CDCs/GA GRCs
- Share SCAP implementation report with IDLG

### 9.2. SCAP Implementation Responsibility

The IDLG PIU is responsible for overall implementation, monitoring and evaluation of the SCAP. The IDLG Deputy Ministry of Municipalities (DMM), Social Safeguard Specialist, Provincial PMU ESS Focal Person are responsible entities at central and at provincial level to ensure an effective implementation of SCAP. The primary responsibility of the PIU is to ensure fair and transparent disbursement of compensation and PAPs/PAFs access to the grievance redress mechanism (GRM) of CCAP. They will ensure the following:



- Co-ordination with all line Ministries, provincial offices etc. for implementation of SCAP
- Facilitate a fair and transparent process of disbursement of compensation amounts to all PAPs/PAFs.
- Monitor and supervise roles and functions delegated to PMU and implementing FP and GRC.
- Capacity building of PIU, PMU staff and other stakeholders.
- Regular consultation with the provincial stakeholders and PAPs/PAFs.
- Overall monitoring of SCAP implementation and ensuring compliance of all social safeguards in co-ordination with contractors.
- Preparation of SCAP implementation report (which needs to be shared with the WB to record the After-Action reporting as per the ESIRT protocol)
- Conducting post audit of SCAP implementation
- Ensuring an effective access of PAPs/PAFs to GRM/GRC and timely addressing of grievances

Once the SCAP is approved, it should be disclosed both by the client locally and the World Bank through its portal.

### 9.3. SCAP Implementation Timeline

IDLG will closely follow up with relevant entities to implement this SCAP and support the Jalalabad Municipality to accelerate the land transferring process and issuance of Land deeds to PAFs as per the following schedule.

**Table 7: Timeline for SCAP Implementation**

No	Activities	Responsible organization	Date			
			Sep	Oct	Nov	Dec
1	Follow up on budget approval for SCAP	IDLG/PIU/PMU				
2	Processing compensation amount to each PAP/PAF	IDLG/PIU/PMU/Valuation Committee				
3	SCAP Monitoring	IDLG/PIU/PMU/Valuation Committee				
4	Preparation of SCAP Implementation Report	IDLG/PIU/PMU/Valuation Committee				
5	Post Audit of SCAP	IDLG/PIU/PMU/External Auditor				
6	Preparation and submission of Audit Report to WB	IDLG/PIU/PMU/External Auditor				
7	Plot allotments to the affected households	Municipality				
8	Issuance of land deeds to the affected 11 households	Municipality				

### 9.4. Total Budget for SCAP Implementation

The overall budget for SCAP Implementation consists of compensation amount for 192 Business Stall Owners, compensation for 11 PAFs and Post Audit expenditures for SCAP implementation.

**Table 8: Total Budget for SCAP**

No	Compensation	Amount (in AFN)	Amount (in USD)
1	Compensation for 192 Business Stall Owners	10,658,000	134911.4
2	Compensation for 11 PAFs	24,904,020	315240.8
3	SCAP Post-Audit (External Auditor)	40,000	506.3
4	Contingency budget (10%)	3,560,202	45,065
<b>Total</b>		<b>39,162,222</b>	<b>495,723</b>

*Currency Exchange (USD 1 = AFN 79)*

10 percent contingency budget will be allocated to ensure meeting additional costs, if additional PAPs come forward to claim losses through grievance redress mechanism or etc.

## **10. GRIEVANCE REDRESS MECHANISM**

In urban areas a Community Participatory Committee (CPM) is established at CDC/GA level and is responsible to handle all the grievances raised at community level. The CPM along with the provincial valuation committee members are assigned as GRC to address park sub-project related complaints. During the preparation the GRC in coordination with the PMU will address all grievances and will meet regularly based on needs.

GRM forms will be made available at PMU and Provincial Municipality Offices, and complaint boxes will be put up on locations that are easily accessible to complainants. Complainants may submit their complaint(s) in several ways to the GRC i.e. in a written letter, phone call, SMS message or email. IDLG will publish and distribute GRM related posters containing telephone contact number and email address through which complainants can directly approach the PMU, GRC and IDLG.

The Provincial GRCs will address each complaint within 7-14 days from receipt of the complaint. If there is no decision within 14 days, the complainant may contact the Provincial PMU office and GRC at IDLG, who will then address the complaint within 20 days. If the complaint did not successfully resolve by the GRCs at provincial and at central level, then the complainants can refer their cases to the court.

