

February
2025

MERSIN CESMELI - KIZKALESİ HIGHWAY (CKH) PROJECT

Resettlement Action Plan (RAP) and
Livelihoods Restoration Plan (LRP)

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Abbreviations & Definitions

PABI	Project Affected Business Interview
AoI	Area of Influence
ASY	Assystem Energy and Environment Inc.
Contractor	KOLIN İnşaat Turizm Sanayi ve Ticaret A.Ş.
CLO	Community Liaison Officer
CORINE	Coordination of Information on the Environment
EM	Entitlement Matrix
CLS	Community Level Survey
CKH	Cesmeli - Kızkalesi Highway
CPI	Consumer Price Index
DSI	General Directorate of State Hydraulic Works
EIA	Environmental Impact Assessment
EP	Equatorial Principles
EPFI	Equator Principles Financial Institutions
ESMS	Environmental and Social Management System
ESIA	Environmental and Social Impact Assessment
E&S	Environmental & Social
GLAC	Guide for Land Acquisition and Compensation
M&E	Monitoring and Evaluation
HR	Human Resources
HLS	Household Level Survey
IFC	International Finance Corporation
CMB	Capital Markets Board
GM	Grievance Mechanism
KGM	General Directorate of Highways
KII	Key Informant Interview
LRP	Livelihoods Restoration Plan
MOI	Mersin Otoyolu Yatırım ve İşletme A.Ş.
MoEUB	Ministry of Environment, Urbanization and Climate Change
MOAF	Ministry of Agriculture and Forestry
NGO	Non-Governmental Organization

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RAP&LRP

MoTI	Ministry of Transport and Infrastructure
PACE	Households Affected by the Project
PAH	Project Affected Household
PAP	Project Affected Person
Project Company	Mersin Otoyolu Yatırım ve İşletme A.Ş. (MOI)
Project Owner	General Directorate of Highways (KGM)
PS	Performance Standards
RAP	Resettlement Action Plan
SEP	Stakeholder Engagement Plan
SIA	Social Impact Assessment
TLS	Transitional Livelihood Support
TRGM	General Directorate of Agricultural Reform
TurkStat	Türkiye İstatistik Kurumu
BOT	Build-Operate-Transfer

This document is the public version of the "Resettlement Action Plan (RAP) and Livelihood Restoration Plan (LRP)". In this version presented to the public, some information has been removed in order to protect personal data, and the scope, objectives and basic commitments of the document are preserved and shared within the framework of the principle of transparency.

1. INTRODUCTION

This Plan presents the Resettlement Action Plan (RAP) and the Livelihood Restoration Plan (LRP) for the 'Cesmeli - Kızkalesi Highway Project (hereinafter referred to as the 'CKH Project' or 'Project') and has been prepared by Assystem Energy and Environment Inc. (ASY) on behalf of Mersin Otoyolu Yatırım ve İşletme A.Ş. (hereinafter referred to as 'MOI' or 'Project Company').

The CKH Project is a part of the Cesmeli-Erdemli-Silifke-Tasucu Highway Project, which is planned for transportation in Mersin province of Turkey and developed by the General Directorate of Highways (KGM)

KGM has decided to implement the CKH Project in accordance with the provisions of the Law on the Implementation of Certain Investments and Services within the Framework of the Build-Operate-Transfer (BOT) Model and the Implementing Regulation (Law No. 3996). The tender for BOT of the Çeşmeli-Kızkalesi Section was held by KGM, and the Project Company has been awarded for the implementation of this Project.

Since the Project Company is considering international finance for the implementation of the CKH Project and given that the Project is a Category A project, MOI is required to prepare an Environmental and Social Impact Assessment (ESIA) Report and also this RAP&LRP in accordance with International Finance Corporation (IFC) Sustainability Guidelines, Performance Standards 5 (PS5).

The RAP&LRP, which identifies communities and households affected by the project's land acquisition and land use; It is a specific action plan that assesses the physical and economic displacement impacts and plans a compensation and resettlement strategy to manage the impacts of the Project's land need.

2. PURPOSE AND SCOPE OF THE RAP

The Project acts in accordance with all IFC E&S Performance Standards, mainly in Performance Standard 5 and Equator Principles (EPs) within this report, to minimize the impacts on the affected people and explains how to implement measures to minimize the resettlement impacts of the Project and monitor the effectiveness of mitigation measures through this RAP&LRP. The main objectives of IFC E&S performance standards are:

- To avoid, and when avoidance is not possible, minimize physical displacement by exploring alternative project designs,
- To avoid forced eviction,
- To anticipate and avoid, or where avoidance is not possible, minimize adverse social and economic impacts from the land acquisition or restrictions on land use by (i) providing compensation for loss of assets at replacement cost and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected,
- To store or improve, the livelihoods and standards of living of displaced persons,
- To store or improve, living conditions among physically displaced persons through the provision of adequate housing with security of tenure at resettlement sites.

This RAP including LRP is prepared to address the adverse land based socio-economic risks and impacts of the project. The specific objectives of the LRP and the RAP are:

- Provide information on the national legislation and international standards governing land expropriation,
- Define potential land-based impacts and their magnitude, affected parties including vulnerable groups,
- Set out the steps of land acquisition (LA) process and institutional arrangements,
- Define potential entitlements and prepare a strategy for achieving the objectives of the resettlement/compensation package,
- Provide an implementation plan to ensure timely acquisition of assets, provision of compensation and delivery of other benefits to Project Affected Persons (PAPs),
- Provide information on consultation, participation and grievance mechanisms in project planning and implementation,
- Provide budget for required resources for implementation of RAP, and
- Provide a plan for engagement, supervision, monitoring and evaluation of resettlement implementation.

3. PROJECT DESCRIPTION

3.1 Description of the Project

CKH Project is planned for transportation in Mersin Province of Türkiye and developed by KGM, a public institution affiliated to the Ministry of Transportation. The Project is a section of the Çeşmeli-Erdemli-Silifke-Taşucu Highway Project (herein after “CKH Project” and “the Project”), which will be the continuation of the Tarsus-Adana-Gaziantep Highway that is currently in operation and provide an uninterrupted transport link between the Mersin, Adana, and Gaziantep.

KGM has decided to carry out the CKH Project in accordance with the provisions of the Law on the Implementation of Certain Investments and Services within the Framework of the Build-Operate-Transfer (BOT) Model and the Implementing Regulation (Law No. 3996). Accordingly, on September 23, 2021, KGM held a tender for the "Cesmeli-Erdemli-Silifke-Tasucu Highway Project, Cesmeli-Kizkalesi Section" and the MOI, which was established by KOLIN İnşaat Turizm Sanayi ve Ticaret A.Ş. (“KOLIN” or the Engineering-Procurement-Construction (EPC) Contractor), was tendered for the implementation of this CKH Project.

