

## **PUBLIC CONSULTATION AND DISCLOSURE**

7	Public Consultation & Disclosure .....	7-1
7.1	General .....	7-1
7.2	Consultation and participation activities .....	7-1
7.3	Summary Of Consultation And Participation Activities .....	7-2
7.4	Stakeholder Identification .....	7-3
7.5	Public Consultation and Disclosure Plan .....	7-3
7.6	RAP Specific Disclosure .....	7-4
7.6.1	Advertisement of Disclosure .....	7-5
7.6.2	Methods and Locations of Disclosure of GLAC .....	7-5
7.6.3	Feedback .....	7-6
7.7	RAP Specific Consultation Activities .....	7-8
7.8	Issues Arising from Consultation .....	7-12
7.8.1	Summary of Issues Raised .....	7-12
7.9	Proposed Sustained Consultations During Construction and Operations .....	7-14
7.10	Grievances and Dispute Resolution .....	7-15
7.10.1	General .....	7-15
7.10.2	Objectives .....	7-15
7.10.3	Grievance Procedure .....	7-17
7.10.4	Avenues for Project Affected People to seek Redress .....	7-18
7.10.5	Project-based Grievance Contacts .....	7-19
7.11	Roles and Responsibilities .....	7-19
7.12	Monitoring of Outcomes .....	7-20
7.13	The Next Steps to Ensure Compliance with RAP Requirements on Public Consultations and Disclosure .....	7-20

## **LIST OF TABLES**

Table 7.1	Summary of RAP Disclosure Activities in Georgia .....	7-10
Table 7.2	RAP Issues - Response Model .....	7-12
Table 7.3	Common Types of Grievances that Arise on Pipeline Projects .....	7-16
Table 7.4	Grievance Roles and Responsibilities .....	7-19

## **LIST OF FIGURES**

Figure 7.1	Grievance Process .....	7-17
------------	-------------------------	------

## **7 Public Consultation & Disclosure**

### **7.1 GENERAL**

This section describes the public consultation and disclosure processes for the BTC pipeline RAP in Georgia. These processes include the measures taken by the project to engage in consultation with the main stakeholders during the design of the RAP.

The public consultation and disclosure requirements for projects that involve physical or economic resettlement are outlined in OD 4.30 and in the IFC's manual "Doing Better Business Through Effective Public Consultation and Disclosure: A Good Practice Guide"(1999). These guidelines provide a framework that involves three key elements of the consultative process including (i) public consultation, (ii) public participation, and (iii) a means by which affected populations may redress grievances. The World Bank/IFC requires open, direct and culturally appropriate communications with key project stakeholders, including the populations directly affected by the project, and officials of local government, civil society and other representatives of the affected populations.

Public consultations are a tool for two-way communications between the project sponsor and the public, essential to gaining a comprehensive understanding of the types and degrees of adverse effects. Public disclosure is the process, by which the project sponsors formally provide an opportunity for the wide range of stakeholders, both within the country and internationally, to comment on the RAP. Consultations and disclosure activities play a crucial role in exposing and resolving potential problems early on, and encouraging mutual responsibility, ownership, and trust among all the stakeholders and affected and interested parties.

The establishment of a process to redress grievances allows the BTC Co. to deal with issues proactively in an attempt to solve grievances before having to resort to the formal legal system.

### **7.2 CONSULTATION AND PARTICIPATION ACTIVITIES**

World Bank/IFC guidelines provide a process of consultation that includes:

- Identifying stakeholders and ensuring there are adequate mechanisms for stakeholder feedback and information sharing
- Informing representatives of affected people – local government, village leaders and local community organizations – of the project plan and asking them to inform their constituents
- Informing the directly affected populations
- Briefing all project line managers and staff who will interact with affected people on the anticipated effects of the project and measures to mitigate its impacts
- Preparing information booklets with details on eligibility, rates of compensation and other entitlements, a timetable for implementation, and applicable grievance procedures

- Getting feedback on RAP implementation for each sub-group of affected groups and communities, including the vulnerable
- Launching participatory monitoring and evaluation processes
- Preparing and issuing regular RAP information updates

### 7.3 SUMMARY OF CONSULTATION AND PARTICIPATION ACTIVITIES

- **Stakeholder identification and consultations** were initiated early in the process of ESIA consultation (January 2001) with regional and district officials, as well as people in affected villages. Directly affected people have been identified through a census and have been consulted through a series of socio-economic surveys. NGOs as well as national level ministries and agencies have been informed and consulted, also through the ESIA consultation process, which included a particular focus on land acquisition issues.
- **Local representatives** have been informed both during the course of ESIA consultation, as part of the project census, and through survey, inventory and land acquisition preparation activities. District and village officers have participated in core project activities including identification of affected owners, users, and land parcels, and through the process of providing district-level price and yield data.
- **An illustrated 20 page *Guide to Land Acquisition and Compensation* (GLAC)** was prepared, in Georgian, Russian and English, and disclosed in October 2002 (see section 7.6 for details on disclosure of the GLAC), in national, regional and district land department offices, as well as to the land arrangers for each of the affected Sakrebulo on the route, among other locations. The GLAC provides detailed information about the entitlements of the affected people, as well as methods for calculating compensation, and actual yield and price rates for each district (See Annex 1).
- **RAP preparation** was based both on direct consultation with specific affected groups, and consultation with public authorities, including the Ministry of Agriculture, State Forest Department, and the State Department of Land Management. The latter was particularly to gather information about land values, crop pricing and local valuation methodologies. Extensive consultations were held with lawyers to learn about local legal procedures, precedents and their application to the present project.
- **RAP dissemination** - the RAP, as a full document will be disclosed in the same manner as the GLAC. Through the project's web site, the RAP will be available in Georgian, Russian and English. It will be accessible to all interested national and civil society organisations. The completed BTC RAP for all three countries will be disclosed nationally and in the World Bank Group's InfoShop, EBRD's Business Information Centre, London and Resident Office in Tbilisi for 120 days before lenders' Boards make a financing decision on the project.
- **RAP updates** and related project information will be made available through a well-designed and adequately financed ongoing disclosure program, including participatory internal and expert monitoring. Community based investment programs will also provide networks for disseminating information about the project and related activities. The Land Acquisition Team, which has spent significant time in the field and has