### **10.1. Functions of GRC**

- Receiving and registration of all incoming grievances related to the park project.  
Analyzing the grievances to understand the nature of grievances and an appropriate way to deal with them
- Categorizing of all incoming grievances
- Referring of all analyzed grievances to the related committees/entities for resolution, and complainants, if they wish to go forward should be able to justify/ explain.
- To follow up on the grievances with the responsible committees/entities to speed up the process and reach the result (time line based)
- To conduct periodic Grievance Redressal Committee's meeting, as required and address grievance in a timely manner
- Providing feedback to the complainants (in verbal and in written)

- Regularly checking the complaints box and address the incoming complaints
- To report the key and unresolved grievances to provincial governor, mayor, IDLG and PMU manager.
- To submit the final report of grievances to IDLG.

## 11. MONITORING AND EVALUATION

Effective management of SCAP implementation necessitates a robust monitoring and evaluation (M&E) mechanism. Such a system will not only ensure timely execution of mentioned plan but also provide reliable data on performance indicators on the outcomes. It is imperative for a project of this size to ensure systematic collection of data to monitor and evaluate safeguards performance. The World Bank's policy also requires development of a comprehensive M&E system to ensure that the SCAP is being implemented, in line with its objectives, principles and implementation procedures. Implementation of this plan will undergo both internal and external monitoring.

### 11.1. Internal Monitoring

Internal monitoring will be carried out by the PMU at city level and by M&E unit of PIU from central office and results will be communicated with World Bank through IDLG. Indicators for the internal monitoring will be those related to the process and results. This information will be collected directly from the field and reported to CCAP management at Kabul. Specific monitoring indicators will be:

- Information of consultations with PAPs.
- Status of payments on land compensation.
- Valuation of property.
- Compensation for affected structures.
- Relocation of PAPs.
- Payment for loss of income.
- Grievance received and status of redress.

Status on the above will be communicated to World Bank through the regular project implementation reports. This information will be collected directly from the field and reported monthly to the PMU. The monthly reports will be consolidated every quarter in standard supervision reports and submitted to the World Bank.

### 11.2. External, Independent – Third Party Monitoring and Post-Audit

The third-party monitoring agent (TPM) will carry out a post-implementation evaluation of the SCAP and PAPs/PAFs Satisfaction Survey to find out whether the SCAP objectives are attained or not and the level of public satisfaction. The TPM will recommend supplemental assistance to the PAPs in case the outcome of their study show that the objectives of the SCAP have not been attained.

Following the SCAP implementation an external auditor will be engaged by the IDLG to independently audit the SCAP implementation process and final finding/audit report will be shared with the WB.



## Annex 1: Agreement on Compensation (Business Owners)

### د غونډې یادابښتونه

د جلال اباد محترم ښاروال صاحب، د ولسي تړون ملي پروگرام د مرکزي دفتر او په جلال اباد ښار کې د ولسي تړون د ملي پروگرام د مدیریتي واحد مسولینو، د جلال اباد ښار د پنځمې ناحیې د اول او دوهم گذر ریسانو او د پنځمې ناحیې اړوند د جوړېدونکي تفریحي پارک ساحې د کوچنیو کاروباریانو (۱۲) تنه استازي، چې مخکې مو په یاده ساحه کې فعالیت کولو، د جلال اباد ښاروالی د غونډو په تالار کې په نېټه (۱۳۹۸/۵/۲۹) ناسته ترسره کړه.

د پورته ذکر شویو استازو او ګډونوالو تر منځ د ناستې اجندا د پنځمې ناحیې اړوند په جوړېدونکي پارک کې مونږ د کوچنیو کاروباریانو د خسارې د ورکړې په اړه چې مخکې مو په یاده ساحه کې فعالیت کولو او اوس د نوموړې ساحې څخه بیخایه شوي یو، له محاسبې وروسته او د ولسي تړون ملي پروگرام د پالیسو او کړنلارو سره سم (۱۰،۶۵۸،۰۰۰) افغانۍ د خسارې جبران په ډول مونږ کاروباریانو ته چې تعداد مو (۱۹۲) تنو ته رسېږي په نظر کې نیول شوي.