The contract for the CKH Project was signed by MOI on December 22, 2021. According to the tender contract, the concession period is 16 years, including the 3-year construction phase. The operating rights of CKH will be transferred back to KGM at the end of the 16-year contract period.

CKH Project route starts from the intersection of Çeşmeli Highway with D-400 State Road and ends at Kizkalesi Intersection at Km: 40+250.000 by running 2 km parallel to D-400 State Road at the north (see Figure 3-1). The connection roads will link the CKH route to D-400 State Road from the east and west of Erdemli District and CKH route will be completed with a connection road to Kizkalesi.

The intention of CKH Project is to accommodate most of the transit traffic currently flowing on the existing roads and thereby, to reduce traffic volume on the state roads, particularly during the summer months when traffic density is higher due to touristic activities. Another objective of the Project is to provide a high standard, comfortable, safe and shorter transportation. The total length of CKH Project 52 km, of which 41 km is the main road, 11 km is the connection road and other side roads.

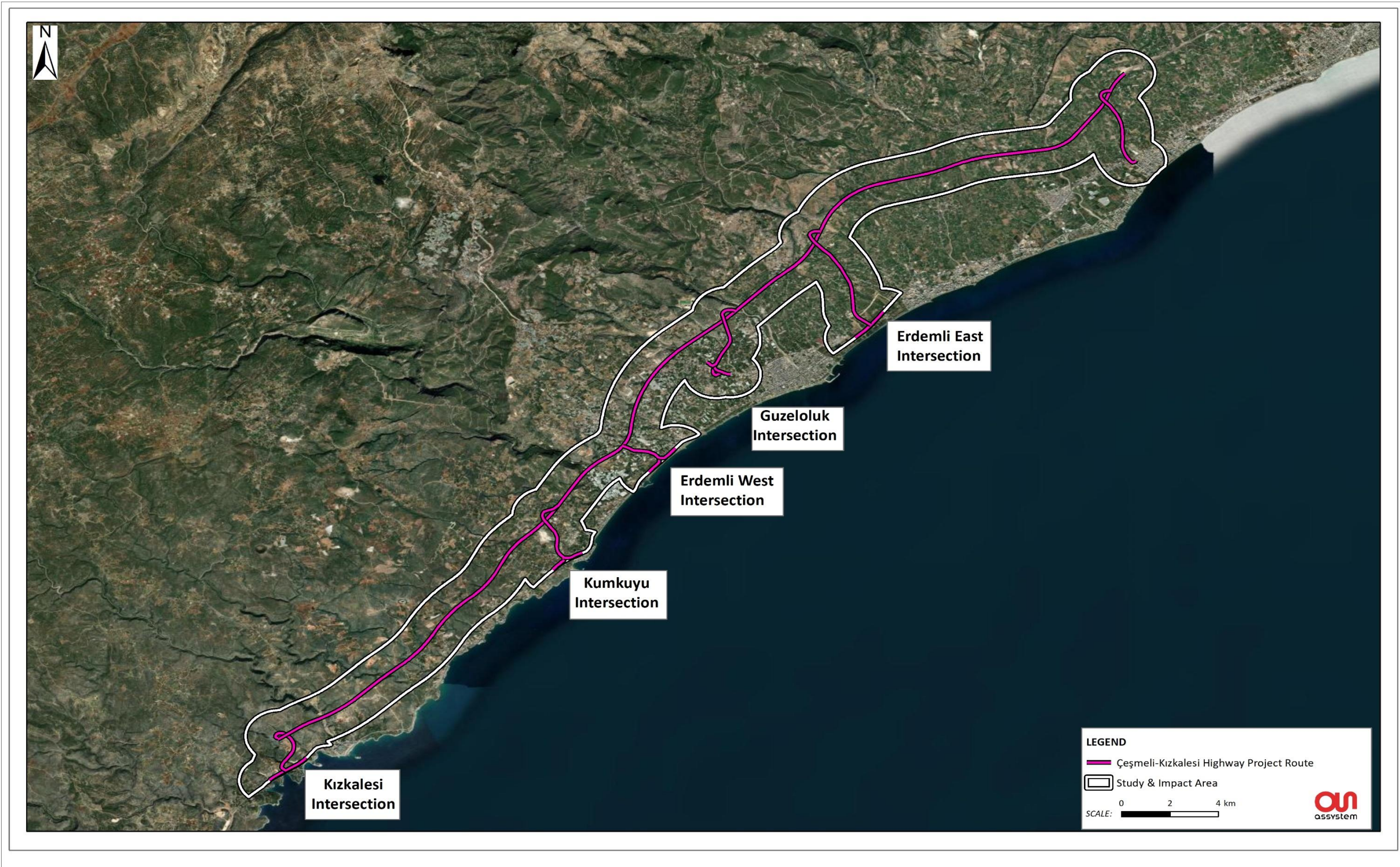


Figure 3-1 Main roads and connection lines (Source: ESIA of the Project, 2024)

The main components of the CKH Project are as follows:

- Engineering structures, including intersections, overpasses, underpasses, viaducts, bridges, tunnels, culverts, and
- Service facilities, including Highway toll link system and service areas.

While all necessary expropriation procedures are carried out by KGM in accordance with the provisions of the Expropriation Law (Law No. 2942), the responsibility of the Ministry of Interior is to submit the inventory of assets to KGM.

In accordance with the Article 69 of the "Implementation Regulation of the Law on the Assignment of Organizations Other than the General Directorate of Highways with the Construction, Maintenance and Operation of Access-Controlled Highways" (Official Gazette dated 01.03.1993 and numbered 21552). Pursuant to the article, the necessary expropriation procedures for highway-related service facilities are carried out by KGM.

The General Directorate of Highways of the Republic of Turkey (KGM) is the owner of the CKH Project. It is a public institution affiliated to the Ministry of Transport and Infrastructure of Turkey (MoTI), responsible for the planning, design, construction, maintenance and operation of highways, state and provincial roads, with a special budget for financing. This Authority also sets standards for the construction, repair and maintenance of the road network and updates the relevant national technical specifications. KGM's responsibilities in the construction of the CKH Project include:

- Control of design work,
- Control of construction works,
- Legal procedures for expropriation within the scope of the project.

In this project, KGM has signed a contract for the design, construction and operation of the highway by applying the Public-Private- Partnerships (PPPs) as an alternative financing model. At the end of the 16-year contract period, the CKH will be transferred back to KGM. The Project Company, as a subsidiary of KOLIN, is responsible for the implementation of the CKH Project. Therefore, the responsibility for the implementation of the LRP&RAP belongs to the Project Company.