developed relationships with project affected people, and APLR (see Section 7.6.3 for details on APLR and its role) remain the two most effective conduits for disseminating information and gathering feedback from affected communities.

- **Notification** about land acquisition activities and procedures has been ongoing. This commenced in January 2001 as part of the ESIA consultation. Beginning in July, APLR notified each landowner and user about land acquisition and invited people to attend notification meetings where more details of land acquisition were discussed (see Box 7.1 for discussion of APLR). Each person attending the meeting signed a sign-in sheet as a method of documenting that affected people had been duly notified. These meetings also provided specific feedback to BTC, which was used in developing the GLAC and other educational materials. Other disclosure and notification activities are summarised in Table 7.1.
- **All Land Acquisition Team** members received two days training on the World Bank Group resettlement policies, as well as basic consultation and negotiation techniques. The framework of the RAP has been incorporated into project internal procedural manuals covering the land acquisition strategy, negotiation and agreement signing procedures and payment methods.

## 7.4 STAKEHOLDER IDENTIFICATION

At the beginning of the ESIA process, which also considered issues relating to land acquisition and compensation, BTC Co and their consultants worked together to identify the key stakeholders that should be consulted at various stages of the project. The stakeholder analysis broadly summarised key groups as follows:

- Government institutions at the national, district, municipal and village level
- National and local NGOs, particularly those with an interest in land, agriculture, livestock and other land-based livelihood issues
- Residents of the towns and villages within 2 km either side of the pipeline corridor
- Residents of villages that may be affected by the AGIs and temporary construction facilities (pump stations, camps and pip yards)
- Owners and users of private, municipal and state land, including users of Sakrebulo lands
- Vulnerable groups as discussed in Chapter 4

## 7.5 PUBLIC CONSULTATION AND DISCLOSURE PLAN

Based on the stakeholder analysis and ESIA social baseline studies, a Public Consultation and Disclosure Plan has been prepared for the Georgia section of the BTC pipeline project<sup>1</sup>. This describes seven consultation phases up until submittal of the ESIA for government approval. The ESIA PCDP has formed the basis of the PCDP for the RAP. See summary of RAP disclosure activities in Table 7.1.

---

<sup>1</sup> See *Environmental and Social Impact Assessment for the Baku-Tbilisi-Ceyhan Oil Pipeline Georgia, Response to Comments (for ESIA Disclosure Phase)*, September 2002 for details of PCDP.

Key ESIA disclosure and consultation phases, all of which included discussion of land acquisition issues and concerns, are as follows:

**Phase 1** - Introductory workshops and meetings with NGOs, academics, government stakeholder and other interest groups (October 2000).

**Phases 2** – Consultations with leaders and a cross section of households from 74 communities along the BTC pipeline route. This included over 700 household interviews as well as 150 open-ended discussions and semi-structured household interviews (January – February 2001).

**Phase 3** – Workshop with NGOs and other interested stakeholders in Tbilisi to discuss findings of Phase 2 consultations

**Phase 4** – Consultations with communities in the vicinity of the proposed pipe yards and construction campsites. This included over 200 open-ended discussions and semi-structured interviews (August 2001).

**Phase 5** – Community level consultation to raise awareness about the issue of two pipelines being built, rather than just one. Additionally did semi-structured interviews with village leaders (formal and informal) to get view from leaders. (October-November 2001).

**Phase 6** – Meetings with specialist organizations to get views on draft mitigation measures. One-day workshops in four villages and two towns on the route to get initial feedback on draft mitigation measures. (December 2001 – January 2002).

**Phase 7** – ESIA disclosure, which includes two NGO workshops in Tbilisi, ten community meetings in villages along the pipeline route; 3 public meetings in large towns/cities on or near the pipeline route, distribution of ESIA documents to key national, regional and district locations, distribution of Non-Technical Executive Summaries of the ESIA and Community Information Pamphlet key locations on the pipeline route as well as to each village on route. Feedback on ESIA was collected through meetings and via written comment forms, which were available within each NTES and Community Information pamphlet. Boxes for collection of written feedback forms were available in each village and were collected at the close of the disclosure period. (June – July 2002).

## **7.6 RAP SPECIFIC DISCLOSURE**

The Guideline to Land Acquisition and Compensation (GLAC) is the document, which describes the type of impacts on land, the process of land acquisition and compensation, and the methodologies for calculating compensation. Tables included with the GLAC provide precise land values, crop values and crop yields, presented for each district as relevant.

The GLAC and all related tables were printed in both Georgian and Russian, as a portion of the affected population are not native Georgian speakers but do speak and read Russian. Four thousand copies of each language were printed, which is more than twice the number of people affected by land acquisition on the pipeline route. One thousand copies were printed in English for disclosure to international institutions and stakeholders.

The GLAC has been disclosed publicly in both Georgian and Russian (and English where appropriate) through a variety of channels that are described below.

