

REPUBLIC OF TURKEY

MINISTRY OF ENERGY AND NATURAL RESOURCES



GENERAL DIRECTORATE OF STATE HYDRAULIC WORKS  
REAL ESTATE AND EXPROPRIATION DEPARTMENT

# YUSUFELI DAM AND HEPP

## RESETTLEMENT ACTION PLAN

DRAFT FINAL

### CHAPTER 8

INSTITUTIONAL ARRANGEMENTS  
AND  
IMPLEMENTATION SCHEDULE



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## 8. INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION SCHEDULE

### 8.1. Governmental Strategies for Resettlement

In Turkey, resettlement assistance is provided for the families that prefer government-assisted resettlement in accordance with the Resettlement Law. However, in general the project-affected people who are to be displaced tend to prefer self-resettlement rather than government assisted resettlement. This implication increases the risk of uncontrolled migration of the displaced people.

There were inefficiencies in the previous resettlement implementations, which were mainly due to lack of coordination between governmental organizations and disintegration of the processes. In this context, considering the lessons learnt from the past, in the Seventh National Development Plan (1996 - 2000) prepared by the State Planning Organization (DPT), it was stated that *“Laws shall be drawn upon to plan and imply additional projects, such as environmental impact assessment and resettlement projects, which shall be simultaneously implied together with major construction projects.”* The plan also decrees that the project sponsors (which is State Hydraulic Works, DSİ in Yusufeli Case) are responsible for the implementations of resettlement projects.

Within the national report of the Specialized Commission on Rural Development, which was prepared in 2000, it was stated that the displaced people mostly migrate and resettle in suburban areas of larger provinces. Consequently, the lack of infrastructure and the increasing population leads to severe environmental problems and a significant loss of land in these suburbs. Moreover, it is reported that the inefficient use of expropriation values results in a decrease in these peoples' productivity and affects the overall national economy.

In the 8<sup>th</sup> National Development Plan (2001-2005), it is stated that the resettlement process of displaced people shall be speeded up and the economic and social conditions shall be improved at the resettlement sites of the rural people who are displaced because of dam constructions.

Moreover, the resettlement problems of Coruh River Basin are also addressed within The Regional Development Plan for the Eastern Black Sea Region (DOKAP). The Plan, which was prepared by DPT in 2000, states that:

*“The people living in dam construction areas will not only loose their houses, lands but also their life style and social relations. So, cultural, economic and social changes are inevitable. For minimizing the side effects of these externally caused events, the priority of the dam projects shall be the human dimension. The existing/potential problems shall be solved immediately.”*

In order to overcome the difficulties resulting from the discordance of the related governmental organizations and the processes, a project specific resettlement unit, which will function under the coordination of State Planning Organization (DPT) and

secretariat of General Directorate of State Hydraulic Works (DSI), will be established by the representatives of DSI and the Ministry of Public Works. The roles and responsibilities of the governmental agencies related to expropriation and resettlement implementation are described below. The functions and structure of the resettlement unit are presented in the following sections.

## **8.2. Agencies Related to Expropriation and Resettlement**

Other than the project sponsor DSI, the agencies related to expropriation and resettlement works in Turkey are:

- State Planning Organization (DPT)
- Ministry of Public Works And Settlement (MPWS)
- General Directorate of State Highways
- Ministry of Agriculture and Rural Affairs (MARA)
- General Directorate of Title Deed Registry and Cadastre (TKGM)
- Ministry of Finance
- Ministry of Culture and Tourism (MCT)
- Ministry of National Education (MNE)
- Ministry of Environment and Forestry (MoEF)
- Ministry of Health (MoH)
- General Directorate of Bank of Provinces
- Artvin Governorate
- Ministry of Interior
- Municipality
- Turkish Electricity Transmission Corporation
- Turkish Telecommunication Corporation
- Yusufeli Governorate
- Local NGOs
- National Banks (Ziraat Bank and Halkbank)

All of these agencies do not take part in the direct implementation of resettlement and expropriation. As presented in Appendix E some have responsibilities regarding the construction of relevant facilities and infrastructure, and some will co-ordinate or participate in income restoration activities. The relevant roles and responsibilities of these agencies are summarized in the following sections.

### ***The Project Sponsor (DSI)***

DSI was established in 1953, under the Ministry of Energy and Natural Resources. The main responsibility of DSI is to develop and manage the water resources of the country. Therefore, DSI has the authority to plan, design, construct and operate dams, hydroelectric power plants, and domestic water and irrigation schemes. With an annual budget of approximately 2 billion USD, DSI executes its responsibilities through 26 regional directorates.

Within DSI, the Real Estate and Expropriation Department is responsible for preparing and monitoring policy and programs regarding acquisition of assets and resources as required by the projects of DSI. This department prepares an annual budget and allocates the monetary fund to the regional directorates to undertake the expropriation process. In addition, this department provides assistance to the regional directorates and administrates the regional expropriations in accordance with the “Operational Directive of Real Estate and Expropriation”, and “Land Evaluation Handbook” issued by the General Directorate.

For the Yusufeli Project, DSI will execute its responsibilities mainly through the 26. Regional Directorate located in Artvin. This Regional Directorate works with approximately 150 staff. The Directorate is chaired by the regional director and three deputies. The departments of the directorate are:

- *Department of Definite Accounting*
- *Department of Geotechnical Services*
- *Department of Machinery, Equipment and Electromechanic Installations*
- *Department of Construction and Maintenance of Plants*
- *Department of Property and Expropriation*
- *Department of Research, Planning and Coordination*
- *Department of Administrative Works*
- *Department of Deriner Project*
- *Department of Borcka-Muratli Projects*
- *Department of Yusufeli Project*

### **State Planning Organization (DPT)**

State Planning Organization works directly under the Prime Ministry. DPT is authorized to coordinate all governmental organizations towards to achieve the national development goals. The main responsibilities of this organization can be summarized as;

- preparing long-term national and regional development plans and annual programs and monitoring their implementation,
- advising the government in determining economic, social and cultural policies and targets,
- coordination of the ministries and governmental organizations in the implementation of economic, social and cultural policies,
- determination and recommendation of the measures to be taken to accelerate development in priority regions, and
- advising the government on improving relations with international economic institutions and carrying out contacts and negotiations with these institutions in

accordance with the principles and targets of development plans and annual programs.

DPT has also the key role in coordination for allocation of budget for the state investment projects. Also, there are programs being conducted and coordinate by DPT for social and rural development. Some of these programs are going to be used for income restoration during the resettlement process of Yusufeli Project as well.

### ***Ministry of Public Works and Settlement (MPWS)***

The main responsibilities of MPWS include;

- construction and maintenance of governmental buildings,
- preparation or approval of spatial plans for urban areas,
- determining the standards for infrastructure in urban areas,
- determination of the measures and aids before and/or after natural disasters, and
- implementing these measures in cooperation with relevant ministries and governmental organizations.