مونږ ته د تایید وړ دی او تر دې وروسته به هیڅ کله هیڅ مرجع ته به شکایت او استغاثه نه کوو، په خپلو اقرارونو کې صادقان یو.

### په درنښت

### د کوچنیو کاروباریانو استازي

میر احمد ( )، میرویس ( )، زیتون الله ( )  
قاری رومان ( )، سیدپادشاه ( )، محمد امین ( )  
نور محمد ( )، اعظم خان ( )، میرحمزه ( )  
حاجی سیدرحیم ( )، ذبیح الله ( )، گل نبی ( )

پورته ذکر شوي (۱۲) تنه چې د ۱۹۲- نفره کوچنیو کاروباریانو (کاروباریانو) لخوا اوسېدو  
په حضور درنښت ښاروال صاحب، د ولسي تړون ملي پروگرام د مرکزي دفتر او دوهم  
گذر ریسانو او د پنځمې ناحیې اړوند د جوړېدونکي تفریحي پارک ساحې د کوچنیو کاروباریانو (۱۲) تنه  
استازي، چې مخکې مو په یاده ساحه کې فعالیت کولو، د جلال اباد ښاروالی د غونډو په تالار کې په نېټه  
(۱۳۹۸/۵/۲۹) ناسته ترسره کړه.

د جلال اباد ښاروال صاحب  
د ولسي تړون ملي پروگرام د مدیریتي واحد مسولینو  
د کوچنیو کاروباریانو استازي

FGIA-ESS-FP



دیرتر ذکر شود ۱۲ دوگن تنوچو کاروبار پانو ۱۹۲۱ سوکودوه لوی استاذو تصهر ددوی ترون دیرنای بر  
دستکوتو بیهرودین کی جھوت په حضوری ترسره شو و سروی لادخو ترسره شونده بر

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Annex 2: Letter from DMM to MUDL

<p>جمهوری اسلامی افغانستان اداره مستقل ارگانهای محلی معینیت شاروالیها</p>		<p>د افغانستان اسلامی جمهوریت د سیمه ییزو اورگانونو خپلواکه اداره د شاروالیو معینیت</p>
<p><b>Islamic Republic of Afghanistan</b> Independent Directorate of Local Governance Deputy Minister for municipalities سکرتریت</p>		
تاریخ: ۱۳۹۸ / ۳ / ۲۶	شماره: ۴۸۰	
<p>به مقام محترم وزارت امور شهرسازی و اراضی طوریکه مقام محترم در جریان قرارداند معینیت شاروالی های اداره مستقل ارگانهای محلی تطبیق برنامه ملی میثاق شهروندی را در چهار شهر بزرگ از جمله شهر جلال آباد از طریق ایجاد شورای های انکشافی محل و گذر براه انداخته است. تعدادی از شورا های انکشافی گذر و شورا های انکشافی محل که تعداد آنها به هشت شورا بالغ میگردد اعمارپارکی را به مساحت ۵ هکتار که در ناحیه پنجم شهر جلال آباد موقعیت دارد در اولویت خویش قرار داده و میخواهند با استفاده از امکانات پولی برنامه ملی میثاق شهروندی آنرا اعمار نمایند. به اساس مکتوب ۲۰۰/۳۳۵ مورخ ۱۳۶۹/۱۲/۶ مدیریت عمومی تنظیم امور اراضی ولایت ننگرهار موازی ششصد و هشت جریب و هشت بسوه و چار بسواسه زمین قبلاً به ریاست محترم شاروالی شهر جلال آباد انتقال نموده که مکتوب متذکره و نقشه محل پارک ضمیمه میباشد. با در نظر داشت قوانین موجوده در کشور زمینیکه قرار است بالای آن پروژه های انکشافی تطبیق گردد قبل از تطبیق پروژه ساحه متذکره باید توسط وزارت محترم امور شهرسازی و اراضی تصفیه گردد، بنا موضوع غرض آگاهی مقام محترم نگاشته شد تا به ملاحظه مکتوبی که ضمیمه هذا میباشد از تصفیه و انتقال زمین متذکره به ریاست محترم شاروالی شهر جلال آباد اطمینان دهند تا در مورد تطبیق پروژه متذکره اقداماتی که در نظر است صورت گیرد.</p>		
<p>با احترام عبدالباقی «پوپل» معین شاروالیها</p>		
<p>کاپی ها: مقام محترم ولایت ننگرهار ریاست شاروالی شهر جلال آباد</p>		
<p>آدرس: تلفون: ایمیل:</p>		