The Georgia RAP, once available, will be advertised and disclosed in the same manner and through the same channels, although village level meetings to discuss the RAP will not be necessary, as the GLAC will already have been discussed in detail. It will be disclosed internationally at the World Bank Group InfoShop in Washington, DC and at the EBRD office in London.

### **7.6.1 Advertisement of Disclosure**

On October 28th, an advertisement was placed in Georgian, Russian and English in eight national newspapers, and in five regional (weekly) papers, which announced the availability of the GLAC. The advertisement of the availability of the GLAC document was also sent out on the electronic subscriber mail lists of the following NGOs:

- Horizonti Foundation
- Caucasus Environmental NGO Network
- Regional Environment Centre-Caucasus
- Save the Children

### **7.6.2 Methods and Locations of Disclosure of GLAC**

On October 28<sup>th</sup>, the GLAC and all related tables were available at the following locations in Tbilisi:

BP office, 123 a Agmashenebeli ave,  
National Library, 7, Gudiashvili str  
Regional Environment Caucasus-Caucasus office, 74, Chavchavadze ave, room 804  
APLR office, 8, Gagarini I Lane  
UNDP library, 9, Eristavi str  
State Land Department, 15a, Tamarashvili str.

Additionally the GLAC and all corresponding tables were posted on the following web sites:

[www.caspiandevlopmentandexport.com](http://www.caspiandevlopmentandexport.com)  
[www.assistancegeorgia.org.ge](http://www.assistancegeorgia.org.ge)  
[www.rec-caucasus.net](http://www.rec-caucasus.net)

APLR has also distributed copies of the GLAC to several of their other regional offices, although these offices are not on the pipeline route. Additionally, the GLAC has been reproduced in its entirety in the October issue of *Landowner* newspaper, which APLR publishes monthly. Ten thousand extra copies were printed and have been distributed in villages along the route.

The BTC land Team distributed the GLAC in both languages to:

- Regional Land Departments in Rustavi and Akhaltsikhe
- District Land Departments in Gardabani, Marneuli, Tetritskaro, Tsalka, Borjomi, Akhaltsikhe and Adigeni, and

- Land arrangers for all the affected Sakrebulo.

Prior to distributing the GLAC, the land team members held discussions among their team in order to ensure that they all had common understanding of the information in the document, and to ensure that they would answer potential questions appropriately and consistently.

Apart from having made the document widely available to all affected people through the above mentioned channels, starting from the week of the 11<sup>th</sup> November, the Association for Protection of Landowners Rights, a land rights advocacy NGO which has been assisting BTC in outreach and education around land acquisition issues, began having meetings with directly affected people using the GLAC as the basis of discussion. Prior to these meeting, APLR had detailed discussions with BTC to clarify any questions they had about the information in the GLAC, and subsequently spent several days training their staff on the GLAC.

Having previously organized notification meetings, at which landowners and users were notified that their land would likely be acquired, APLR is well acquainted with the villages on the pipeline route. As such, they have organized meetings in order to reach all affected people. Typically two meetings are held in one day, and one meeting is held in each village. All meetings will, therefore, be complete by the end of the first week of December 2002, well in advance of final land acquisition, which is expected in January 2003.

Additionally, APLR publishes a newspaper monthly, which, for several editions, has included a supplement presenting different aspects of project information. In each case, a minimum of 10,000 extra copies were printed and distributed in the villages along the corridor (See Annex 5 for example of *Landowner*). Specifically:

- May 2002 edition: General project information, APLR's role in land acquisition, stages of land acquisition, and Frequently Asked Questions.
- July 2002 edition: Reproduced Community Pamphlet in full, which included information on land acquisition as well as other project impacts and mitigations.
- August 2002: Questions and Answers on compensation process, eligibility, principles, etc. Also, reproduced advertisement on recruitment and employment that the project had placed in numerous national newspapers
- September 2002: Legal guide to land sale, bequeathal, mortgage, servitude, subdivision of parcels, land registration, land rights, etc.
- October 2002: reproduced text of GLAC
- November 2002 (forthcoming): reproduce all price and yield data tables associated with the GLAC

### **7.6.3 Feedback**

BTC is taking feedback and comments on the GLAC from any interested parties. This has mostly been in the form of written comments presented to the BTC office. In addition to monthly reports, APLR is providing feedback to BTC on a twice-weekly basis from their meetings with directly affected people. This feedback is a summary of the issues and concerns raised during the meetings. The issues are grouped according to those that were answered satisfactorily, and those for which people still seek additional information or clarification.

Clarifications are being included in the final draft of the RAP as much as possible. Alternatively, handouts with additional information will be provided at the offer and negotiation stage of land acquisition. Additionally, the BTC Land Team will discuss the concerns and issues raised so that they are prepared to provide clarification on issues when they meet landowners and users during multi stage process of land acquisition.

Any substantive changes to the land acquisition procedure or methods that result out of the consultation phase will be addressed by making adjustments during the land acquisition process. In some cases, such as orphaned land, compensation will be discussed after the 44-meter corridor is acquired. As such, there will be another stage at which compensation could be adjusted if needed.



**Box 7.1 Association for the Protection of Landowners Rights (APLR)**

Founded in 1996, at the first stage of land reform, APLR is a leading source of expertise on land issues in Georgia. The mission of APLR is to facilitate economic development of Georgia through ensuring protection of the right of ownership. In order to achieve this goal, APLR has set the following objectives, among others:

Assistance to landowners in issues of land privatisation and registration  
Representation and legal consulting to landowners in Georgia  
Organizing, conducting and monitoring cadastral works  
Organizing seminars and training courses for landowners, topographers, surveyors, farmers, brokers, representatives of banks, and relevant state authorities  
Providing support to development of small agribusinesses.

