



ISLAMIC REPUBLIC OF AFGHANISTAN

Ministry of Rural Rehabilitation and Development (MRRD)

And

Independent Directorate of Local Governance (IDLG)

Resettlement Policy Framework (RPF)

For the

Citizens' Charter Afghanistan Project (CCAP)

August-2016

Executive Summary

The Citizens' Charter (CC) is a promise of partnership between the state and the communities. It is a foundation stone for realizing the Government's development vision. The program is a whole-of-government effort to build state legitimacy and end fragmentation. The Charter is a commitment to provide all citizens in Afghanistan with basic services, based on community prioritization. For the first time, Afghanistan's urban and rural community development programs will be joined under the same umbrella. The Citizens' Charter Afghanistan Project (CCAP) is one part of the larger Citizens' Charter National Priority Program, to be supported through the Afghanistan Reconstruction Trust Fund (ARTF) and the World Bank.

Project Description

The proposed Project Development Objective of the CCAP is to improve service delivery through strengthened Community Development Councils and Clusters.

Project Components

1. Block grants for service delivery in urban and rural areas (including green spaces, water and sanitation, tertiary roads & renewable energy)
2. Institution building
3. Monitoring and knowledge learning
4. Project implementation and management

Implementation Arrangements

The Ministry of Rural Rehabilitation and Development and the Independent Directorate of Local Governance are the main Implementing Agencies (IAs) for the CCAP in rural and urban areas respectively.

Objectives of the Resettlement Policy Framework

A Resettlement Policy Framework is prepared because the extent and location of all sub-projects to be financed under the Citizens' Charter Afghanistan Project activities cannot be known at appraisal. The key objectives of the Resettlement Policy Framework (RPF) is to provide guidelines for preparation of the Resettlement Action Plan (RAP), abbreviated RAP and Land acquisition process throughout the CCAP. The policy framework for CCAP activities establishes resettlement objectives and principles, organizational arrangements, entitlement matrix and eligibility criteria for any resettlement operation that may be necessary during project implementation.

The project anticipates 3 scenarios for land acquisition that might require resettlement:

1. Private voluntary donation
2. Government land
3. Acquisition of private land requiring resettlement and/or compensation for losses

The resettlement policy needs to be consistent with both of the following policies:

1. Existing local laws and policies related to land acquisition and compensation and;
2. World Bank’s Operational Policy 4.12 which deals with Involuntary Resettlement.

The guiding principles of this framework are:

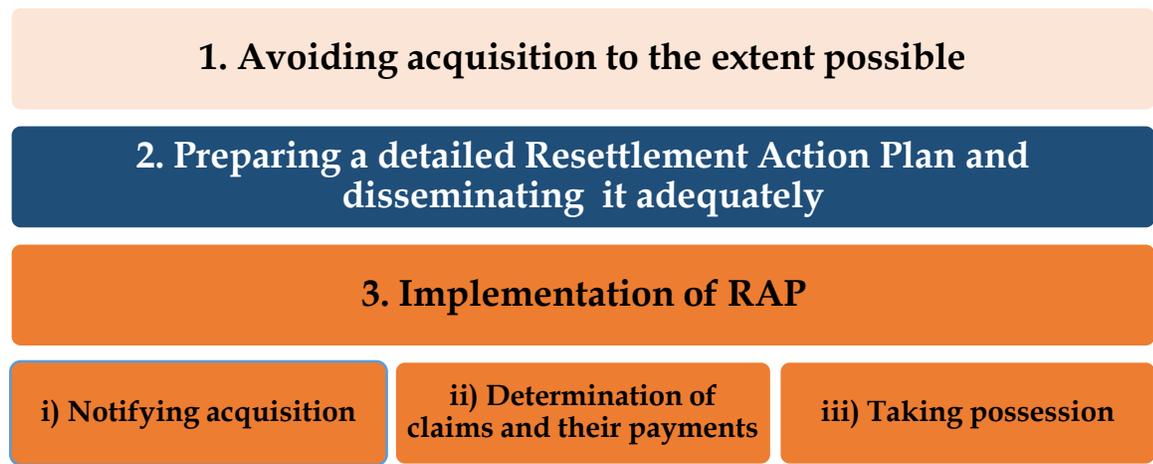
1. All Project Affected Persons (PAPs) are eligible for compensation for losses resulting from project intervention, irrespective of possession of title to land. However, for compensation for land, a title or some other acceptable evidence would be required.
2. All compensation will be at replacement value.
3. All stakeholders, particularly PAPs, will be consulted and consultation will be an on-going activity of the project.