برائے عالی تہذیبی و لکھنؤ ڈائری، جامعہ پنج و وزارت معاشیات راولی تہذیبی

حضرت محققا منیر میاں

حضرت ازبیر نامہ ملی مشفق شہر و لہری

حضرت ازبیر نامہ ملی مشفق شہر و لہری

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دھکاری مولیٰ

الحمد لله دولتہ  
مدنیہ و واحد مسئول

Annex 4: Community Development Plan (CDP) for Itifaq CDC



CDP of Itifaq CDC  
(08-0801-I0041).pdf



Annex 5: Municipality Notification Letter to PAPs

دینچه نایب دملک افسیت فی ترمیم مندور دکارو بارانو اور خط — ۱۳۹۷/۱۲/۲

اقرار کو موئلر دینچه نایب دملک افسیت، چوب فوسان، شترنگیاں، گنبد فوسان  
نجاران، فلنگ گلان، بوئر فوسان، داره ماسن کوئلر، چیموئلر، یہ ترمیم اور خط  
۱۲۹۷ء دسترطان دماینتی، ۱۲۹۷ء ترمیم مندور دکارو بارانو، شترنگیاں، گنبد فوسان  
— او کو موئلر دملک افسیت دینچه نایب دملک افسیت، چوب فوسان، شترنگیاں، گنبد فوسان  
— شترنگیاں، گنبد فوسان، چوب فوسان، داره ماسن کوئلر، چیموئلر، یہ ترمیم اور خط  
— او کو موئلر دملک افسیت دینچه نایب دملک افسیت، چوب فوسان، شترنگیاں، گنبد فوسان  
دھوئر لیاہہ دینچه نایب دملک افسیت، چوب فوسان، شترنگیاں، گنبد فوسان  
موئلر نقل یہ خیل اقرار کی صداقتان یو۔  
والسلام

دلا ریل لیاہہ  
حاجی شالان  
معاون گنبد  
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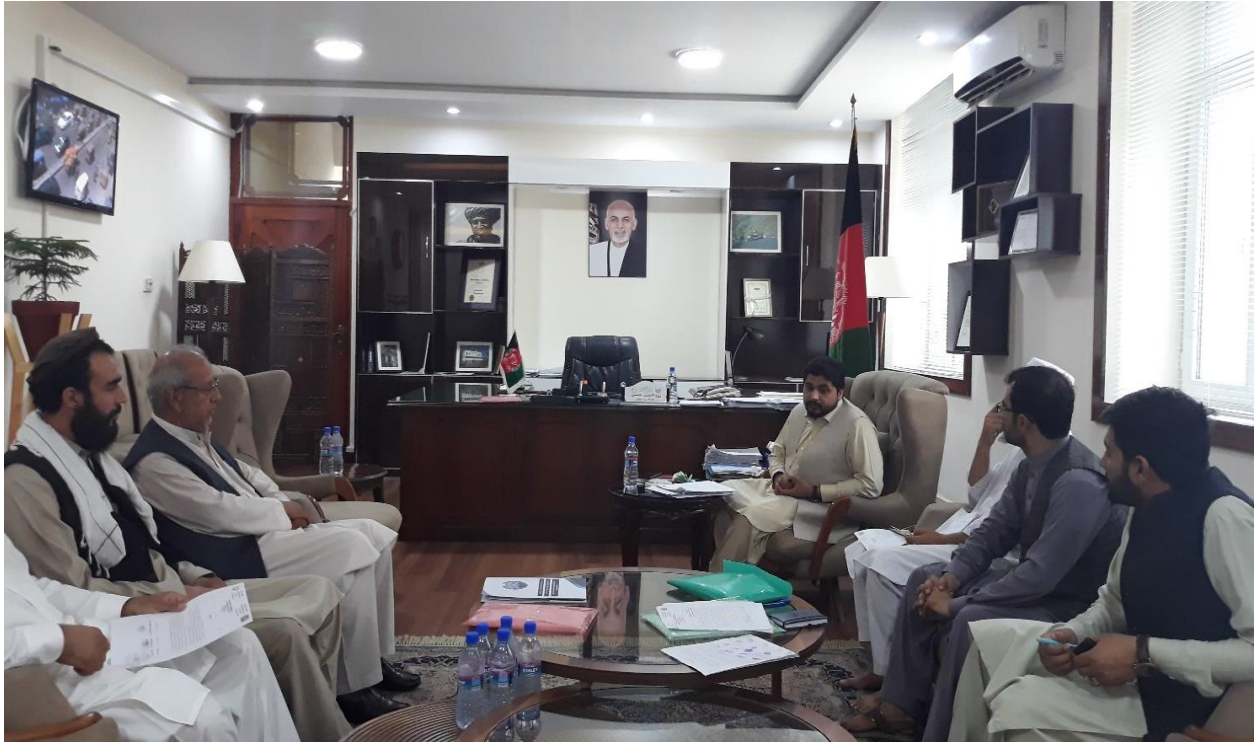
## Annex 6: Stakeholders Consultation Meetings List during SCAP preparation