APLR has received support from various international donors and foundations. For instance, with the support of the Eurasia Foundation, APLR created a manual of legislative and normative acts related to land use and rights of landowners. With support from USAID, APLR, together with an international consulting firm, implemented the Land Markets Development Project. The goal of the project was to facilitate privatisation of non-agricultural land, to conduct initial land registration of agricultural land (cadastral works, registration, issuance of certificates), to support and facilitate secondary transactions on real estate. Under this project, APLR assisted with formulation of relevant legal and regulatory requirements for transfer of land into private ownership, and registered and issued certificates for over 2 million agricultural and non-agricultural land parcels. During this project APLR developed a Public Education Team, which was responsible for dissemination of information on landowners rights.

**APLR is assisting the project team in several areas:**

APLR undertook the initial notification work on behalf of the project. Using the lists of owners and users provided by the government, APLR notified each person in writing that their land may be acquired, and invited them to informational meetings where the project land requirements were described as well as the process and schedule. In undertaking this, APLR corrected any discrepancies as to plot location and ownership.

APLR is currently implementing an educational component of the land acquisition process. The objective is to educate affected people on specific entitlements, compensation calculation methodologies and specific price and yield data that the project will use to compensate calculations. With their already developed network of staff in the regions, APLR is organizing meetings to discuss the information presented in the GLAC in detail with affected people.

APLR is also going to assist the project by assisting landowners and users to gather all needed legal documentation and obtain all necessary sub-divisions. This will include involving the Land Registry Department, obtaining notary signatures as necessary, producing buy/sell contracts, and paying, on the project's behalf, all transaction costs.

**APLR has maintained its independence by agreeing to:**

Review but not develop the compensation methodologies and rates  
Witness but not participate in the negotiations process  
Provide advice and guidance to landowners and users regarding their rights throughout the land acquisition process  
Publicise any irregularities with regard to land registration.

## **7.7 RAP SPECIFIC CONSULTATION ACTIVITIES**

The following key consultation activities were undertaken as part of resettlement planning for the BTC pipeline. The list includes both feedback mechanisms that were integral to the land acquisition procedures as well as activities undertaken by the RAP preparation team.

- Mapping and census of affected land plots conducted by GIOC and the SDLM (February-May 2002)
- Socio-economic survey conducted with over 300 affected people to determine preliminary information on living conditions of affected people and potential impacts of land acquisition. (April 2002)

- Inventory of land and assets conducted with each registered landowner and user, conducted by the BTC Land Team. During the inventory representatives of the land team, often with participation of APLR, met with individual project affected land owners and users on their land to inspect, agree and record the existing condition of the land. This will form the basis of the compensation offer. During meetings, concerns and questions from landowners were noted. (September – October 2002)
- Land Acquisition notification meetings led by APLR in which each potentially affected landowner or user was notified that his/her land may be acquired, and were notified about the next steps in the land acquisition process. Village meetings were held with all potentially affected land owners and users in the 100 metre project corridor to explain the nature of the project, its impacts on land and land use, procedures for land acquisition and compensation and the rights of affected people. Affected people were given the opportunity to raise issues and concerns. (July – September 2002)
- In-country field consultations during RAP preparation stage conducted to obtain preliminary understanding of the key issues associated with land acquisition. The survey included open-ended questions seeking information about affected peoples' attitudes to the project, their specific concerns and preferences on such matters as mode of payment, as well as community needs and priorities for assistance (July – September 2002)
- Socio-economic survey update conducted based on information learned from original survey and consultation. Additionally, systematic studies were conducted with absentee owners' families as well as semi-structured consultation with Skarebulo administration and members of relevant communities on the use of Sakrebulo lands. This was particularly important for understanding the impact of land acquisition on Sakrebulo administered land, and for developing an appropriate mitigation/compensation for this impact. Interviews were also conducted with a cross section of potentially vulnerable groups including women and the elderly. (September – October 2002)
- As discussed above, APLR is discussing the information contained in the GLAC in detail with project-affected people (see detailed discussion of GLAC disclosure above). This is enabling the project to obtain feedback directly from affected people on very specific issues of concern.
- The Georgia section of the BTC pipeline RAP will be made available in both Georgian and Russian in Tbilisi and key regional and district centres along their ROW and on the BTC Co. website in December 2002. The RAPs will be disclosed for at least a period of 120 days before prospective lenders' Boards' consideration of the proposed project,
- Prior to the contractor entering a person's owned or used land, representatives of the construction team and the BTC land team will meet with individual affected people to sign "pre-entry" agreements, which will be a document which binds the contractor to restore land and assets as agreed in the pre-entry agreement.
- During operations, BTC Co.'s horse patrol officers will be responsible for liaising with adjoining landowners and users, keeping them advised of project maintenance and other activities, as well as gathering feedback about local issues and concerns.