4. NATIONAL AND INTERNATIONAL REGULATIONS AND STANDARDS

4.1 National Legislation

4.1.1 Turkish Constitution

The Turkish Constitution, Article 46, under Subsection 3 of the Section 3 with the heading of “Social and Economic Rights and Responsibilities”, addresses expropriation issues. The article states that whenever a development project serves the public interest, the government is authorized to initiate and execute an expropriation process. All hydropower, airport, highway and other roads, and similar large-scale infrastructure projects are considered to be in the public interest and provide the basis for Article 46. Article 46 is dedicated to the Expropriation Law.

The specific article of the Constitution states that, except in special cases, the compensation value and the decreed increased value will be paid in full and cash to the users. The compensation of the farmers farming the acquired land is paid in full and cash, in any case. Private users on public lands are not addressed by local laws or regulations unless they have an official rental agreement with the government.

Even when land is acquired for a public interest, expropriation agencies cannot benefit from the expropriation of private lands and assets without paying into a bank account the value of the expropriated assets in advance of land entry.

Articles 44 and 45 of the Constitution indirectly relate to resettlement activities. Article 44 addresses land ownership and stipulates the responsibility of the government to protect the landless and those with inadequate land. Article 45 describes the responsibility of the government to support those working on agricultural and stockbreeding activities. Article 56 reaffirms the right of all to live in a healthy environment.

4.1.2 Expropriation Law (No. 2942)

Article 3 - Basis of Expropriation

For the implementation of large projects that concern issues such as energy, irrigation, afforestation etc., administrations may expropriate by paying the expropriation fee for the immovables, resources and their easement rights in cash or as a down payment in equal instalments, as required for the conduct of public services or interventions they are obliged to provide according to laws.

Article 4 - Establishment of Easement Rights

An easement is a legal right to use of land of another, without the right to possession of that land, or to take any part of the soil or produce of such land. By Article 4 of the Law No: 2942, instead of expropriating an immovable property, an easement can be granted for a certain portion, elevation and depth of the immovable property or for the resource in Türkiye, if adequate for the purpose. However, there is no need to take easement right in this Project.

Article 7 - Initial Procedures to be Performed for Expropriation and Administrative Annotation

The administration that is to perform the expropriation prepares or commissions a scaled plan indicating the borders, surface area and type of the immovable assets of resources on which expropriation is to be constituted or appurtenances are to be constituted by way of expropriation, enables that the owners of the expropriated immovable asset, the ownerships if no title deed registrations are present and their

addresses by binding them to documents through an inquiry it would conduct on the land registry, tax and population registry records as well as additional inquiries.

After the administration decides on expropriation, the related annotation is dropped into the title deed offices where the mentioned immovable asset is registered. If the owner changes after the annotation notification date, the title deed administration is obliged to notify the administration of any changes to occur in the ownership or the rights in kind that are separate from the ownership.

If the document to be obtained from the court indicating that a request for the identification of the expropriation fee and the registration in the name of the administration as per Article 10 is not submitted to the title deed offices within six months starting on the annotation date, this annotation is automatically dropped from title deed records by the title deed offices.

Article 8 - Procurement Procedure

According to Article 8, after the expropriation decision is taken, the administration will appoint one or more valuation commissions (consisting of at least 3 people) to value immovables. Additionally, one or more negotiation commissions (again consisting of at least 3 people) will be assigned for negotiations.

After the administration has notified the owner of its intent to take over the immovable, shall the owner or its representative apply to the administration (within 15 days after notification) with the intent of selling the immovable, negotiation meetings are held on the date identified by the commission and if an agreement is reached on an amount that is not more than the estimated value, an official agreement protocol is signed. With this sign-off, all rights are agreed to be transferred to the administration and any further legal attempt at any objection will not be considered.

The administration prepares the amount agreed in the protocol within forty-five (45) days and asks the owner to transfer the ownership rights in the name of the administration on the date specified in the title deed. The expropriation fee is paid as soon as the transfer of rights is realized.

In cases where an agreement is not reached or transfer is not realized, action is taken in court either for Article 27 (Urgent Expropriation) or Article 10 (Determination of Land Value and Registration Case) of this Law.

Article 10 - Identification of the Expropriation Compensation by Court and Registration of Immovable in the Name of the Administration

Article 10 states that, if the expropriation cannot be realized through procurement for any reason, the administration applies to the court of the first instance in the locale of the immovable and requests that the expropriation compensation for the immovable asset be identified and a decision be made for its registration in the name of the administration in return for the payment of this fee.

Within 30 days of the application of the administration, the Court notifies the owner of the immovables through an annotated invitation on the date of hearing. To those whose addresses could not be found after inquiries, an announcement is made according to Notification Law (No. 7201) inviting them to attend the hearing. The Court also publishes information on the expropriation at least once in a local newspaper (if there is any) issued in the location of the immovable and in one of the newspapers circulated across Türkiye.

On the day of the hearing, the judge invites the parties to reach an agreement on the value of the immovable. If an agreement is reached, the judge considers this compensation amount to be the

expropriation fee. In cases where an agreement is not reached, the judge schedules a site survey (within ten days) to identify the value of the immovable asset and a date for the second hearing (within thirty days after the expedition).

On the second hearing, if the parties fail to agree on the value once again, the judge will assign a new expert committee for the valuation within fifteen days and then identifies a fair and equitable expropriation fee by referencing both the reports and statements of the parties and experts. The identified fee is the expropriation fee of the immovable, resource or its easement rights. The Court grants fifteen days to the administration for the fee to be deposited in a bank on behalf of the owner. In cases where the right holder could not be identified, the court decides on the registration of the immovable in the name of the administration under the circumstances that the bank receipt indicating the amount was blocked to be given to the right holder to be revealed in the future and that this decision is notified to the title deed department and the bank where the fee was deposited. The provision on registration is definitive and the parties reserve their rights for appeal pertaining to the fee.

Article 11 - Principles for the Identification of the Expropriation Fee

This article states that “The expert committee to be formed as per Article 15 will go to the location of the immovable or resource to be expropriated with the court delegation, hear the statements of related parties present and draft a justified report that identifies the expropriation fee”.

The identification of the value of the immovable does not consider any value increase caused by the public works and services realized through expropriation as well as any profit that would be caused by future uses.

Article 12 - Partial Expropriation

The value of the partially expropriated immovable is defined in this Article, whereas it also states that if the part of the immovable excluded from expropriation is suitable for utilization under the public works legislation, the expenses and cost required for the restoration of any installations to a usable status will be calculated and added to the expropriation fee.

The value of the immovable property that is partially expropriated shall be estimated as follows:

- Provided that there does not exist any change in the value of the non-affected part of the immovable property, the value of the partially expropriated immovable property shall be equivalent to the proportion to be expropriated at the amount determined for that immovable property according to the provisions of Article 11.
- If there is a decrease in the value of the non-affected part, the value of the partially expropriated immovable property will consist of the expropriation fee determined for the affected part of the immovable property in compliance with paragraph (a) plus the amount corresponding to the decrease of the value of the non-affected part.

