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Trans Anadolu Dođal Gaz Boru Hattı Projesi (TANAP)

Resettlement Action Plan

First External Monitoring and Evaluation Report – Summary



TANAP Project – First Semi-Annual External RAP Monitoring and Evaluation Report: Public Disclosure Summary – June 2017

INTRODUCTION

As of the beginning of 2017, a process of external monitoring for Resettlement Action Plan (RAP) was put in place by TANAP Doğalgaz İletim A.Ş. (TANAP). The aim of external monitoring is to assess compliance of the land acquisition and resettlement process (including livelihoods measures) with World Bank 4.12 Operational Policies on Involuntary Resettlement. The External Monitoring Panel (the Panel), which is composed of independent land acquisition and resettlement experts, has been commissioned by TANAP¹, to conduct semi-annual external monitoring for June and December in 2017.

PROJECT DESCRIPTION

TANAP Doğalgaz İletim A.Ş. (“**TANAP**”) is a joint stock company run by the consortium comprised of “Southern Gas Corridor” Closed Joint Stock Company (“**SGC**”), “Boru Hatları ile Petrol Taşıma Anonim Şirketi” (“**BOTAŞ**”), ve “B.P. Pipelines (TANAP) Limited” (“**BP**”). Trans Anatolian Natural Gas Pipeline Project (“**Project**”) carried out by TANAP aims to transport natural gas extracted from Azerbaijan’s Shah Deniz II field in the Caspian Sea as well as from other fields in the South of the Caspian Sea, to Turkey and Europe, passing through Georgia, Turkey and further to Greece. .

The total length of the pipeline is 1,850 km (1,831 km of underground pipeline and 19 km Marmara crossing subsea pipeline). It begins from the Georgia/Turkey border, passes through 20 provinces (Ardahan, Kars, Erzurum, Erzincan, Bayburt, Gümüşhane, Giresun, Sivas, Yozgat, Kırşehir, Kırıkkale, Ankara, Eskişehir, Bilecik, Kütahya, Bursa, Balıkesir, Çanakkale, Tekirdağ and Edirne), 67 districts and 587 villages and ends at the Turkey-Greece border.

Apart from the pipeline, the Project involves construction of 7 compressor stations, 4 measuring stations, 11 pigging stations, 49 block valve stations and 2 off-take stations. In addition, the construction works include establishment of temporary facilities including worker camps, pipe storage areas and access roads. The pipeline route is divided into and managed under four Lots, each of which is divided into two Spreads. The Project does not cause any physical displacement, but results in economic displacement due to the permanent and temporary land acquisition for its various components.

COMPLETION STATUS OF THE PROJECT

A total of 6,603 hectares of land is impacted by the Project. The number of impacted parcels is 27,278 in total, of which 20,046 are privately owned (by approximately 95,000 people) and 7,232 are public land. As of 28 March 2017, the expropriation of 43% of all the required private land parcels and 77% of the required public land parcels is completed.

¹ The Panel is composed of two senior international experts on land acquisition, resettlement, livelihoods restoration, stakeholder engagement, vulnerable groups and gender integration, a senior national expropriation expert experienced in compliance reviews and their assistant.

The construction works were commenced in March 2015 and as of April 2017, works were nearing completion in Lots 1, 2 and 3 (from Ardahan to Eskisehir), whereas the construction activities in Lot 4 were at an earlier stage. Overall, the completion rate for all construction activities is about 70%.

METHODOLOGY OF THE EXTERNAL MONITORING AND EVALUATION

The first semi-annual external monitoring exercise was carried out by the Panel between 11th April and 5th May 2017. The methodology for the exercise included:

- Desktop review of relevant documentation including but not limited to Resettlement Action Plans, Stakeholder Engagement Plan, Fisheries Livelihood Restoration Plan, internal monitoring reports;
- Meetings with TANAP Land Acquisition and Social Teams and TANAP Expropriation Directorate established within BOTAŞ in Ankara;
- Field study, including interviews with muhtars and focus group discussions with project affected people in eleven villages which were selected based on the amount and type of land they had lost, their locations and status of construction works and other specific conditions such as land consolidation;
- Meetings with TANAP social field staff, construction contractors' community liaison officers and local expropriation branches of BOTAS;
- Presentation and discussion of the key findings with TANAP Project Management, and Land Acquisition and Social Impact Teams in Ankara.