**Table 7.1 Summary of RAP Disclosure Activities in Georgia**

<b>Phase</b>	<b>Purpose</b>	<b>Activities</b>	<b>Duration</b>	<b>Outcomes</b>
Preliminary Disclosure of Land Activities, via ESIA Disclosure and Consultation	To disclose to affected people preliminary information about scope of land acquisition; procedures to be used; compensation principles; and legislative framework.	Local language pamphlet which included information on land acquisition was made available at all affected villages along the BTC route Land acquisition & compensation principles were presented in ESIA public meetings in ten villages on route and 3 national level public meetings	7,000 Georgian language and 7,000 Russian language community information pamphlets were distributed through local leaders in each affected village. Documents also deposited at key national, regional and district locations. Distributed first week of June 2002. Follow-up public meetings second half of June 2002.	Feedback from public meetings was recorded as part of ESIA feedback. Database of comments collated and used for developing ESIA addendum. A number of written comments were received on feedback forms. Specific issues were incorporated into RAP planning & final RAP.
<i>Landowner</i> newspaper, a monthly newspaper published by APLR	To disclose to affected people preliminary information about project and project activities; APLR's role in land acquisition; legal issues associated with land acquisition; scope and procedures of land acquisition; compensation methodologies and rates, etc.	Supplement to newspaper printed in both Georgian and Russian. Topics covered are:  May 2002 edition: General project information, APLR's role in land acquisition, stages of land acquisition, and Frequently Asked Questions.  July 2002 edition: Reproduced Community Pamphlet in full  August 2002: Questions and Answers on compensation process, eligibility, principles, etc. Also, reproduced advertisement on recruitment and employment that the project had placed in numerous national newspapers  September 2002: Legal guide to land sale, bequeathal, mortgage, servitude, sub-division of parcels, land registration, land rights, etc.  October 2002: reproduced text of GLAC	<i>Landowner</i> is published monthly. 20,000 extra copies of the May edition were printed and distributed to affected villages on the corridor. For each issue thereafter, 10,000 extra copies were printed and distributed. Copies were also distributed via APLR regional offices.	Feedback has been gathered through APLR and fed back to project land and RAP teams via monthly reports.

RESETTLEMENT ACTION PLAN  
GEORGIA

Phase	Purpose	Activities	Duration	Outcomes
		November 2002 (forthcoming): reproduce all price and yield data tables associated with the GLAC		
Guide to Land Acquisition & Compensation (GLAC) Disclosure	To disclose to project affected people details on entitlements, compensation calculation methodologies, and specific yield and price data. To adjust the RAP, if required, on the basis of any feedback.	Approximately 20 page local language (Georgian and Russian) GLAC was distributed to all district and regional land offices, and to all Sakrebulo level land arrangers in October 2002. Also disclosed at national level in locations in Tbilisi, and via APLR regional offices. GLAC will be distributed to landowners and users who attend APLR organized land acquisition meetings.	8000 copies of the GLAC have been exhibited and made available in villages along the route in October 2002.	On the basis of feedback primarily through APLR meetings, any necessary revisions will be incorporated into project land acquisition procedures & compensation entitlements.
Full RAP Disclosure	To disclose information for local & international public, civil society & project affected people. To meet international lender requirements.	The Draft BTC Co. Pipeline RAP will be disclosed as follows: English language RAP will be disclosed for 120 days in advance of prospective lenders' Board consideration of BTC project financing - in World Bank Group's InfoShop, EBRD's Business Information Centre, & Mission Office Baku, & the project web site, Local language versions (Georgian and Russian) of the RAP will be disclosed in key national, regional and district locations, and with Sakrebulo land arrangers.	120 days commencing late 2002.	Comments will be summarised & either incorporated into the Final RAP or addressed through an Addendum.

## 7.8 ISSUES ARISING FROM CONSULTATION

Feedback from BTC project consultation and disclosure activities was analysed at various stages during RAP preparation and where necessary, changes were made to land acquisition procedures, compensation rates and entitlements, and resettlement plans. Sources of information that were particularly useful in this regard:

- Concerns, suggestions and preferences recorded during socio-economic surveys of project-affected households.
- Questions and feedback received at public meetings, especially those fed back from APLR-organized notification and outreach/education meetings

### 7.8.1 Summary of Issues Raised

Principal concerns expressed during the series of ESIA and RAP-related surveys and consultation are summarised in Table 7.2.

Subsequent information disclosure was specifically directed towards providing clear information to address the issues and requests.

**Table 7.2 RAP Issues - Response Model**

Issues Identified During Consultations	RAP Response
Price paid for land and crops	GLAC disclosed widely in national, regional and district centres, as well as with each affected Sakrebulo land arranger. GLAC is also being discussed in detail through APLR led outreach/education meetings. The GLAC provides detailed information on compensation calculation methodologies as well as provides specific price and yield data that will be used in each district. Crop prices are based on market price of the crop, average yield and total standing area of the crop. Land price is based on the State Land Replacement Fee, which is significantly higher than other values determined by market surveys.
Access to land post construction	BTC Co is initially purchasing the 44-meter wide construction corridor from private owners on the route. This approach has been adopted due to the absence of a legal framework in Georgia to permit less than ownership rights that would confer the degree of protection required by BTC to safely operate and maintain the pipeline. Revisions to Georgian law are being pursued which would allow the necessary degree of operational control whilst permitting the ownership and use of the land to be handed back to original owners. If amendments or existing laws fail, BTC will retain full ownership but has committed publicly to give us back to original landowners and users subject to restrictions via a contractual agreement between BTC and the owner. This agreement will be fully transferable and inheritable. Landowners are being informed of these commitments via the GLAC as well as APLR and Land Team consultations.