Shall the remaining part of a partially expropriated immovable be not suitable for utilization, this part also may be expropriated upon the written application made by the legal owner within thirty days of the notification of the expropriation decision in cases where no lawsuits were filed in the administrative court against the expropriation procedure.

Unviable lands:

If the remaining part of the expropriated property is not economically suitable for cultivation/benefit or is not accessible, an application for expropriation of the remaining property must be made within thirty

days after the submission of a written notice without the need to file a lawsuit in the administrative court (pr.7).

Article 14 - Right to a Lawsuit

A lawsuit for cancellation of land acquisition decision in the administrative court or for correction of the material errors may be filed against the expropriation procedure within thirty days as of the date of notification issued by the court as per Article 10 - the date of notification is replaced by the date of the announcement in the newspaper by the court for those who could not be notified- by the owner of the immovable asset subjected to expropriation.

Article 18 - Dispute on the Ownership

The administration identifies whether there are any disputes on the immovable to be expropriated by performing an inquiry at the title deed offices, cadastral offices and civil courts in the location of the immovable. Shall the inquiries indicate that there is a dispute on its ownership or that it was subject to a lawsuit, the entirety of documents prepared as per Article 10 is submitted to the civil court of first the instance of the location of the immovable and is requested that the expropriation fee of the immovable is determined as well as its registration is made in the name of the administration in return for the payment to be made to the right holder as soon as they have been determined as per the ongoing dispute case.

The initial and consequent instalments of the expropriation fee identified by the court are deposited in the time deposit accounts with quarterly terms each at the bank designated by the court.

The process to be followed to resolve the disputes on ownership will be in line with the procedures defined in the relevant legislation.

Article 19 - Registration of Immovable Properties Not Registered in The Land Registry And Rights of The Possessor

As a result of the research conducted by the administration, it is determined that the immovable property that is not registered in the title deed, which is decided to be expropriated, is not among the public properties listed in Article 16 of the Cadastre Law No. 3402. If it is determined that the immovable property is in possession and that a claim has been made to acquire it by possession, experts carry out an examination. Evidence is collected and a report is prepared. In this report, the surface area of the immovable property, the identity of the possessor, tax registration, the starting date and duration of possession, and whether the conditions for gaining ownership have been met are stated.

The court determines the expropriation fee of the immovable property in the procedure and within the period specified in Article 10. If possession is accepted from the information and documents provided by the administration, the court notifies the possessor.

If there is no objection by the Treasury or a third party within thirty days from the last announcement, the amount determined by the court as the expropriation fee is deposited to the bank specified in the announcement on behalf of the possessor. If necessary, this period may be extended by the court for once. If the administration submits to the court the receipt stating that the expropriation fee has been deposited in the name of the possessor, the court decides to register the immovable property in the name of the administration and to pay the expropriation fee to the possessor, and this decision is notified to the land registry office and the bank where the money was deposited.

Article 25 - Limitation of Rights and Transfer of Ownership to the Administration

The expropriation procedure is initiated through the notification conveyed by the Court as per the Article 10, regarding exercising of rights and fulfilment of obligations. The transfer of ownership to the administration is realized based on the decision for registration taken by the Court.

The owner of the immovable loses his/her rights to engage in activities such as construction or cultivation or to make fundamental changes in the current structure of the immovable after the date of the registration decision taken by the Court. The value of activities performed after this date is not considered.

An additional paragraph added in 2013 states that for large projects such as dams, irrigation networks and pipelines, highways, railways, harbours and airports, the decision for the public interest is announced in the mukhtar's office of the settlement where the immovable to be expropriated is located. After the last day of the announcement (public interest), the cost of the fixed installations on the immovable and the trees planted are not considered in the identification of the expropriation fee. This limitation for the immovable may not be more than five years after the announcement has been made.

Article 27 - Urgent Expropriation

For the expropriation of immovable required in cases of need or urgency for the defence of the country or in extraordinary situations decided by the President or envisaged in special laws as part of the enforcement of the Law on the Obligation for National Defence number 3634, the immovable asset at stake may be confiscated by means of the administration depositing the amount for the value of the said immovable asset identified by the court as per the principles in the Article 10 (Amended statement: 24/04/2001 - 4650/Article 15) and via the experts selected as per the Article 15 at the bank stated in the invitation and announcement made according to the Article 10 (Amended statement: 24/04/2001 - 4650/Article 15) within seven days upon the request by the related administration with the procedures other than the value appreciation to be completed later on.

Urgent Expropriation, Article 27 of the Law

- In cases where a resolution will be issued by President or in extraordinary cases prescribed by special laws,
- As for the expropriation of immovable property, an immovable property can be seized by the court by depositing in the name of the owner the value of that immovable property as determined by experts to be selected as per Article 15 within the framework of principles in Article 10 into the bank as specified in the invitation and notice to be made according to Article 10 within seven days upon the request of the relevant administration on the condition that actions other than valuation are completed later on.

In terms of urgent expropriation, land valuation performed by experts appointed by the court is only a determination and is not decisive. After this price is determined and deposited by the Administration into the account number as determined by the court, actions stipulated in Articles 8, 9 and 10 shall apply.

In this project, land acquisition will be provided by Article 27 (for Urgent Expropriation Decision, see Appendix A1. Public Benefit and Urgent Expropriation Decision).

Article 30 - Transfer of an Immovable Owned by an Administration to Another Administration

This article articulates that immovable, resources and easement rights owned by public legal persons and agencies may not be expropriated by another public legal person or agency.

The administration that requires the immovable, resource or easement rights identifies the fee according to Article 8 of Expropriation Law. It lodges a written application at the administration owning the asset by stating the amount it would pay based on this fee. If the owner of the asset fails to abide by the transfer and respond within sixty days, the conflict is settled via an affirmed decision within two months after being inspected by the relevant administrative office of the Council of State upon application by the receiving administration.

If the parties fail to reach an agreement on the price, the receiving administration lodges an application at the court according to the procedure written in Article 10 within thirty days of the notification date of the Council of State decision asking for the expropriation fee to be identified. In the adjuration process to be conducted in this case, the court does not enforce the provisions of the Law dated 9/6/1938 and number 3533.

A period of fifteen days is granted to the receiving administration for the fee identified as the expropriation fee as per the procedure envisaged in Article 10 to be deposited in the bank specified by the administration to be given to the asset-owning administration and the receipt of the fee deposited to be submitted. This period may be extended as necessary only once by the court. The court decides on the registration of the immovable asset in the name of the administration and the expropriation fee to be paid to the asset-owning administration upon the submission of the receipt indicating that the expropriation fee was deposited by the receiving administration in the bank in the name of the asset-owning administration and this decision is notified to the title deed department and the bank where the money was deposited. The provision on registration is definitive and the parties reserve their rights for appeal concerning the fee.