The main affiliates of the Ministry are:

- General Directorate of Construction Works
- General Directorate of Disaster Affairs
- General Directorate of Technical Research and Applications
- General Directorate of State Highways
- General Directorate of Land Office
- General Directorate of Bank of Provinces

The execution of resettlement projects was the responsibility of The General Directorate of Rural Affairs (KHGM) until the acceptance of Law 5286 regarding the abolishment of KHGM in 13.01.2005. After this date, MPWS was given the responsibility and authority to carry out the resettlement processes. Resettlement of the people affected from dam, airport, and other development projects, and resettlement of immigrants, nomadic or transient populations are under the responsibility of MPWS.

The Ministry executes both urban and rural resettlement. For this purpose undertakes necessary resettlement investigations; prepares the resettlement projects and provides the required assistance to project affected people. At the Yusufeli Project, MPWS and DSI will work in cooperation to execute the resettlement works under the Resettlement Unit.

### ***General Directorate of State Highways***

The construction, operation and maintenance of the highways and connections to the villages are the responsibility of the General Directorate of State Highways. The

relocation roads will be constructed in the scope of the project. State Highways will be in charge in operation and maintenance of these roads. The roads in the new Yusufeli Town will be built by MPWS. Operation of these roads will be the responsibility of the municipality and local governorship.

### ***Ministry of Agriculture and Rural Affairs (MARA)***

The Ministry of Agriculture and Rural Affairs (MARA) is responsible for the preparation and implementation of rural development plans and programs, establishing infrastructure facilities in rural areas and guiding the agricultural sector. There are several directorates of MARA and there exists a Provincial Directorate of Agriculture in each province.

The General Directorate of Institutionalizing and Support of MARA is the main related agency for the resettlement process of Yusufeli Project. This General Directorate deals with the establishment of rural institutions and providing technical and financial support for these. During the resettlement projects, it assists for the establishment of organizations such as cooperatives, handicraft production centers etc.

### ***General Directorate of Title Deed Registry and Cadastre (TKGM)***

General Directorate of Title Deed Registry and Cadastre (TKGM) is attached to the Prime Minister's Office through the Minister of State. TKGM is in charge of the cadastral works regarding the whole country while dealing with the title deed works (transfer and buying/selling registers) of the immovable properties. TKGM has a provincial directorate in Artvin, and district office in Yusufeli. The Artvin Directorate is undertaking cadastral surveys in the project affected area to determine the status of ownership of the assets (land/structure) to be expropriated. As a result of these surveys, title deeds will be issued to the owners. Moreover, before selection of the rural relocation site(s), TKGM will undertake the cadastral works of alternative sites to determine the ownership status at the sites.

### ***Ministry of Finance***

The Ministry of Finance is in charge of the state budget. Thus, the financial resources for expropriation and resettlement works will be put into the annual state budget by this Ministry. In general for allocation of budget for their activities governmental agencies first form their budget in accordance with their needs and plans.

This budget planning is performed in the following sequence:

- The local directorate (e.g. provincial or regional) identifies its need in accordance with their annual action plans. Then, prepares a detailed budget to realize the planned activities. This budget includes the details regarding the activities for the projects that are being or will be undertaken. This budget is sent to the general directorate.
- The general directorate collects the budgets prepared by the local directorates and establishes the overall budget such that it will include the needs of the local directorates and the general directorate headquarters. This overall budget has specific sections for the ongoing and planned projects by activity.
- The overall budget of the general directorate is then sent to the relevant Ministry (of which the directorate is an affiliate).
- The ministry establishes its overall budget including the budget allocation requests of all its affiliates.
- All the ministries send their budgets to the Ministry of Treasury.
- Ministry of Treasury prepares the overall state budget and this budget is sent to the parliament for approval.

In all of the above steps available sources and priorities are evaluated and requested amounts are allocated based on these evaluations.

The General Directorate of National Real Estate functions under the Ministry of Treasury. This directorate is responsible for allocating treasury lands to the governmental agencies for the planned state projects. This allocation is made without any charge. The treasury lands appropriate for relocation sites for the resettled population are also allocated by this Directorate upon the request of the Ministry of Public Works and Settlement.

### ***Ministry of Culture and Tourism (MTC)***

The main responsibility of MCT is to contribute to national economy through researching, improving, maintaining, preserving and promoting the cultural and touristic values and assets. The Ministry has provincial directorates working under the provincial governorates.

MCT is responsible for the protection of monuments and historical sites. There are two departments under MCT, the General Directorate of Monuments and Museums and the General Directorate of Conservation, with branch offices in major towns to carry out the responsibilities. These two departments have the role to administer museums and sites, plan for research and documentation, and provide technical and financial support to state-owned museums and sites, and also to develop projects for conservation of cultural property.

Under the Ministry, Trabzon Natural and Cultural Wealth Committee is responsible for the identification and conservation of historical and archeological assets in the Eastern Black sea Region.

### ***Ministry of National Education (MNE)***

MNE is commissioned with the duty of realizing on behalf of the government the goals of the Turkish National Education in line with the basic principles. MNE's objective is to plan, program, execute, monitor and control education and training services targeted at teachers and students in the educational institutions at all levels working under the Ministry. It also defines the degree of equality for and to prepare and approve the program and regulations of formal and non-formal education institutions, other than higher education, opened by other ministries, institutions and organizations.

### ***Ministry of Environment and Forestry (MoEF)***

MoEF is responsible for the control of environmental degradation in accordance with the Environment Law (Law No. 2872) and Forestry Law (Law No. 6831). Thus, MoEF is responsible for the control of environmental issues arising during the resettlement projects and also provides consultancy if required. Moreover, MoEF has the authority to give permission for the use of forestlands. If the land is required for a project undertaken by DSI, in accordance with the Establishment Law of DSI (Law No. 6200), no payments shall be made to the MoEF.

MoEF ascertains that the forest villagers, who choose rural resettlement, are relocated according to the relevant articles of Forest Law. For this reason during the process of site selection for forest villagers, MPWS and DSI will work in cooperation with MoEF. Under MoEF, General Directorate of Forest–Village Relations (ORKOY) is responsible for providing assistance to the sustainable development in forest villages.

### ***Ministry of Health***

In Turkey, regarding preventive health care, family planning, therapeutic care services and activities for fighting against cancer and contagious diseases, Ministry of Health plans and executes all plans and programs related with these services and activities.

### ***General Directorate of Bank of Provinces***

The General Directorate of the Bank of Provinces is an affiliate of the MPWS. This Directorate has regional directorates and conducts its relevant tasks through these regional directorates. This Directorate prepares plans and projects for above ground structures and infrastructures related with public services in cooperation with the municipalities and associations of municipalities.



The fields of service of this Directorate include;

- spatial planning,
- urban planning,
- landscape planning,
- geological surveys,
- water supply systems,
- sewage systems,
- deep sea discharges,
- water treatment systems,
- wastewater treatment systems, and landfills

In the above-mentioned fields this Directorate carry out projects (via contracting through tenders), provide monitoring services for the construction of systems and structures, and provide consulting services to municipalities. This directorate also provides funding to the municipalities for construction of sewage systems, water supply systems and water and wastewater treatment plants.