RESETTLEMENT ACTION PLAN  
GEORGIA

Issues Identified During Consultations	RAP Response
Soil fertility post construction	<p>The project has adopted a combined BTC and SCP 44 meter construction corridor in order to minimise impacts on soil. BTC Co. is committed to stripping, stockpiling and replacing topsoil in manner, which protects seed bank and fertility of topsoil. This obligation is passed to the Contractor via Reinstatement Specification (contractual document) and ESIA (which becomes part of contractual documentation).</p> <p>The project will address, on a case-by-case basis.</p>
Pipeline safety	<p>A public information pamphlet is being prepared that addresses, in simple language, safety concerns and basic pipeline operation concerns. The topics addressed include vibration, leak detection, measures to address third party damage, etc. This will be translated into both Georgian and Russian and distributed via Land Team during the land acquisition process.</p>
Restriction zones	<p>Information on restriction zones is presented in both the GLAC and the RAP. The project has adopted restrictions that allow almost all normal agricultural activity to continue on the land. Given the current land use on the pipeline construction corridor, the project expect little adverse agricultural impact as a result of restrictions.</p>
Severed parcels	<p>Where the pipeline corridor, temporary roads or permanent access roads result in an owner or user being unable use parts of their land, or result in the balance area becoming uneconomic to work, the project will give consideration to extending compensation to cover lost crops from those areas.</p> <p>In case of fragmentation caused by permanent acquisition of land, the project will give consideration to purchasing those areas that are rendered uneconomic or unusable as a result of project land acquisition.</p>
Livestock	<p>Livestock –related hardship claims and losses will be assessed on a case-by-case basis by the Project Land Team. Compensation under these circumstances will be calculated at the replacement cost.</p>
Grievance	<p>The project will try to resolve any grievances related to the project prior to entering the formal judicial system. An informal grievance procedure will be developed and offered for use, with grievances and disputes being eligible for consideration by a non-judicial group which will include representatives of local government, the project team, community based organizations and NGOs. Optional grievance procedures does not prevent landowners or users from exercising their rights under Georgian law. The detailed procedure is described in the RAP and will be publicised and disclosed in each village at the same time that offers are being delivered.</p>
Irrigation of land plots	<p>BTC pipeline construction will employ techniques to bore under small and large irrigation canals, or over-pump, so as to avoid disruption. If there is any disruption and resulting impact on crops, compensation will be paid.</p> <p>Landowners and users will be allowed to maintain existing, shallow, irrigation canals across the pipeline ROW, and to put in new shallow canals with prior approval from BTC Co.</p>

Issues Identified During Consultations	RAP Response
Concern about damage to buildings and structures resulting from construction activities	BTC Co. will establish grievance avenues readily accessible to local people. In the event of any unforeseen damage to adjacent buildings or structures, a complaint can be lodged with the project and appropriate corrective action will be taken. All complaints will be responded to in writing within 15 days of receipt of complaint. In the event of damage to structures and buildings occurring, that can be proven to be caused by the BTC project, BTC Co. will either make good the damage, or provide compensation.

## 7.9 PROPOSED SUSTAINED CONSULTATIONS DURING CONSTRUCTION AND OPERATIONS

In order to ensure positive community relations, the project has developed a community liaison program which includes employment of local community liaison officers by both the project and by the construction contractor<sup>2</sup>. The goal is to:

- Provide communities affected by the Project with regular information on the progress of work and implications for the communities;
- Inform the project/contractor of any community related issues that may impact construction;
- Monitor implementation of environmental and social impact mitigation measures and the impact of construction via direct monitoring and feedback from communities;
- Identify any significant new issues that may arise during the construction period; and
- Manage any complaints against the project/contractors and communities through a grievance redress mechanism.

This programme will provide a mechanism by which affected people can express their concerns about many issues, including those dealing with land acquisition and compensation and measures to restore income levels, as mandated by World Bank/IFC policies.

Members of the Community Liaison team employed by the Project will, inter alia:

- Hold regular meetings with communities along the pipeline route,
- Provide regular reports to the pipeline operating company on issues arising from liaison with communities; and
- Inform the operating company immediately of major breaches of safety or land use constraints, or serious complaints from communities along the pipeline route.

Under the ESIA programme for the Project, a community relations programme will also be created for the operational phase to:

---

<sup>2</sup> See *Environmental and Social Impact Assessment, BTC, Draft for Disclosure*, April 2002 for details.

- Maintain constructive relationships between communities and the pipeline operators to assist in the operation of the pipeline;
- Maintain awareness of safety issues among communities along the pipeline route;
- Ensure compliance with land use constraints among land owners along the pipeline route; and
- Monitor community attitudes to the pipeline.

## **7.10 GRIEVANCES AND DISPUTE RESOLUTION**

### **7.10.1 General**

This section describes the avenues that are available for affected people to make a complaint or express a grievance against the project, its staff or contractors. It also describes procedures, roles and responsibilities for addressing grievances and resolving disputes. Outcomes of the grievance process will be verified as part of resettlement monitoring.

The focus of the project grievance resolution process is to achieve prompt redress for complainants at the project level. Without prejudice to the complainants' right to apply to courts directly, it is hoped that recourse to judicial avenues prescribed under Georgian law will be used only as a last resort. This will involve a non-judicial group with representatives from local government, the project team, community-based organizations and NGOs. The creation and membership of the committee will be formalized within 60 days of the completion of the draft RAP. This group will include Community Liaison Officers and the BTC Land Team.

### **7.10.2 Objectives**

Objectives of the grievance process are as follows:

- To provide PAPs with straightforward and accessible avenues for making a complaint or resolving any dispute that may arise during the course of the project.
- To identify and implement appropriate and mutually acceptable corrective actions to address complaints.
- To verify that complainants are satisfied with outcomes of corrective actions.
- To avoid the need to resort to judicial proceedings.

Grievances provide a useful indicator of project and contractor performance. High numbers of grievances may point to a need to adjust work practices or procedures in order to reduce adverse effects or conflicts with affected households and communities.