In brief, the Panel found all internal and external stakeholders open and willing to discuss issues and share information.

FOCUSED TOPICS

The main topics that the External Monitoring Panel focused on during the first visit are as follows:

- Implementation of the Resettlement Action Plan;
- Land acquisition;
- Livelihood restoration measures and their implementation status;
- Measures for vulnerable people;
- Gender integration;
- Sharing project benefits;
- Cultural heritage;
- Stakeholder engagement;
- Grievance mechanism.

The main findings of the first semi-annual external monitoring are summarized in the Table below.

Topic	Key Findings	Panel Comments and Recommendations
RAP MANAGEMENT		
	Management of the land acquisition and resettlement process is being undertaken in a coordinated manner by TANAP, BOTAS and Construction Contractors. The Project has a comprehensive database of parcels and land owners, and has developed a series of management plans to manage the process. The Project has also established a RAP Fund to compensate people who are affected by the Project but who cannot benefit from the compensation stipulated in the Expropriation Law No 2942.	Some updates to management plans are required. Considering the amount of work that needs to be undertaken in resettlement management, the Panel believes that additional personnel needs to be hired.
LAND ACQUISITION		
<i>Acquisition of Private Lands</i>		
Land Valuation	BOTAS has undertaken land valuations for the pipeline and AGIs based on both international standards and Turkish law. BOTAS uses the same basic valuation methodology for access roads and transmission lines as used for the pipeline and AGIs.	Good practice
Unviable Lands – Above Ground Installations (AGIs)	A land owner can request the Project to acquire the remaining portion of a parcel of land if they believe that this has been rendered unviable. Applications are considered according to a set of defined criteria.	Good practice
Crops and improvements on land	Identification of Land Users - The users of land have been identified during the process of signing land entry protocols.	Good practice
	Crop Valuation and Payments - Crop compensation rates are calculated using data for different types of crops from district agricultural authorities. Inability to plant crops due to topsoil stockpiling during excavation for the pipeline was raised by a number of people, who said that Construction Contractors had engaged with them to find solutions to the problem and to inform them about the planned process of land reinstatement after construction has been completed.	Good practice
	Production Loss due to Land Temporarily Rendered Unviable by Pipeline - The Project has compensation provisions and criteria in relation to land rendered unviable temporarily by pipeline construction works.	Good practice
	Damages to Land and Crops: Overspills - In general damages caused by overspills are paid upon request. In a number of instances, muhtars have asked for overspill compensation to be paid to the village entity to be spent on a village project, instead of being paid to PAPs. Damages to Irrigation Pipes - Some communities have raised concerns about Project damage to irrigation pipes.	Improvement opportunities include: <ul style="list-style-type: none"> - Construction Contractors should continue to first check with all affected people prior to agreeing to communal compensation with muhtars. - TANAP should ensure that each Construction Contractor has a roster of all repairs that need to be undertaken with the target dates for completion.
	Buildings - Physically displaced buildings are compensated for at full replacement value, with no deduction of depreciation. No houses need to be physically displaced by the Project, but a few structures like barns have been impacted.	Good practice