The immovable, resource and the easement rights thus taken over are deemed to have been received via expropriation and they cannot be used for transfer purposes or any public purposes other than those allowed by the transferring administration. Otherwise, the transferring administration may receive the immovable back as per Article 23. This matter is annotated in the field of declarations in the title deed log.

4.1.3 Forest Law (No. 6831)

By the Forest Law, the Project must obtain permission from the Ministry of Agriculture and Forestry (MoAF) to perform activities in forests or lands classified as forests and is required to indemnify damages to public forests resulting from the construction.

The use of forestry and pastureland is regulated by Forest Law No.6831 and Pasture Law No. 4342. Registration of the ownership rights will be carried out following Cadastral Law No. 3402, and Land Registry Code (Official Gazette No. 28738).

According to Law (17.06.2004 article 5192/1), the Ministry has the authority to permit the use of forestland. This permission cannot be longer than 49 years.

4.1.4 Pasture Law (No. 4342)

According to this Law based on the views of the Pastureland Commission the Governors in project affected provinces have the authority to permit altering the classification of pasturelands.

Neither the right of the public nor of the specific users of pastures is recognized under the local legislative framework. Compensation will be paid for pasture lands to the relevant public agencies.

4.1.5 Cadastral Law (No. 3402)

The Cadastral Law determines the boundaries and legal status of immovable assets based on the national coordinate system and the cadastral or the topographic cadastral maps to register land and to constitute the basis of the spatial information system as the Civil Law (No. 4721) stipulates.

4.1.6 Agricultural Reform Law (No. 3083)

The Agricultural Reform Law regulates several issues for lands that are irrigated and that have been determined by the President. The Law covers matters regarding land consolidation and allocation of land for other purposes rather than agriculture in case of need. It is stipulated in the Law that in areas where agricultural production has no longer economic viability due to fragmentation, land consolidation works will be realized to prevent fragmentation that will result in affecting both on the livelihood and the work force of any family.

4.1.7 Notification Act (No. 7201)

The Notification Law No. 7201, with its amendments in 2003, 2008 and 2011, provides the basis for a process of notification for property owners. It consists of specific procedures to be followed to reach a range of public and private owners, including those whose addresses are unknown. According to the Law, notification provisions include mail to known addresses; seeking support from local authorities; publication through an advertisement placed in a national newspaper published throughout the country in significant numbers; and electronic communications. The Law guides communicating with different categories of shareholders, including resident owners, absentee owners, owners outside Türkiye, and various public agencies. The specificity and broadness of the Law support international policies' emphasis on communications and consultation.

The Notification Law details the process of notification for landowners and land users whose address is unknown as determined by the Notification Officer. According to the modifications made in the Law in 2011 (Article 10), the notification can be made wherever appropriate for the affected owner and/or to the last address known. If the person cannot be reached, notification is sent to the last known residence and is directed to the settlement or municipal quarter mukhtars.

4.1.8 Land Registry Code (Official Gazette No. 28738)

This code aims to keep the land registry records in order concerning Civil Law (No. 4721). It comprises of the principles and procedures pertaining to ownership, limited real and individual rights of immovable assets, and their entry, amendment, cancellation and rectification to the land registry.

Some other national laws indirectly related to land acquisition and RAP are also applied when necessary:

- Regulation on Control of Soil Contamination and Point Source Contaminated Lands (Official Gazette dated 08.06.2010 and numbered 27605)
- Control of Excavated Soil, Construction and Demolition Wastes (Official Gazette dated 18.03.2004 and numbered 25406)
- Soil Conservation and Land Use Law (Official Gazette dated 19.07.2005 and numbered 5403)
-) Regulation on Building in Disaster Areas (Official Gazette dated 14.07.2007 and numbered 26582)

- Regulation on Building Earthquake in Türkiye (Official Gazette dated 18.03.2018 and numbered 30364)
- Law on the Protection of Personal Data (No: 6698)

4.2 International Standards

4.2.1 IFC Performance Standards

International Finance Corporation's (IFC) Sustainability Framework articulates the Corporation's strategic commitment to sustainable development and is an integral part of IFC's approach to risk management. The Sustainability Framework comprises IFC's Policy and Performance Standards on Environmental and Social Sustainability, and IFC's Access to Information Policy. The Policy on Environmental and Social Sustainability describes IFC's commitments, roles, and responsibilities related to environmental and social sustainability. IFC's Access to Information Policy reflects IFC's commitment to transparency and good governance in its operations and outlines the Corporation's institutional disclosure obligations regarding its investment and advisory services.

According to the Guidance Note 5 of IFC, where land acquisition and resettlement are the responsibility of the government, the client will collaborate with the responsible government agency, to the extent permitted by the agency, to achieve outcomes that are consistent with this Performance Standard. In addition, where government capacity is limited, the client will play an active role during resettlement planning, implementation, and monitoring.

IFC uses the Sustainability Framework along with other strategies, policies, and initiatives to direct the business activities of the Corporation to achieve its overall development objectives. The Performance Standards may also be applied by other financial institutions.

The fifth standard (PS5 - Land Acquisition and Involuntary Resettlement) in this list form the basis of this RAP:

PS5: Land Acquisition and Involuntary Resettlement

Performance Standard 5 recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons that use this land. Involuntary resettlement refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or other means of livelihood) because of project-related land acquisition and/or restrictions on land use. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in physical or economic displacement.

This occurs in cases of (i) lawful expropriation or temporary or permanent restrictions on land use and (ii) negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail. Project Company will achieve the objectives of IFC PS5.

This Performance Standard applies to physical and/or economic displacement resulting from the following types of land-related transactions:

- Land rights or land use rights acquired through expropriation or other compulsory procedures per the legal system of the host country,

- Land rights or land use rights acquired through negotiated settlements with property owners or those with legal rights to the land if failure to reach settlement would have resulted in expropriation or other compulsory procedures,
- Project situations where involuntary restrictions on land use and access to natural resources cause a community or groups within a community to lose access to resource usage where they have traditional or recognizable usage rights,
- Certain project situations requiring evictions of people occupying land without formal, traditional, or recognizable usage rights,
- Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, freshwater, medicinal plants, hunting and gathering grounds and grazing and cropping areas.

According to the standard, in the case of physical displacement, the Client will develop a Resettlement Action Plan that covers, at a minimum, the applicable requirements of this Performance Standard regardless of the number of people affected. This will include compensation at full replacement cost for land and other assets lost. The Plan will be designed to mitigate the adverse impacts of displacement; identify development opportunities; develop a resettlement budget and schedule and establish the entitlements of all categories of affected persons (including host communities). Particular attention will be paid to the needs of the poor and the vulnerable. The Client will document all transactions to acquire land rights, as well as compensation measures and relocation activities.