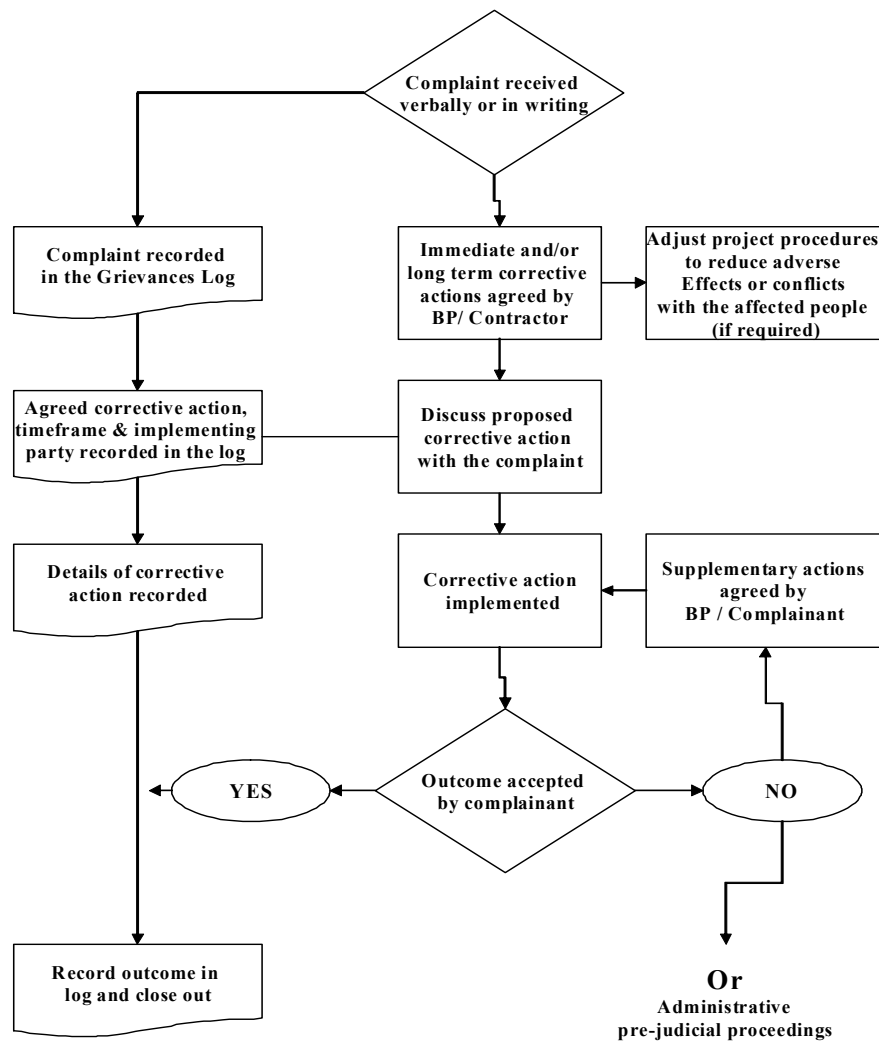
**Table 7.3 Common Types of Grievances that arise on pipeline projects**

<b>Project Phase</b>	<b>Land acquisition, route selection and survey</b>	<b>Construction</b>	<b>Operations and Maintenance</b>
Common causes of grievance	Disputed survey or measurement Disputed valuation or compensation amount	Disruption to irrigation Poor reinstatement of cultivated land Cracking & damage to adjoining houses & structures Interference or injury to stock Severance of access Nuisance from noise, dust and vibration Complaints about trespass Damage to local roads	Complaints about restrictions on expanding or deepening irrigation channels over the pipeline. Inadequate land reinstatement following maintenance Over zealous application of use restrictions

### 7.10.3 Grievance Procedure

A grievance procedure has been outlined for the project as a whole. Grievances related to land acquisition will be addressed within this overall grievance system, but with increased involvement of the BTC Land Acquisition Team. Below are details on the overall process. These are also outlined in the BTC ESIA.

**Figure 7.1 Grievance Process**



Key steps of the grievance process are as follows:

**Step 1 – Complaint is received**

Complaints received either directly by project staff or through local government officers will be recorded in a grievance log. The construction contractor will maintain the log during the construction phase. BTC Co's Community Relations Manager will maintain the log once pipeline operations commence. The initial log entry will include a description of the grievance, details of the person lodging it and the date it was received.

**Step 2 Determination of Correction Action**

The construction contractor (construction phase) or BTC Co. (pre-construction phase and operations phase) will consider the complaint and determine an appropriate corrective action, in consultation with the complainant, if required. The nature of the corrective action, the timeframe within which it is to be completed and the party to be responsible for implementing the action will be recorded in the grievance log. In addition to considering the immediate complaint, BTC Co. or the construction contractor, as the case may be, will determine whether any procedural changes are warranted to reduce the likelihood of similar adverse impacts or conflict arising in the future.

**Step 3 Discussion with Complainant**

The proposed corrective action and the timeframe for its implementation will be notified to and discussed with the complainant within 15 days of the receipt of the original complaint. Where applicable, agreement to proceed with the corrective action will be obtained from the complainant.

**Step 4 Corrective Action is Implemented**

The corrective action will be carried out by the project within the agreed timeframe. The date when the corrective action is completed will be recorded in the grievance log.

**Step 5 Outcome of the Corrective Action is Verified with the Complainant**

Following completion of the corrective action, the outcome will be verified with the complainant by BTC Co's or the construction contractor's Community Relations Manager. The complainant will be asked to sign off on their acceptance of the solution. In the event the complainant remains dissatisfied with the outcome, additional corrective action may be agreed and carried out by BTC Co. or its construction contractor.