During resettlement works for Yusufeli Project this Directorate will be responsible for the infrastructure works related to wastes, water supply and wastewater systems, and urban planning. It will also provide financial support to the municipality of Yusufeli for the realization of these systems.

### ***Ministry of Interior***

The Ministry of Interior is responsible for;

- public security,
- general administration of provinces,
- supporting local development, supervising and inspecting local governments, and
- providing civil defense services to protect civilians in wars and natural disasters.

Within the resettlement projects, the main responsibility of this ministry is coordinating and administrating the local governments. This Ministry was responsible for the selection of the urban relocation site, together with the local governorate, since the urban relocation site is going to be the new district center. For the selected site to be the new district center a law will be prepared by this Ministry and submitted to the approval of Parliament.

## **Local Government**

In Turkey, each province is administered by a governor appointed by the Council of Ministers with the approval of the president. The governors function as the principal representatives of the central government and report to the Ministry of Interior. Each district in a province has its own administration based in the district seat. The district administration consists of a district governor, some central government representatives, and a district administrative board. The district governors are appointed by the president upon nomination by the Minister of interior. Each district governor is responsible to the province governor.

The governorship of a province represents the highest-level office in a province whereas the district governorship is the highest-level office at the district level. Thus, both the governorship and the district governorship have the responsibility and mission to coordinate all local institutions and organizations administratively in accordance with the Law on Provincial Administration. For the resettlement works Artvin Province governorship and Yusufeli District Governorship have the responsibility to coordinate the relevant activities and to solve any problems of the people living in their area of responsibility.

The smallest unit of local government in Turkey is the village, a locality with fewer than 2,000 inhabitants headed by an elected village head. The head, together with the village council (elderly' council), supervises the planning and operation of communal projects and services and administers directives from higher authorities. During resettlement projects, village heads represent the interests of the village and are consulted especially during the identification of the owners and resettlement investigation. On the other hand, during owner identification process, if there hasn't been any cadastral survey at the expropriation area prior to the expropriation studies, the village headman or his/her attorney, and two members of the village council also participates the land surveys with the experts' commission designated by the local government. Comments of the village heads are requested and noted by the commission.

## **Municipality**

In Turkey, each town of more than 2,000 people is organized as a municipality headed by an elected mayor. Municipalities mainly carry out the public services. After the resettlement of project-affected people the municipality of Yusufeli shall be reestablished.

## **Turkish Electricity Transmission Corporation (TEIAS)**

TEIAS is the agency responsible for transmission of electricity throughout the country via the national grid system. In Turkey power transmission lines are planned, built and operated by TEIAS. All state and private electricity producers are connected to this grid system (except solely auto producers). In the scope of resettlement works

TEIAS is responsible for establishment of new transmission lines to provide electricity to the new Yusufeli Town and provide all necessary facilities. TEIAS is divided into four companies, which are,

- Turkish Electricity Transmission Company (TETAS), which is responsible for operation of transmission network,
- Turkish Electricity Distribution Company (TEDAS), which is responsible for operation of distribution network,
- Electricity Generation Company (EUAS), which is responsible for operation of state owned generators,
- Turkish Electricity Trade Company (TETTAS), which is responsible for purchasing electricity from producers and selling to distribution companies.

### ***Turkish Telecommunication Corporation (TELEKOM)***

This corporation is responsible for the telecommunication in the country. All relevant infrastructure of the new district center will be built by TELEKOM and operated via the facilities to be installed by the same agency.

### ***Local Non-Governmental Agencies (NGOs)***

NGOs could be very beneficial for the development of areas when they work together in coalitions, pooling their resources and coordinating their lobbying efforts. General information regarding NGOs is given in Chapter 2.

One of the important means of income restoration in the project affected area will be supporting local investments and development actions. This will generally need preparation of documents to get support and participation of various groups. For this purposes the leadership, guidance and participation of local NGOs are very important. In this context, providing training for project development, preparation and application are important issues, where local authorities and NGOs will carry responsibility. Furthermore, a capable independent local NGO can carry the responsibility of providing consulting to the PAPs on especially legal and grievance redress issues throughout the process by the authorization of Resettlement Coordination Higher Commission (RCC).

In addition, there are some national and international programs and funds which can be used for environmental and development (social) projects and activities by NGOs. The cooperation of local authorities and NGOs is a very important factor (sometimes required) for getting funds and/or projects. For example Regional Environmental Center (REC) provides funding to NGOs and willing to fund local NGOs for training programs and regional development activities that may be carried out by them.

Therefore, present local NGOs and the ones that can be established (like cooperatives) may play an important role for the development of the area and increasing income of the locals. Through above-mentioned funding opportunities

NGOs can obtain necessary tools to initiate and sustain programs needed for long-term income restoration activities such as training programs for the project affected persons (PAPs).

### ***National Banks (Ziraat Bank and Halkbank)***

In Turkey two national banks are especially specialized in providing funding and credit opportunities for agricultural activities and establishments and various small businesses for very many years. These are Ziraat Bank, which is carrying out supporting functions for agriculture since late 1863, and Halk Bank, which was established in 1938.

Ziraat Bank is specialized with regard to supporting agricultural development. It provides short and long term agriculture credits for the farmers as well as making publications for guidance and information. This bank provides credits to agricultural production facilities or bodies (i.e. cooperatives) for operational expenditures. Also, investment credits for establishing new agriculture businesses, or modernization and improvement of activities and facilities are available from this bank.

These credits include the following:

- Personal farming credits (up to 18 months payback period)
- Operation credits for projects to perform agricultural activities based on a project proposal. Model project proposals are available (up to 18 months payback period)
- Investment credits for project proposal (up to 5 years payback period)
- Spot credits or solving cash flow problems of the farmers (up to 4 months payback period)
- Contracted production credits (up to 5 years payback period)

For these credits, lower interest rates than available rates in the market is used and this will be the case for the project affected area as described in Chapter 7 and 12.

Halkbank is especially specialized in supporting small sized business. It provides short and long term credits in terms of cooperative credits and manufacturing credits. Also, this bank publishes guiding documents for establishing and successful operation of small and medium sized business. The types of these credits may be summarized as:

**Cooperative Credits for:**

- Cooperative formation and operation
- Commercial vehicles (taxis, minibuses, etc.)
- Manufacturing facilities
- Employment support
- Operation
- Maintenance of commercial vehicles

**Production Credits for:**

- Small and medium sized manufacturing business
- Tourism
- Establishment of greenhouses
- Technology
- Construction vehicles
- Quality certification
- Product development
- Machinery and equipment
- Young investors credit

- The pay back period for these credits change from 6 months to 5 years. The interest rates are kept at lower rates compared to the commercial credits. Among these especially cooperative credits are promising for the project affected area specializing on manufacturing and production of goods via small sized establishments as well as formation of greenhouses.