If people living in the project area are required to move to another location, the client will (i) offer displaced persons choices among feasible resettlement options, including adequate replacement housing or cash compensation where appropriate; and (ii) provide relocation assistance suited to the needs of each group of displaced persons. New resettlement sites built for displaced persons must offer improved living conditions. The displaced persons' preferences concerning relocating in pre-existing communities and groups will be taken into consideration. Existing social and cultural institutions of the displaced persons and any host communities will be respected.

In the case of physically displaced persons under paragraph 17 (i) or (ii), the Client will offer the choice of replacement property of equal or higher value, security of tenure, equivalent or better characteristics, and advantages of location or cash compensation where appropriate. Compensation in kind should be considered in lieu of cash. Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets.

4.2.2 Equatorial Principles 4

The Equator Principles (EP) is a risk management framework, adopted by financial institutions, for determining, assessing and managing environmental and social risk in projects and is primarily intended to provide a minimum standard for due diligence and monitoring to support responsible risk decision-making.

As per the fourth version of the EPs (July 2020), all Equator Principles Financial Institutions (EPFIs) must implement EP 4 by 1 October 2020. EP 4 comprises 10 principles. Principles relevant to the RAP, as listed below:

The relevant criteria for the RAP are under Principles 3, 5, 6 and 9:

- Principle 3: Applicable Environmental and Social Standards
- Principle 5: Stakeholder Engagement
- Principle 6: Grievance Mechanism
- Principle 9: Independent Monitoring and Reporting

Principle 3: Applicable Environmental and Social Standards

The Assessment process should, in the first instance, address compliance with relevant host country laws, regulations and permits that pertain to environmental and social issues.

EPFIs operate in diverse markets: some with robust environmental and social governance, legislation systems and institutional capacity designed to protect their people and the environment; and some with evolving technical and institutional capacity to manage environmental and social issues.

Principle 5: Stakeholder Engagement

For projects with potentially significant adverse impacts on Affected Communities, the client will conduct an Informed Consultation and Participation process. The Client will tailor its consultation process to:

- the risks and impacts of the project,
- the project's phase of development,
- the language preferences of the affected communities,
- their decision-making processes,
- and the needs of disadvantaged and vulnerable groups.

Principle 6: Grievance Mechanism (GM)

Grievance mechanisms are required to be scaled to the risks and impacts of the project, and will seek to resolve concerns promptly, using an understandable and transparent consultative process that is culturally appropriate, readily accessible, at no cost, and without retribution to the party that originated the issue or concern. Grievance mechanisms should not impede access to judicial or administrative remedies. The client will inform Affected Communities and Workers about the grievance mechanisms during the Stakeholder Engagement process.

Principle 9: Monitoring and Reporting

To assess project compliance with the Equator Principles after Financial Close and over the life of the loan, the EPFI will require independent monitoring and reporting. Internal and external monitoring activities are planned for this RAP&LRP.

4.3 Gap Analysis Between National Legislation and International Standards

There are some gaps between international standards PS5 and national legislation in regard to the preparation of RAP. RAP includes additional measures to eliminate such gaps. The main gaps between Turkish Law and IFC Policies are summarized in the table below.

Table 4-1 Main differences between Turkish legislation and IFC standards

Topic	IFC Standards	Turkish Legislation	Difference
Avoidance and Minimization	According to IFC PS5, involuntary resettlement should be avoided or minimized where possible.	There is no provision in the Turkish Expropriation Law regarding the prevention and minimization of resettlement. However, the physical displacement of local communities is not preferred by the State due to its high social and economic costs.	There is a legal loophole, but there is no gap in the implementation.
Census and Basic Information	According to IFC PS5, when restrictions on land acquisition or land use are unavoidable, the Borrower will, as part of the environmental and social assessment, conduct a census to identify the persons who will be affected by the project, to create an inventory of the land and assets to be affected, to determine who will be eligible for compensation and assistance, and to discourage unsuitable individuals, such as opportunistic settlers, from claiming benefits.	Turkish Law requires the preparation of an inventory of assets. Land acquisition by expropriation requires the preparation of an inventory of the affected immovable assets (full census) and a complete list of owners.	The national requirement is limited to the enumeration of immovable assets and legal title holders. Census and basic information on the population affected by the project as defined by IFC PS5, including tenants, common land users, landowners/occupiers without legal or customary title deeds, are not required.
Cash Compensation at Full Replacement Value	According to IFC PS5, when restrictions on land acquisition or land use (whether permanent or temporary) cannot be avoided, the Borrower will offer compensation to affected persons at the full cost of replacement and other assistance that may be necessary to help them	Valuation of agricultural land depends on capitalization of annual net income calculated by taking market prices into account. According to Article 3 of the Capital Markets Board (CMB) Communiqué on Valuation Standards in the Capital Markets (III-62.1), which came into force by being published in the Official Gazette dated 01.02.2017 and numbered 29966, "In the valuation activities	Pursuant to Article 3 of the Capital Markets Board (CMB) Circular on Valuation Standards, a CMB-licensed individual has valued the land and trees in accordance with PS5 and in line with international standards..

Topic	IFC Standards	Turkish Legislation	Difference
	improve or at least restore their standard of living or livelihoods.	carried out, the Valuation Experts Association of Türkiye and the Capital Markets Association of Türkiye" It is mandatory to comply with the published International Valuation Standards.	Structures are compensated using the reference values defined by the MoEUB and the construction costs provided by the market value. However, depreciation and demolition costs are deducted from the calculated values, but this is not in line with PS5.
Requirement to prepare a Resettlement Action Plan	According to IFC PS5, in the case of economic and / or physical displacement, the Borrower will develop a Resettlement Action Plan.	No legal provisioning forces the project proponents to prepare resettlement action plan under Turkish Law..	Resettlement planning is a key gap, since resettlement related documentation only includes cadastral information, asset list and compensations. There is no planning to improve or restore PAPs livelihoods to pre-project levels.
Loss of Business	In cases where land acquisition or restrictions on land use affect commercial structures, affected business owners will be compensated for the cost of reestablishing commercial activities elsewhere, for lost net income during the period of transition, and for the costs of the transfer and reinstallation of the plant, machinery, or other equipment.	National legislation provided compensation only the loss of property and/or structures.	National legislation does not contain provisions for the payment of compensation to business owners for loss of income resulting from expropriation.
Compensation and Restoration for Loss of Communal Assets	For persons whose livelihoods depend on natural resources and for whom project-related restrictions on access are envisaged, measures will	Communal assets are compensated according to Article 30 of Expropriation Law. The Article 30 of Expropriation Law No. 2942 articulates that immovable, resources and easement rights owned	Communal users of public lands, such as pastures, forest lands, treasury lands, or lands under the jurisdiction of other government agencies (municipalities,