**Step 6 Other Avenues**

In the event that the complainant is still dissatisfied, and no satisfactory response can be negotiated, the complainant has recourse to judicial processes available under Georgian law.

## **7.10.4 Avenues for Project Affected People to seek Redress**

PAPs will be advised of avenues available for lodging a complaint in a RAP summary pamphlet that will be distributed in the local language to all project affected villages (Chapter 5). Complaints will be accepted orally or in writing.

PAPs will have the option of making an initial complaint either through the village administration or directly to the project. The project will brief all relevant village, district and municipal officers to advise them of key project contact points and encourage them to refer any complaints directly to the project so that they can swiftly be addressed.

## 7.10.5 Project-based Grievance Contacts

BTC Co. has developed organizational frameworks for community liaison for pre-construction, construction and operations phases. BTC Co. will take primary responsibility for addressing grievances during the pre-construction and operations phases. BTC Co's appointed construction contractor will have day-to-day responsibility for addressing grievances during the construction period. BTC Co. will, however, carry out regular monitoring of the construction contractor's performance in addressing grievances and achieving satisfactory outcomes for complainants.

**Table 7.4 Grievance Roles and Responsibilities**

<b>Task</b>	<b>Land acquisition, route selection and survey phase</b>	<b>Construction</b>	<b>Operations and Maintenance</b>
Receive complaints and grievances	Land Acquisition Team Deputies or council Village Representative of the Office of the Governor District Lands Department	Construction Contractor Community Liaison staff Deputies or council Village Representative of the Office of the Governor BTC Co. Community Relations Supervisors	BTC Co. Community Relations Manager (Operations)
Maintain grievance log	BTC Co. Land Acquisition Team	Construction Contractor	BTC Co. Community Relations Manager (Operations)
Determine appropriate corrective actions and implementing responsibilities	BTC Co. Land Acquisition Team Manager, with Country Manager, E&S Manager (in consultation with the complainant where appropriate)	Construction Contractor	BTC Co. Community Relations Manager (Operations) with E&S Manager, Country Manager
Sign off on satisfactory outcome	Complainant, BTC Co Land Acquisition Team Manager	Complainant, Construction Contractor	BTC Co Community Relations Manager
Verification that corrective action has been complete/ close out	BTC Co. Land Acquisition Team Manager	BTC Co. Community Relations Manager (Construction)	BTC Co. Community Relations Manager (Operations)
Monitoring	RAP Expert Monitoring Panel		

## 7.11 ROLES AND RESPONSIBILITIES

There will be a minimum of three BTC Community Liaison staff based in the field during the project construction period. Each of these liaison officers will be assigned to a certain section of the pipeline. There will also be at least one CLO for the pump station locations. The main responsibility of the project CLOs are to ensure that the contractor is liaising adequately and properly with communities, and that community concerns are being adequately addressed. They will act as an interface between the contractor's liaison team and the project field teams. They will also have role in monitoring the implementation of the Community Investment Programme, and being an interface between CIP projects and contractor activities. These people will be in place prior to start of construction.

The Project Land Team has been in place and actively engaged in the land acquisition process for over 18 months. A team of two is assigned to each of the districts, and has therefore become well acquainted with the relevant local government officials as well as the directly affected people. They have completed the inventory stage of the process. They are currently engaged in formulating offers and delivering those to affected people.

The bulk of the land acquisition process will be completed by the middle of 2003. After that time, the land team will be retained to address cases that need additional attention, such as orphaned land. In addition, the land team will work with the construction contractor during the pre-entry phase when the contractor must sign agreements with landowners as to the reinstatement of land. After approximately 12 months, only a small contingent of the land team will remain to address residual land issues.

While the CLOs will have interaction with communities, issues related to land acquisition will be referred to the land team for resolution, as they are the ones who have in-depth knowledge of the issues, are familiar with the history of specific land cases, and have developed relationships with the affected people. CLOs will facilitate contact with the appropriate land team members and will facilitate the dispute resolution process, but the responsibility for resolving land issues will remain with the land team.

## **7.12 MONITORING OF OUTCOMES**

The nature of grievances and effective performance of the grievance redress process will be monitored as part of both internal and expert resettlement monitoring.

The grievance log for the reporting period will be appended to all Internal Resettlement Monitoring Reports so that project management teams, IFIs and project partners can assess overall project performance in terms of managing relations with affected people. The Internal Resettlement Monitors will also carry out verification reviews on selected grievance log entries to ensure that corrective actions are proving effective and are being carried out in a timely manner.

The Expert Resettlement Panel will review grievance logs to assess whether there are any recurrent types of grievance that point to a need for changes in project or construction procedures, and whether the project management has responded accordingly. The Expert Resettlement Panel will also review BTC Co.'s response to grievances.

## **7.13 THE NEXT STEPS TO ENSURE COMPLIANCE WITH RAP REQUIREMENTS ON PUBLIC CONSULTATIONS AND DISCLOSURE**

In order to comply with the World Bank/IFC requirements of the RAP Public Consultations and Disclosure Plan, the BTC Project will ensure that the following procedures will take place in a *timely, appropriate and adequate manner*:

- Respond to recent field findings on minor information gaps and take necessary measures to update the data with SDLM and GIOC.
- Prepare an implementation framework for the RAP Fund;

- Complete on-going work to establish a complete list of absentee owners and inform them of the project, their entitlements and their need to send power of attorney to kin/a friend in their home community who can negotiate on their behalf;
- Complete the ongoing work with lease holders, including enterprises, so as to establish impacts;
- Prepare strategy for regular RAP communications with PAPs.