Details of consultation meetings					
No	Date	Topics of discussions	Participating Groups	Number of participants	Venue
1	April 18, 19	how to proceed with the park issue	PIU, PMU, FP and municipality	10	Jalalabad mayor office
2	April 9-14, 19	Identification of all PAPs (shopkeepers and HHs)	PIU, PMU, Nahia, GAs, CDCs and affected shopkeepers	5-9 persons	individually with each PAP in their own locations
3	May 22-29, 19	meetings with PAPs to find their size of investment and their monthly income	PIU, PMU, Nahia, GAs, CDCs and affected shopkeepers	5-9 persons	individually with each PAP in their own locations
4	June 23-27, 19	household's socio-economic survey	PIU, PMU, Nahia, GAs, CDCs and affected households	7	in PAFs different locations
5	June 28, 19	meeting with 12 shopkeeper's representatives to discuss on methodology of estimation of compensation	valuation team and shopkeepers' representatives	19	5th district office
6	July 18, 19	discussion on mechanism for estimation of compensation of all PAPs	municipality, PMU and valuation committee	12	Jalalabad mayor office
7	July 24, 19	discussion on opening of shopkeeper's bank accounts	PIU, PMU, FP, GA representative and Nahia representative	6	5th district office
8	July 25, 19	finding of PAFs non-land assets size	PIU, PMU, FP, GA representative, Nahia representative and PAFs	6	separate meetings with each PAF in 5th district office
9	July 29, 19	discussion on compensation amount of PAPs	valuation committee	7	municipality sectorial and technical office
10	August 20, 19	meeting with 12 representatives to get their agreement on the compensation amount	valuation committee and 12 representatives	19	municipality sectorial and technical office
11	August 20, 19	separate meetings with 11 PAFs to get their agreement on compensation amount	valuation committee and PAFs	8	municipality sectorial and technical office

12	August 21, 19	meeting with provincial MUDL on park land ownership	PIU, PMU and MUDL	4	MUDL office
13	August 22. 19	meeting with provincial ARAZI on park land ownership	PIU, PMU and ARAZI	5	ARAZI office
14	September 15, 19	meeting on shopkeepers' bank accounts	PIU, PMU and 5th district representative	4	PMU office
15	September 16, 19	discussion on how to proceed with the land problem of the park	PIU, PMU, GAs and municipality	7	Jalalabad mayor office
16	September 16, 19	discussion on how to proceed with the land problem of the park	PIU, PMU, GAs and 11 PAFs	15	PMU office
17	September 17, 19	discussion on how to come to an agreement with the 11 PAFs	PIU, PMU, GAs and CDCs representatives	17	PMU office
18	September 17, 19	meetings with 8 PAFs and mayor on compensation against their land	PIU, PMU, municipality, GAs and 8 PAFs	13	Jalalabad mayor office
19	September 18, 19	signing of agreement between 8 PAFs and mayor	PIU, PMU, GAs, municipality and 8 PAFs	14	Jalalabad mayor office
20	September 18, 19	signing of agreement between 3 PAFs and mayor	PIU, PMU, GAs, municipality and 3 PAFs	8	Jalalabad mayor office



## Annex 7: Pictures from Various Events



Picture 1: Meeting with Jalalabad Mayer



Picture 2: Meeting with Valuation Committee





Picture 3: Business owner's representatives and getting their verification on the compensation amount



Picture 4: Valuation committee meeting to verify the compensation amount for project affected families



Picture 5: Getting verification of PAFs on compensation amount