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Transaction costs	The Project covers all the transaction costs incurred by PAPs in relation to the land acquisition and expropriation process, and has also committed to pay certain monies to cover the transaction costs of buying replacement land.	Good practice
Procedural and field issues	Compensation Delays - Compensation payments are deposited into bank accounts, but there are a number of instances where land owners are delayed in receiving compensation. Typically, delays are not caused by the Project.	Good practice
	Bank Pledges - Some villagers raised concerns that the pledges they have on their land due to existing bank loans meant that they could not easily obtain their compensation. These situations are not within the control of the Project.	Good practice
	Land Consolidation - In some areas along the pipeline route there is ongoing land consolidation. This does not affect the land acquisition process, but does sometimes cause delays in landowners' access to compensation.	Good practice
	Route Changes - There have been numerous pipeline route changes for a variety of reasons, including archaeological finds.	Good practice
Acquisition of Public Assets		
State and common lands	Land and crop compensation for treasury, state pastureland, and forest land is paid to the State. Common lands are lands owned by a village and typically used by multiple people for livestock grazing purposes -compensation for this is paid to the village common fund where the village is a separate legal entity (or if the village is in a metropolitan area, under certain circumstances, the compensation may be paid to the municipality).	Good practice
Users of state and common lands	Crop compensation is paid to formal users by the Land Rights Entity (LRE) and to informal users by TANAP from the RAP Fund.	There is a need to fully assess the livelihoods impacts relating to loss of common lands.
Public infrastructure	Construction Contractors have sometimes damaged roads, domestic and livestock water sources, and public properties. Villagers said that they understood the damages were temporary and that repairs would be undertaken as soon as possible.	Compliant, but need to take some further measures - TANAP should ensure that each Construction Contractor has a roster of all repairs that need to be undertaken with the target dates for completion.
Temporary Land Rental		
	Land access for temporary construction camps is typically obtained by BOTAS through rental agreements with land owners and then handed over to Construction Contractors.	Good practice
LIVELIHOOD RESTORATION		
<p>The main income sources that may be affected by the Project are identified as (1) agriculture, (2) livestock breeding, (3) fisheries, (4) forestry and (5) bee-keeping.</p> <p>At the time of the Panel's first visit in April 2017, a Livelihood Restoration Plan for Fishery Communities on the Marmara Sea Crossing existed, and preparation of a LRP for AGIs focusing on the two main income sources (agriculture and livestock breeding) of the AGI-affected vulnerable groups was ongoing. As a result, the Panel concluded that further livelihood assessment study on the basis of these two main sources both for identifying AGIs and pipeline-induced vulnerabilities was necessary.</p>		

Topic	Key Findings	Panel Comments and Recommendations
Agriculture	<p>TANAP in general offers compensation and support to mitigate agricultural impacts caused by temporary and permanent land loss. But in some situations, people may face more serious impacts by the Project if:</p> <ul style="list-style-type: none"> - People are affected by more than one pipeline - People are affected by multiple project components (e.g. pipeline and transmission line), - People lose the lands to cultivate permanently but do not receive enough compensation because <ul style="list-style-type: none"> ▪ there are other shareholders on the same land; ▪ the ownership of the land is disputed; ▪ they have been using common/state lands. 	There is a need for an additional study to identify people in these situations and assess the impacts of the Project on their income sources.
Livestock breeding	The Panel understands that impacts of the pipeline on grazing lands will not be very significant as it requires a narrow area for a temporary period, after which the grazing activities will continue. However, the impact of permanent loss of large grazing lands may be more important. Presently TANAP is investigating such cases through sample villages.	Upon completion of the study on livelihood impacts of acquisition of large grazing lands, necessary measures should be taken to mitigate the identified livelihood losses.
Fisheries	The Project may affect the fisheries in the Marmara Sea and large river crossings. A study was conducted to assess the impacts on Marmara Sea Crossing and mitigation measures were identified in consultation with fishermen. No assessments were undertaken for other water crossings.	Livelihood impacts of large river crossings should be monitored as part of the Internal Monitoring.
Forestry	The forest villagers reported that the pipeline did not cause any impact on their income sources.	In order to confirm the impacts on forest villages, an assessment should be conducted through Internal Monitoring.
Bee-keeping	The Panel encountered a few instances of beekeeping during field visits. The people reported that the pipeline did not cause any impacts on bee-keeping. People who encounter seasonal losses can apply for compensation through the Project grievance mechanism.	Good practice
VULNERABLE PEOPLE		
The Project has defined vulnerable groups as women headed households, poor households, landless households, elderly and disabled PAPs. There is no specific data on vulnerable people and therefore these people could not be consulted with regards to the Project, and impacts upon these people have not yet been identified.		The Project should aim identifying vulnerable people and consulting them in person to identify and mitigate the impacts on them.
GENDER INTEGRATION		
In general, it is observed that the women land users may have more difficulty in receiving information as they may not have enough education to understand the information brochures and/or have the time and independence to join the project meetings.		TANAP should establish a database of “land user women” affected by the project. Then land user women should be informed and consulted about all project activities and their entitlements.
SHARING PROJECT BENEFITS		
Employment opportunities	Panel observed that most villages were satisfied with the employment opportunities provided to them. While both men and women are provided opportunities, women did not prefer working for third parties or were not always allowed to by their families.	Good practice