### 8.3. Organizational Structure of Resettlement Process

The Resettlement Coordination Higher Commission (RCC) is the high level decision-making authority to take overall responsibility of the commitment to implement all income restoration measures (i.e. direct, indirect or additional measures) mentioned in this RAP report and to coordinate the Resettlement Unit (RU), which will be the responsible organization for the implementation of the commitments of the resettlement plan. The responsibilities, duties and areas of concern of RCC and RU are provided below. In addition, the role of each organization/unit in public participation and consultation process and income restoration plan are provided in Appendix L and Appendix N respectively.

#### Resettlement Coordination Higher Commission

RCC is chaired by DPT - General Directorate of Social Sectors will provide the higher coordination for Yusufeli Project RAP implementation. RCC is the authority to take the overall coordination of the commitment to implement all income restoration measures with the assistance of DSI. The Commission is comprised of the representatives of DSI (resettlement coordinator), Ministry of Agriculture and Rural Affairs, Ministry of Environment and Forestry, Ministry of Public Works and Settlement, General Directorate of State Highways, General Directorate of Bank of Provinces, Undersecretariat of Treasury, General Directorate of Title Deed Registry and Cadastre, Governorship of Artvin and other local representatives from Artvin Province. Moreover, when required, the representatives of relevant NGOs and/or PAPs will also be invited to the meetings of the commission. The secretariat service of this commission is carried out by the Real Estate and Expropriation Department of DSI. The main responsibilities of the Yusufeli RCC include:

- The commission will meet bimonthly with the aim of discussing problems and improvement opportunities in land acquisition and resettlement processes and to monitor the progress of resettlement activities of Yusufeli Project;
- To inform the resettlement coordinator about any existing obstacles/ problems;
- In case called upon a specific meeting by the coordinator, discussing and resolving the problem taken in the agenda;
- To resolve the grievances necessitating higher-level coordination and/or common responsibility.

## Resettlement Unit

The objective in establishing this unit is to define the roles and responsibilities for the implementation of the resettlement plan and ensure that the activities are undertaken in coordination. This unit will have the authority to ensure coordination and proper implementation through monitoring, grievance processing, public information and consultation activities. This unit will act as the planning body for timely and successful implementation of the resettlement. Also, the responsible agencies in implementation of resettlement will be kept informed and guided throughout the implementation phase by this unit. In this context, for the timing of the relevant activities and necessary budgets to allocate for these activities will be defined by this unit and relevant agencies will be informed to take necessary budgeting and implementation actions.

The main duty station of the resettlement unit will be the project office, which will be established by DSI at Yusufeli. Only the resettlement coordinator will work at the General Directorate of DSI in Ankara, since he/she is mainly responsible with high-level coordination of relevant governmental organizations. The resettlement coordinator will make site visits when necessary as well. The main tasks of the resettlement unit and members of this unit are explained below.

The structure of the resettlement unit is shown in Figure 8.1. The unit mainly comprises of a resettlement coordinator, a resettlement district manager, two resettlement executives, a technical support unit and resettlement officers. Except the resettlement coordinator, who will be in Ankara, the resettlement unit will be located in Artvin and Yusufeli to coordinate, monitor, and provide assistance to the relevant agencies for the practical day-to-day implementation activities.

The resettlement unit will work in close communication and coordination with the resettlement coordination commission, grievance redress committee and local resettlement commission, and community resettlement committees. The roles and responsibilities of the members of resettlement unit and the latter committees are defined in detail below.

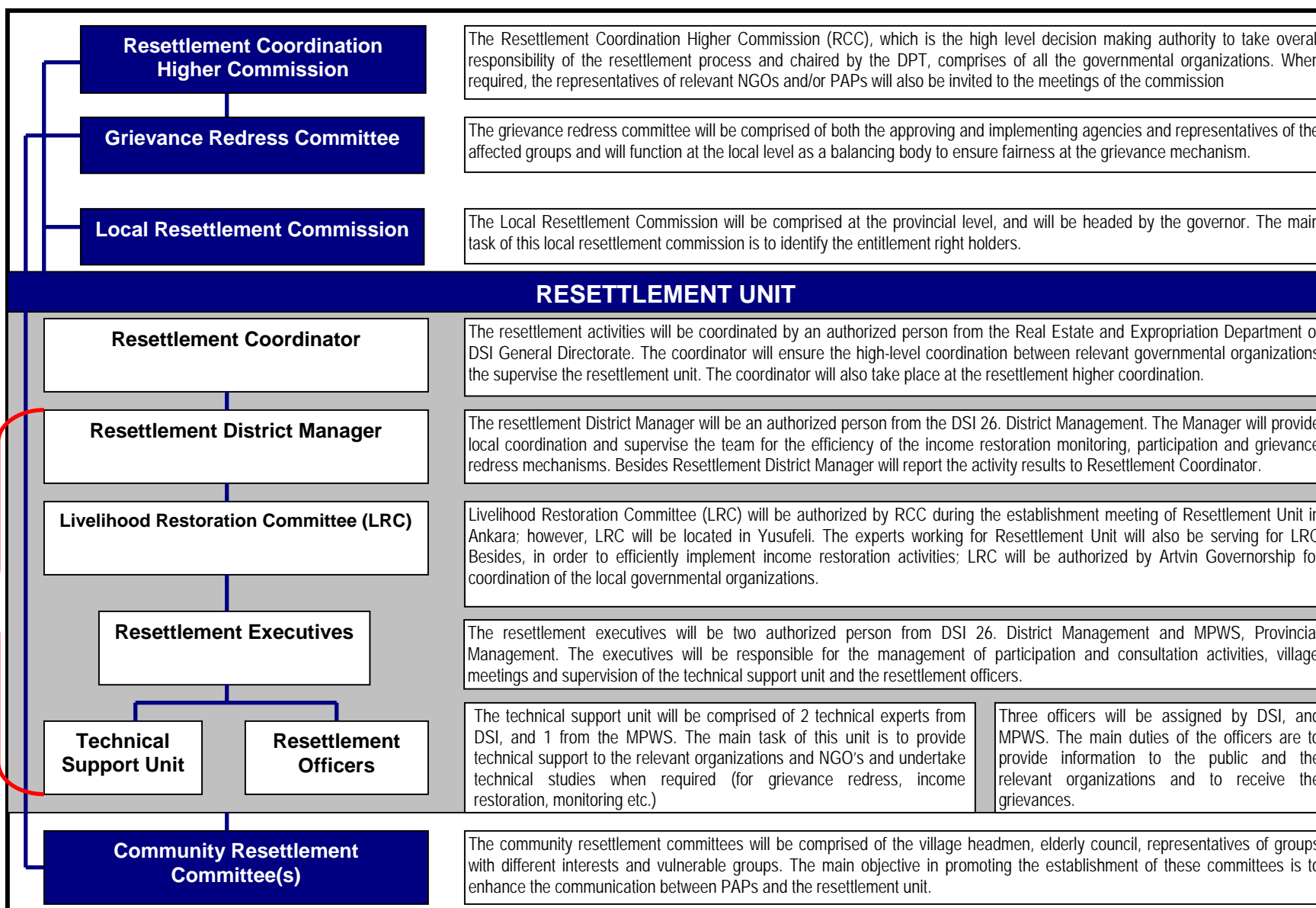


Figure 8.1. The Responsible Organizations in the Resettlement Process



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*Resettlement Coordinator* will be an authorized employee (managerial level) from the Real Estate and Expropriation Department of DSI General Directorate. The main responsibilities of the coordinator include:

- Ensuring high-level coordination between relevant governmental organizations;
- In case required, calling the Resettlement Coordination Commission (RCC) and/or relevant organizations for meetings;
- Supervising the resettlement unit and any contractors (contractors for planning, construction, etc.) or NGOs (taking part in the resettlement activities, especially income restoration) to ensure the efficiency of the activities and studies;
- Monitoring the project progress and undertaking necessary improvement measurements in collaboration with the district manager.