Legal & Policy Framework for Resettlement

Afghan Law & Policy on Land Acquisition: There is no country-specific resettlement policy in Afghanistan. A comprehensive land policy was approved in 2007 by the cabinet; however it has yet to be fully operationalized.

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.

The framework for resettlement and rehabilitation of the affected persons by the project will be adopted in the following approach:



Eligibility for Compensation

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 purposes of this RPF, the concepts of ‘general eligibility’ for compensation and who is a PAP will be extended to include

persons who may be temporarily displaced, but who may be entitled to some compensation through loss of land by the sub-projects.

Although it is unlikely that many PAPs will be entitled to compensation or rehabilitation, on the grounds that they are losing a substantial amount of land under the project, it is as well to set out the full picture on who PAPs could include and what they are entitled to under a project:

- (i) All PAPs losing land, with or without title, formal land-use rights, or traditional land use rights;
- (ii) Owners of buildings, crops, plants, or other objects attached to the land; and
- (iii) PAPs losing business, income and salaries.

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.

Unit Compensation Rates and Budget

In order to comply with the World Bank's OP. 4.12, rates used to compensate for lost land and assets must be *replacement cost at current market value*, in order to meet the policy objective of "at least" restoring people's livelihoods and ensuring that people affected by a project are not left worse off. According to OP 4.12, "replacement cost" is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs.

In the absence of any conclusion about the estimated land prices, this RPF is prepared which guides on the methods of valuation and a Resettlement Action Plan (RAP) will be prepared for each subproject that may involve land acquisition, before the beginning of the construction activity in the subproject. The budget would be part of each RAP which would come forward once the RPF had been accepted and the final identification of PAPs.

Institutional Arrangements

The primary institutions that are involved in the land acquisition and resettlement process are the following;

1. Ministry of Rural Rehabilitation and Development (MRRD)
2. Independent Directorate of Local Governance (IDLG)
3. Project Management Units (PMUs)
4. Regional offices (all regional offices)
5. Provincial and District Management Units
6. Environment and Social Safeguards Unit (ESSU) at central level
7. CDC (Community Development Council)

8. AILA - Arazi

The agencies involved in the planning and implementation of a resettlement and rehabilitation program are MRRD and IDLG as the executing agencies (EAs) and the Provincial and District governments, together with the appointed FPs in urban areas.

MRRD and IDLG, through the project Management unit (PMU) at provincial level, will be responsible for the approval and implementation of a Resettlement Action Plan (RAP), or Abbreviated RAP.

Public Consultation and Participation

The formal consultation process in the project will be ongoing and will be managed by the PMUs through village meetings and public consultations with government officials. A series of community meetings will be held, where the census survey of displaced persons will be explained and later carried out. The aims and objectives of a project will be explained as will the necessity for, processes and outcomes of any resettlement or temporary displacement. The PMU will meet with provincial and local officials to ensure that they are fully appraised about the project including the formulation and details on the implementation of the RAP.

Project specific informative materials will be prepared and distributed to the PAPs to create awareness among the PAPs regarding their entitlements and compensation payment procedures and grievances redress mechanism.

The RPF will be disclosed to the PAPs through the village meetings, and informal interaction between the PAPs, and PMUs staff.