Topic	Key Findings	Panel Comments and Recommendations
Social and Environmental Investment Programme	The Social and Environmental Investment Programme has been launched east of Ankara (until Georgian border) and applications were closed as of 21 st of April. SEIP aims at financing institutions, organizations, small and medium enterprises to support the environmental and social development of project affected areas.	Good practice
CULTURAL HERITAGE		
	A chance finds procedure is in place in order to identify items of archaeological interest or graves during the construction process. There have been route changes due to archaeological sites. Only a few individual graves have been impacted to date.	Good practice
STAKEHOLDER ENGAGEMENT		
Information Disclosure	Resettlement Action Plans are available on the TANAP website in Turkish and English. Livelihood Restoration Plans will be disclosed in the same way. Two Guides to Land Acquisition & Compensation have been issued to provide simplified key information. The RAP Fund Procedure, and its information leaflet was being prepared at the time of Panel's visit.	Some villagers were not yet aware of the Grievance Appeals Committee and steps need to be taken to address this. The updated Stakeholder Engagement Plan (SEP) should include measures targeted at women and vulnerables.
Consultations and Participation	Muhtars are generally well informed and said they had regular contact with the Project. Ordinary community members often do not attend community level meetings and typically rely on muhtars to conduct most engagement. Women are not always fully engaged with the Project. In 2017, in addition to engagement related to land compensation and expropriation, further engagement is planned in relation to the RAP Fund and land reinstatement.	The Project needs to take further steps to ensure that field staff are recording all engagement efforts with stakeholders.
GRIEVANCE REDRESSING MECHANISM		
	The project has a functioning grievance system, which includes four Appeals Committees established recently for each Lot. The Committees consist of academics from local universities and experts from local and civil institutions.	Necessary measures should be taken so that the quality, fairness and timeliness of the system can be monitored.

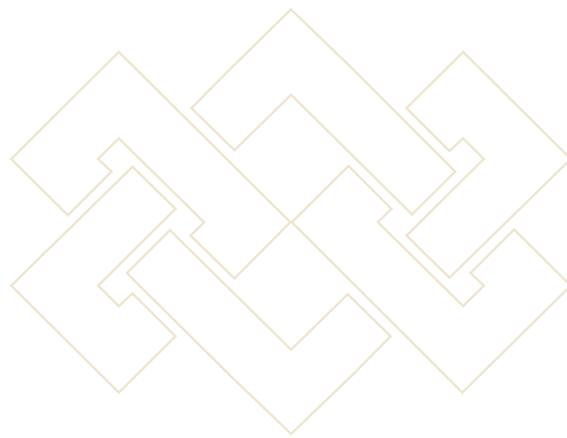
CONCLUSION

The Project is to be commended for many of the steps it has undertaken as part of this very large land acquisition and resettlement exercise. However, there are also a number of areas where further work is necessary to ensure good practice and full impact mitigation and benefit sharing in accordance with WB standards.

In particular, key broad areas to focus on are:

- Livelihood restoration and vulnerable people mitigation measures;
- Targeted stakeholder engagement for women land users and vulnerable people; and
- Quality monitoring of the grievance redress mechanism.

These areas, presented in the above table, will be followed-up by the Panel in its second visit.



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