*Resettlement District Manager* will be an authorized employee (managerial level) from the DSI Artvin Regional Directorate. The main responsibilities of the district manager include:

- In cooperation with the resettlement executives, planning the activities to be undertaken by the resettlement unit;
- Supervising the resettlement unit (field team) to ensure efficiency of the activities/studies;
- To provide coordination and communication between local organizations for the resolution of the grievances necessitating common responsibility;
- Informing the coordinator about the problems/grievances necessitating higher level coordination;
- Informing the coordinator about the progress of the activities;
- Monitoring the activities and undertaking corrective/preventive actions when necessary.

*Resettlement Executives* will be two authorized employees from DSI Artvin Regional Directorate and MPWS Provincial Directorate. The main responsibilities of the resettlement executives include:

- In collaboration with the Resettlement District Manager, planning the activities/studies to be undertaken by the resettlement unit, supervision of the technical support unit and the resettlement officers.
- Preparation of the information booklet together with the team
- Management of participation and consultation activities, executing the community meetings or appointing representatives for the execution of the meetings

- Informing the district manager about the efficiency of the activities and improvement opportunities
- Together with the district manager, evaluating the grievances, proposing suitable resolutions and proving collaboration with relevant organizations
- Ensuring communication and coordination with the stakeholders (local representatives, NGOs etc)

*Technical Support Unit* will be comprised of a total of 3 experts, amongst which, 2 technical experts will be from DSI, and 1 from the MPWS. The main responsibilities of the technical support unit include:

- Providing technical support (such as information on land use, water resources, education, civil works, mapping, etc.) to the relevant organizations and NGO's;
- When necessary, providing resolutions for grievances together with the resettlement officers and resettlement executives;
- With the supervision of resettlement executives, undertaking necessary analysis, evaluation and documentation for monitoring.

*Resettlement Officers* will be assigned by DSI and MPWS. There will be three officers amongst which at least two of the officers will be woman in order to ensure that women can also get in contact with the officers. The officers will work in the project office, which will be established at Yusufeli Town.

- Providing information to the PAPs, and relevant organizations, recording their priorities and needs;
- Receiving the grievances and ensuring the resolution of these grievances with the supervision of the resettlement executives;
- Acknowledging the grievance owner about the proposed resolutions of the grievance and closing the grievance files;
- Maintaining the documentations of the grievance redress mechanism;
- With the supervision of resettlement executives, undertaking necessary analysis, evaluation and documentation for monitoring;
- Undertaking other tasks as required by the executives.

#### **8.4. The Resettlement Committees**

##### **Livelihood Restoration Committee (LRC)**

The livelihood restoration committee (LRC) will be established under the administration of the Resettlement Unit, in order to coordinate the necessary income restoration activities during the resettlement process. RCC will authorize Livelihood Restoration Committee during the establishment meeting of Resettlement Unit in Ankara; however, the mentioned committee will be located in Yusufeli. The livelihood

restoration committee will have experts from local directorates of MPWS, DSI, MoEF, and MARA, District Governorate, and Provincial Governorate, who are experienced in such activities.

The decisions for rehabilitating the income sources of affected people in the area will be taken more rapidly and implementations will be more vigorous through LRC.

The main tasks of the LRC are as follows:

- The collection of data regarding income sources and affects on income through public consultation that performed by resettlement unit.
- Maintaining communication with relevant ministries, public institutions, universities, NGOs, and the local population.
- The execution of necessary technical studies within this scope and ensuring that the necessary financial resources are included in the annual budget for the planning stage.
- The research of credit assistance necessary for PAPs to be involved in agricultural production and the issuance thereof to those who have opted for rural resettlement.
- Investigations regarding new and suitable income sources.
- Feasibility studies regarding new and suitable income sources.
- Establishing the resources suitable for acquiring the input necessary for agricultural production and enabling the agricultural producer's access to the same.
- Through monitoring of plans geared toward rural development nationwide (for example, DOKAP), informing of persons to engage in agricultural development about these plans and ensuring their awareness of venues for economic and technical development.
- Providing for the organized actions of producers and business owners through cooperatives composed of small- and medium-scale industries and thus facilitating their access to credits and funds, creation of a competitive environment, ensuring easier access to raw materials, opening venues for marketing and entering extraterritorial markets, and creating a faster production process through mechanized agriculture.
- Providing consultancy services to persons who will be involved in agricultural production so that to assist in finding answers and the assuming of an effective role on the part of universities, local administrations, and central administrations through information exchange.
- Consultations regarding use of expropriation money, loans, and paybacks of related loans and investment options.

**The Grievance Redress Committee**, which will be comprised of the representatives of DSI, MPWS, Artvin Governorate, Yusufeli District Governorate, Yusufeli Municipality, Yusufeli Chamber of Agriculture (a local NGO in Yusufeli), Kilickaya Culture, Mutual aid and Solidarity Society, Artvin Branch of Association of Chamber of Engineers and Architects, will function as a balancing body to ensure fairness in grievance redress mechanism. In case required, DSI will call the consortium for the meetings. The main responsibilities of the commission include:

- Meet twice every month to review the grievances and propose corrective/precautionary actions. If required, the committee may also invite the applicants, relevant governmental authorities and/or third parties to these meetings.
- Monitor the grievance mechanism via the reports prepared by the resettlement unit and propose improvement opportunities when necessary.

**Local Resettlement Commission** will be established at the provincial level and will be chaired by Artvin Governor. As determined by the Law, the Commission will be comprised of district governor, local representatives of central governmental organizations, representatives of governorship/district governorship departments, village heads, gendarme and relevant experts as required. The main task of this local resettlement commission is to identify the entitlement right holders. For this purpose, during the applications, the resettlement commission will meet twice a month in order to assess the applications.