Topic	IFC Standards	Turkish Legislation	Difference
	be taken to allow continued access to the affected resources or to provide access to alternative resources with the potential and accessibility to earn equivalent livelihoods. Where appropriate, benefits and compensations associated with natural resource use may be of a collective nature rather than directed directly at individuals or households.	by public legal persons and agencies may not be expropriated by another public legal person or agency. Properties owned by public institutions cannot be expropriated but only can be a subject to transfer. If there is no transfer in question allowed the dispute is solved in the Supreme Court. There is no compensation for displaced persons benefiting from pasture lands.	etc.), are not recognized and/or compensated.
Treatment of squatters / informal land users	IFC PS5 states that project related losses of the affected people should be compensated in full and in cash prior to the actual acquisition of immovable assets or access to land. These users should be added entitling to compensation	Assets located on public lands in the expropriation area and that can be documented to belong to individuals can be compensated in accordance with Article 19 of the Expropriation Law. However informal users of public lands without document are not entitled to expropriation compensation.	There could be no compensation in Turkish Expropriation Law for informal users/squatters on public lands if there is no document.
Measures for Vulnerable Persons	IFC states that particular attention should be paid to the needs of vulnerable groups, especially those below poverty line, the landless, the elderly, women and children. Livelihood restoration planning should provide special assistance to women, minorities, or vulnerable groups.	Expropriation Law does not specify vulnerable groups. However, under the Turkish Constitution, the State guarantees his citizens to continue their lives in peace and security, also socioeconomically encourage them to reach a higher standard of living. In this context, the State applies several rules and measures to protect and to support its needy, weak, helpless, and homeless citizens.	Turkish Land Expropriation Law does not address vulnerability. While the process considers social issues such as tensions, settlement relations, it does not specify approach for vulnerability and does not identify a strategy to ease the transition of vulnerable groups.

Topic	IFC Standards	Turkish Legislation	Difference
Livelihood Support and Restoration	According to IFC PS5, the borrower will provide transition support to all those who are economically displaced. PS5 stated that communities as well as households could be affected by the land-acquisition impacts of the project, and suggested that these impacts should also be managed under the RAP: "Where unavoidable, appropriate measures should be carefully planned and implemented to mitigate negative impacts on displaced persons and host communities."	There are no requirements for transitional support and livelihood restructuring in the national laws in force.	There needs to be a budget available for transitional support and livelihood restoration activities
Project-level Grievance Mechanisms (GM)	Where Affected Communities are located, the client shall establish a grievance mechanism to receive and facilitate the resolution of Affected Communities' concerns and complaints regarding the client's environmental and social performance.	Land acquisition process recognizes the right to object of the PAPs. Objections are recorded and responded in writing. In the expropriation process under national law, the owner's consent is sought for the immovable property in the first instance but not always consent is achieved and expropriation becomes compulsory. Expropriation involves compulsory appropriation of the immovable property by the State for public interest. However, Expropriation Law No. 2942 allows that the owner and occupant of the immovable property subject to expropriation and	There is no grievance mechanism requirement in the scope of local legislation.

Topic	IFC Standards	Turkish Legislation	Difference
		other concerned parties may file actions against the expropriation procedure or appraised values and errors of fact before judicial courts. Reference can also be made to the Law on the Use of the Right to Petition no 3071 and Law on the Right to Information No 4982 Right to Information No 4982 states "Institutions are required to apply administrative and technical measures to provide every kind of information and document, with the exceptions set out in this law, to provide the information for applicants; and to review and decide on the applications for access to information promptly, effectively and correctly."	

5. LAND REQUIREMENTS AND ACQUISITION OF THE PROJECT

The Project route is located in Mersin Province taking place in the Mediterranean Region and the beginning of this highway route starts from the intersection of Çeşmeli Highway with D-400 State Road, the beginning of the TAG Highway, runs parallel to D-400 State Road, starts at Km: -2+000 KM intersection and ends at Kızkalesi Intersection at Km: 40+250.000.

Land use characteristics in the defined ESIA study (2024) area in other words land acquisition corridor and at the footprint of temporary Project components to be installed are analyzed in detail via GIS tools providing data from CORINE Database and Parcel Query Application of General Directorate of Land Registry and Cadastre. According to land cover classification of Area of Influence (AoI), the majority of the lands around the project area fall into the categories of fruit trees and berry plantations, sclerophyllous vegetation, complex cultivation patterns. CORINE data on Land Cover Classification of AoI is summarized in Appendix E. For more detailed information on land categorization of AoI, see the project's ESIA.

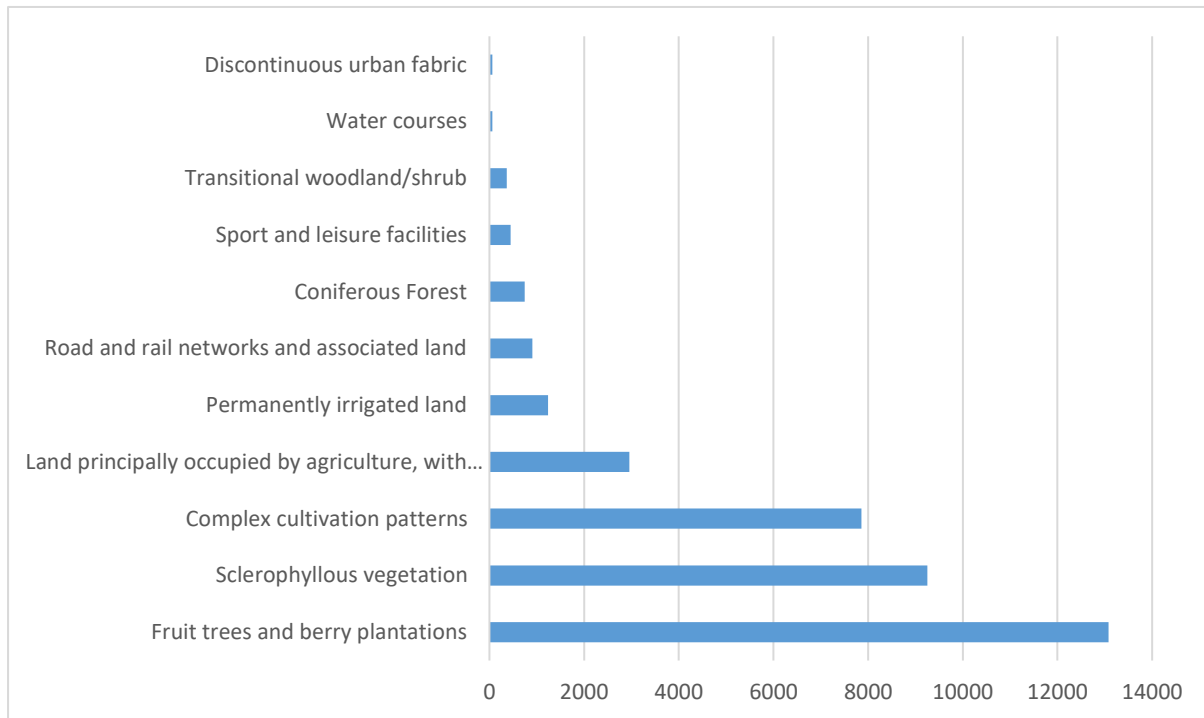


Figure 5-1 Analysis of AoI Land Cover Classification (ESIA, 2024)

5.1 Land Needs of the Project Area

The number of lands affected by the project **is 1562**.