The project sponsor will encourage the formation of **Community Resettlement Committees**, which will function as a communication channel between the PAPs and the resettlement unit. For this purpose, at the early stages of the resettlement implementation phase, the resettlement officers will communicate and inform the village headmen and public notices will be posted at easily seen places in the district center and at the villages. The community resettlement committees will be comprised of the village headmen, elderly council, representatives of groups with different interests and vulnerable groups. The Community Resettlement Committees will aim to:

- Communicate the needs, priorities and grievances of the PAPs to the resettlement officers;
- Represent the PAPs (especially the vulnerable groups), who cannot directly communicate with the resettlement unit;
- Provide assistance to the resettlement unit for data collection in order to monitor the efficiency of the resettlement implementation activities.

Detailed information regarding the above mentioned committees are provided in Annex M.

## 8.5. Expropriation and Resettlement Process, and Implementation Schedule

DSI is the main agency for implementation of expropriation, which will be actually carried out by the Artvin Regional Directorate under the supervision and coordination of the Resettlement Unit. The Ministry of Public Works and Settlement (MPWS) is the main authority for implementation of resettlement, including the preparation of the resettlement sites. This Ministry is responsible for carrying out the legal resettlement surveys, getting the preferences of the project affected persons (PAPs) and actual implementation of the resettlement (e.g. preparation of the relocation site, transportation assistance to resettlers, etc.). All these activities of MPWS will be carried out in coordination with the Artvin and Yusufeli Governorate and mainly performed by Provincial Directorate of MPWS.

The flowchart of the legal and administrative procedure for the selection of urban and rural resettlement areas, resettlement and expropriation procedures and their timing with regard to the project construction schedule are illustrated in Figure 8.2, Figure 8.3 and Figure 8.4. The construction phase will commence in accordance with the Conditions of Contract after the initial expropriation activities are finalized and will take 88 months (approximately seven and half years). The river diversion will be effected after the completion of the diversion tunnels construction and the cofferdams at the end of 24 months after the start of the construction. Impounding of the reservoir end of 76 months (approximately six and half years) from the beginning of construction.

### 8.5.1 Expropriation and Resettlement Phases

The expropriation process for dam projects is carried out in three phases, starting with expropriation of the areas needed for bypass and service roads, material borrow areas, campsites, upstream and downstream cofferdam elevations and the dam site. Then, the reservoir area is expropriated stage-by-stage starting with the lowest elevation up to maximum water elevation. This sequential process of 3 phases is described in detail below and the detailed time schedule including the preparation of the expropriation plans is provided in Appendix E.

#### ***Expropriation Phase I***

Phase I covers the time period starting from the end of project planning and design phase till completion of the construction of the cofferdam and other supporting facilities for the dam construction. In Phase I, Expropriation Studies, following the preparation of the Resettlement Action Plan Report, "Expropriation Plans and Lists" are prepared by DSI. According to these prepared plans and lists, the areas for dam body construction, permanent service roads, by-pass roads and secondary service roads, material borrow areas, camp sites, rock storage areas and the areas from the lowest elevation up to cofferdam elevation (ASL 530 m) will be expropriated. According to the expropriation law, the assets within the construction areas must be expropriated in order to be able to start the construction of the above-mentioned activities. Therefore, DSI will first prepare expropriation plans and lists (including timing and budgets) and perform necessary actions for the completion of the expropriation. General Directorate of DSI transfers the necessary budget according

to the amount determined in the expropriation plan for the corresponding year to the 26. District Management of DSI and District Management realizes the payments for the entitled families.

The resettlement studies in Phase I period will start with the preparatory studies considering this Resettlement Action Plan Report (RAP) results. First of all, the plans for the areas within the concern of Phase I (dam construction area, permanent service roads, by-pass roads and secondary service roads, material borrow areas, and the area from the lowest elevation up to cofferdam elevation) are to be prepared, put into action and completed. At this phase also the resettlement announcement and the investigations will be carried out. For this purpose, the resettlement unit and Ministry of Public Works and Settlement (MPWS) will undertake information meetings and announcements to call for official applications of the PAPs for resettlement. Then the local resettlement commission determines the entitlement status of each household. MPWS records the preferences the households and final plans for resettlement are then created considering these official results.

To prepare the relocation of the PAPs that opt for urban resettlement, necessary development planning for the selected urban resettlement site needs to be completed (see Chapter 6) and this planning (including technical investigations and the design) is carried out in Phase I by the Ministry of Public Works and Settlement. In addition, for rural resettlement concerns, the determination of the entitled families that opt for rural resettlement, necessary technical investigations, the selection of sites and the tendering for the construction of the rural resettlement sites are completed in Phase I. The areas that will be expropriated in Phase I are shown in Appendix J.

The total area to be affected (inundation and land take) in Phase I is 526.51 ha, and of this total 66.21 ha is owned by locals, which will be expropriated. In this area there are also structures to be expropriated such as a greenhouse, a petrol station, a small mosque, and a restaurant. The PAPs are entitled for getting the expropriation compensation (if they somehow own any property) and for resettlement. However, since the preparation of the resettlement sites will not be completed yet at this Phase, the PAPs preferring government assisted resettlement will be provided by temporary residence in the closest settlement that they would prefer, ensuring that housing is available. For the ones that do not go for government-assisted resettlement the expropriation compensations will be paid.

## ***Expropriation Phase II***

Phase II covers inundation areas not included in Phase I and relocation roads and it is the period between river diversion and reservoir impoundment. In Phase II, the activities required for expropriation of the assets up to maximum water level of the reservoir are completed before impoundment. According to the “Expropriation Plans and Lists” prepared in Phase II, all the assets determined to be subject to expropriation are expropriated by DSI within this period. According to the expropriation law, the assets up to maximum water level are to be expropriated in order to start water impoundment.

In Phase II, the Master Plan prepared in Phase I for the urban resettlement site is implemented. Following the planning and coordination of the agencies by the Ministry of Public Works and Settlement, the construction of the resettlement site (including residential and trade buildings, facilities and buildings for municipality, local governorate, police department, industrial site and other infrastructural facilities) is completed. The construction of the rural resettlement sites are carried out and completed in Phase II. The construction activities in the new sites for urban and rural resettlement sites are completed in this phase and entitled families are moved to the new district center And the rural site. At the same time rehabilitation activities (described in more detailed Chapter 7.5 and 7.6) will be initiated and monitoring will be performed. The rehabilitation activities will be mainly carried out by the Ministry of Public Works and Settlement, Ministry of Agriculture and Rural affairs, General Directorate of State Hydraulic Works, Artvin Governorate, Yusufeli District Governorate under the coordination of State Planning Organization.

The areas that will be expropriated in Phase I and Phase II are given in Table 8.1 and shown in Appendix J.

Table 8.1. The Areas to be Expropriated in Phase I and Phase II

Settlement	Phase I		Phase II	
	Private Areas to be Affected (ha)	Total Area to be affected (ha)	Private Areas to be Affected (ha)	Total Area to be affected (ha)
Alanbasi	0.00	0.00	4.51	7.37
Arpacik	42.16	108.54	12.44	169.48
Bahceli	0.00	0.00	0.00	0.00
Bostanci	0.00	0.00	2.42	6.45
Celtikduzu	0.00	0.00	76.4	280.63
Cevreli	0.00	0.00	112.33	256.59
Cirali	0.00	0.00	11.12	36.5
Darica	1.58	6.32	11.68	46.83
Dereici	0.00	0.00	18.86	46.11
Irmakyani	3.16	12.77	18.53	191.08
Ishan	25.06	174.92	30.05	416.87
Kilickaya	0.00	0.00	64.27	112.39
Kinalicam	24.98	165.06	83.26	240.41
Kupluce	0.00	0.00	1.28	4.00
Morkaya	0.00	0.00	3.56	24.00
Pamukcular	0.20	1.11	6.31	26.65
Sebzeçiler	0.00	0.01	0.00	9.54
Tekkale	0.00	0.00	70.48	226.86
Yenikoy	2.79	35.42	6.43	159.61
Yusufeli	0.70	22.36	118.81	725.64
<b>Total</b>	<b>100.63</b>	<b>526.51</b>	<b>652.74</b>	<b>2987.01</b>

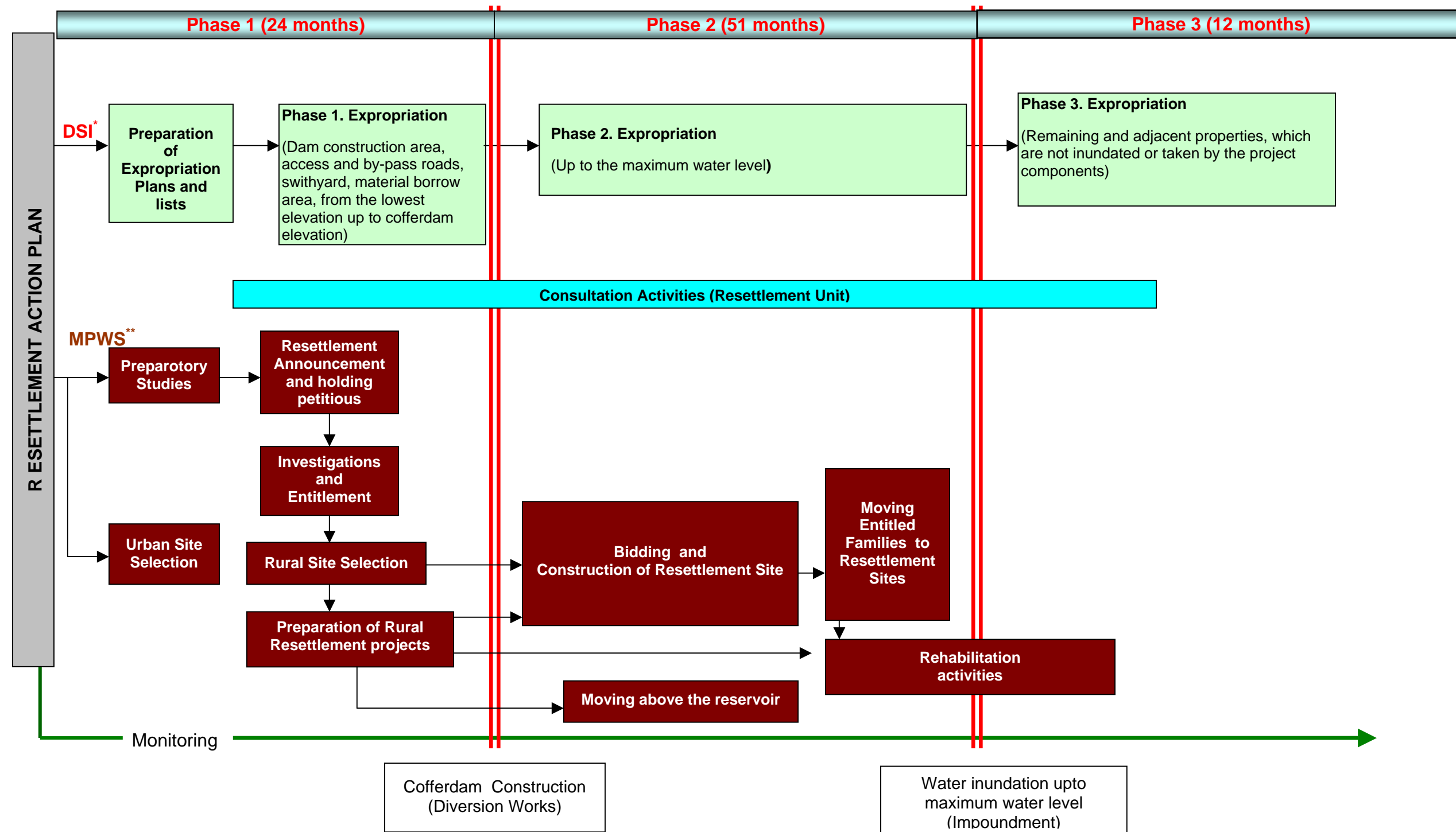
### ***Expropriation Phase III***

In Phase III, the expropriation issue is related to the remaining and adjacent properties, which are not inundated or lost due to project components. After the completion of the Phase II expropriation process related to the project, DSI makes an announcement for the PAPs for their application if they somehow think that their properties should be expropriated as well due to the impacts of the project on the socioeconomic structure. In such a case, the applications will be evaluated by an “adjacent properties assessment commission” formed by the Governorship of Artvin following the regular expropriation procedures (Phase II) and if it is decided that the applications are valid, those properties will be expropriated as well.

#### **8.5.2. Implementation Schedule**

The overall implementation schedule of the Yusufeli Project Resettlement Action Plan is provided in Appendix E.





- Phase 1** : Completion of the cofferdam construction
- Phase 2** : Inundation of the water up to maximum water level
- Phase 3** : Remaining and Adjacent Properties
- \*DSI** : General Directorate of State Hydraulic Works
- \*\*MPWS** : Ministry of Public Works and Settlements

**NOTES:**

1. Time durations specified in the figure are estimates
2. The above chart is not to scale

Figure 8.2. Expropriation and Resettlement Flow Chart

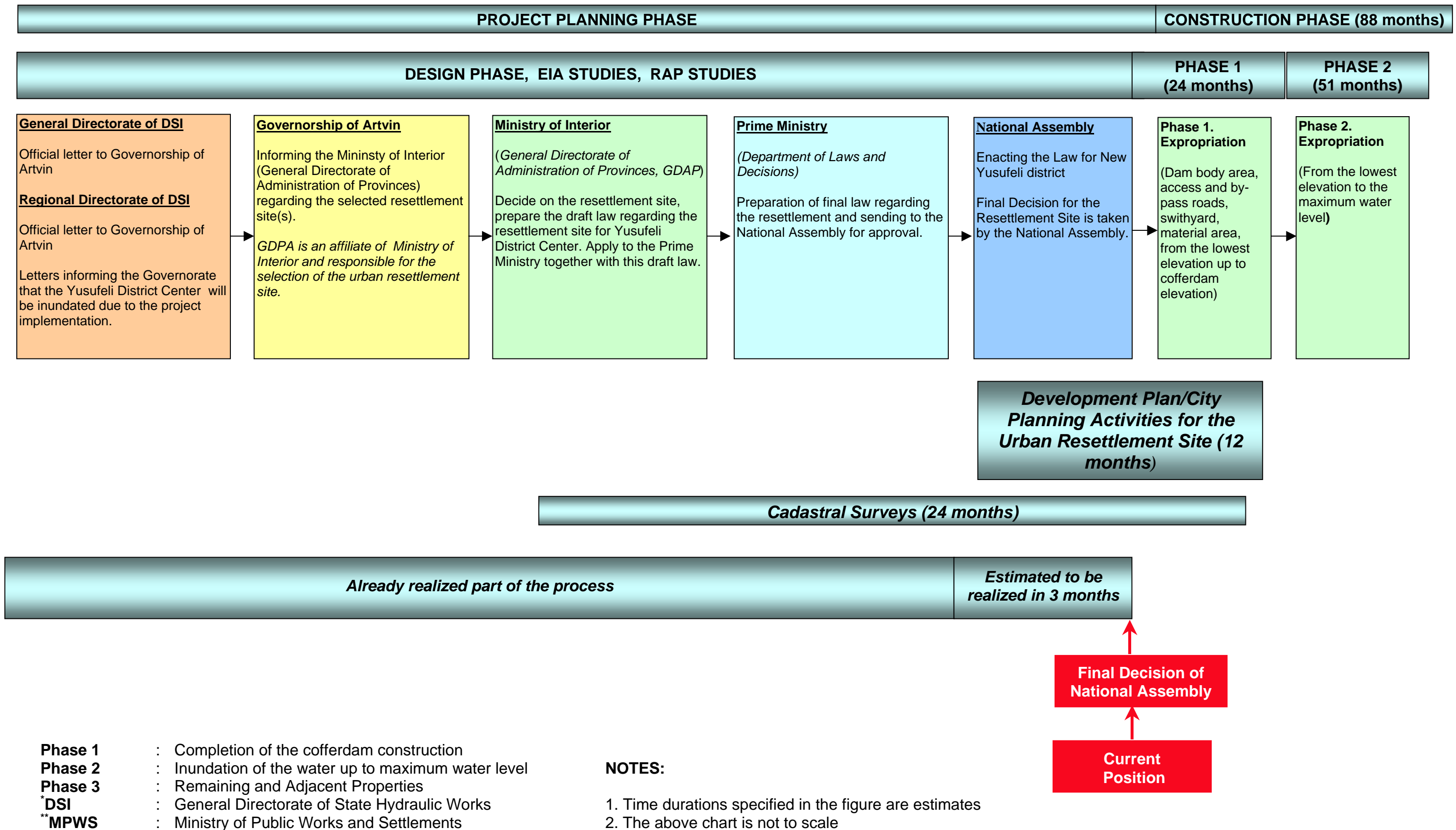


Figure 8.3. Resettlement Site Selection Decision Procedure For Yusufeli District Center (According To "Province Administration Law" – No: 5442)

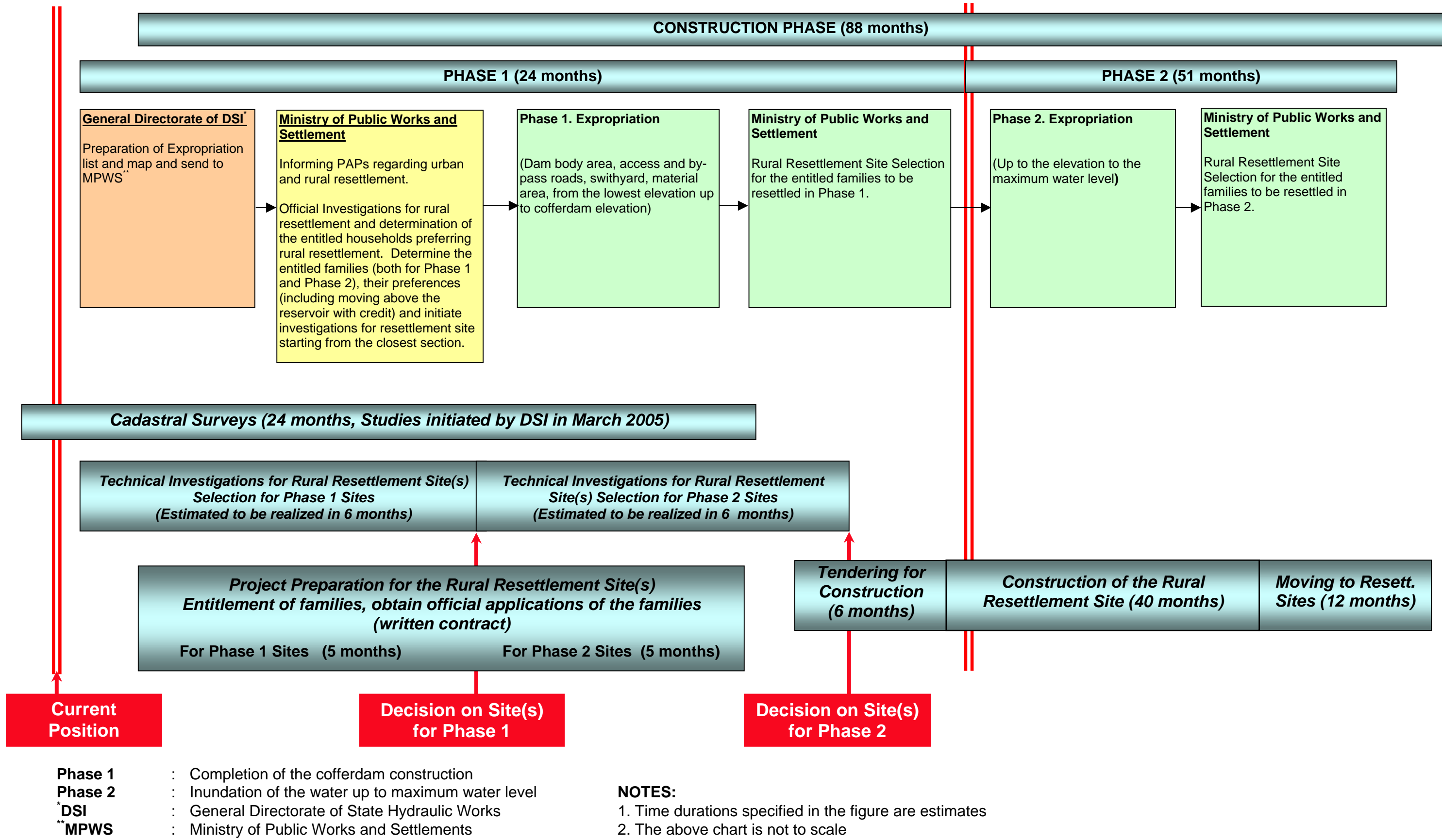


Figure 8.4. Rural Resettlement Site Selection Procedure (According To "Settlement Law" – No: 2510)