1146 parcels are private lands. These lands have both agricultural activities, gardening and structures and are within the scope of the RAP field study. 13 parcels belong to legal entities.

416 of the affected parcels are public lands. 172 of these are service/unused areas such as pipelines, non-registered areas, roads. There is a possibility of informal users on other 244 public lands. Whether there are informal users on public lands have been questioned during the RAP preparation field study.

5.2 Evaluation of Alternatives

During the national Environmental Impact Assessment (EIA) process of the project, it became necessary to prepare an " Archaeological Due Diligence Report " in 2022. As a result of this evaluation, 172 cultural heritage assets were found in the expropriation corridor of the project. As a result of the "Archaeological Current Situation Report" prepared within the scope of the national EIA of the project, 57 new cultural assets found were registered by the Cultural and Natural Assets Protection Board.

The evaluations required the project to be revised. KGM revised and explained the new route selection of the project by preparing a "Revised Route Justification Report". KGM provided the revision information to the Project Company with its letter dated 28.12.2022 due to force majeure.

5.3 Acquisition of Private Land

Although the lands that will be affected by the project have been identified, the expropriation process has started. Public benefit and urgent expropriation decision has been taken for the project (Appendix A1). These decisions show the legal compliance of the project. Census and Asset Inventory studies are ongoing in line with IFC PS5.

The rights to be obtained within the scope of the project are as follows;

- **Ownership Right (Permanent Acquisition):** Ownership rights mean permanent land acquisition. The land expropriation is permanent, and the ownership right is registered under the name of the administration. Since a permanent facility will be built on the transferred land, the former owner cannot use the land.
- **Permanent Easement Right:** this right keeps the original owner as title deed holder but establishes right (as annotation) in favour of the administration. However, easement rights will not be obtained in this project.
- **Land Rentals through Lease Contracts:** In case of any temporary land need (e.g., for the camp site, storage area) land can be rented for a certain period under the terms and rates mutually agreed between the Contractor and the landowner. After the contract expires, the land will be reinstated and returned to its owner in its original condition.

On April 18, 2022, the Public Interest and Expropriation Decision was taken by KGM. Firstly, the land valuation process was completed according to the land valuation methodology presented below. KGM has carried out its valuation operations by receiving services from the private sector. During the construction of new roads and the expansion of existing roads by KGM, all kinds of underground and aboveground assets on the route are expropriated. Since these real estates are interrelated, valuation operations are carried out by a team of experts.

Expropriation along the highway line has been completed by 40% as of January 2025. Construction work has started on the expropriated lands. Expropriation procedures are ongoing in other areas. The situation on the basis of settlement is presented in 5.3.

5.4 Temporary Land Use

Temporary land use is planned for construction sites and storage areas. The lands to be used temporarily were selected from public lands that are not used for income-generating purposes, taking into account the technical requirements.

Table 5-1 Land used temporarily

Transient Components	Location	Assessment
Main Site Camp	118 Sk. No:163 Erdemli/Mersin (Accommodation) 118 Sk. No:163A Erdemli/Mersin (Office)	It is registered as Forest Land and has been taken over permanently through the allocation process.
T-2 Construction Site	Koyuncu Mah. 2. Doğu Kanal Sk. No:160 Erdemli/Mersin	It has a title deed registration as Treasury Land and has been temporarily taken over along with the allocation process. At the end of the project, the land will be rehabilitated and made available to the public.
Kızkalesi Construction Site	Narlıkuyu Mah. Tebelleş Sk. No:27 Silifke /Mersin	It has a title deed registration as Treasury Land and has been temporarily taken over along with the allocation process. The project will eventually be rehabilitated and made available to the public.
Storage	Koyuncu	These areas have been allocated as treasury and forest land and are used temporarily. It will be open to the public at the end of the project
Storage	Uctepe	
Storage	Shrine	
Storage	Kumkuyu Yemişkumu	

5.5 National Land Valuation Methodology

Under the Turkish legal framework, a valuation committee consisting of a minimum of three persons internally appointed by the agency responsible for land acquisition determines the estimated value of the immovable property to be expropriated, in consideration of the information and documents to be obtained from expert persons, institutions and authorities.

The valuation research materials consist of primary data obtained as a result of field studies conducted for each selected project area on the highway route and data obtained from secondary sources. The primary data constituting the main material of the research were obtained through surveys, counting and measurements. The surveys were conducted by the researchers themselves as a result of face-to-face interviews with land and plot owners, mukhtars, mayors and leading farmers in the region. The secondary data sources of the research consist of the results of previous research on agricultural valuation, records of relevant institutions, primarily the Provincial and District Directorates of Agriculture, and statistical data. The main difficulty encountered in the economic evaluation of agricultural assets is the difficulty in obtaining data related to enterprises. First of all, the input-output relationships, production costs and incomes of each agricultural product must be presented in a healthy manner.

In determining the values of the lands to be expropriated, the current usage status of the land (dry, irrigated field land and orchard), location and agricultural characteristics (irrigation status, rotation system, etc.) should be taken into account to determine the land revenues. For this purpose, the financial data collected from the owners and/or users of the parcels on and around the route with a

survey, regarding the last production year, and the physical data collected regarding a rotation period were used to determine the production costs based on the budget approach.

According to Article 3 of the CMB Communiqué on Valuation Standards in the Capital Markets (III-62.1), (which came into force by being published in the Official Gazette dated 01.02.2017 and numbered 29966,) "In the valuation activities carried out, the Valuation Experts Association of Türkiye and the Capital Markets Association of Türkiye" it is mandatory to comply with the published International Valuation Standards. For this reason, during the expropriation of lands, valuation is carried out in accordance with PS5. However, there are still gaps between national legislation and international standards during the expropriation of structures/buildings. Therefore, the additional compensations and mitigation methods required for the expropriation prices determined according to the national valuation method presented below to comply with IFC PS5 will be presented separately in the following sections:

- Resettlement and Compensation Strategy
- Livelihoods Restoration Plan

5.5.1 Valuation of plots

5.5.1.1 Agricultural land

Net Income Capitalisation is the valuation method used for calculating compensation for the loss of agricultural lands. The net income from Project affected agricultural land is determined based on the following steps:

- Gross income is calculated by multiplying the quantity of the annual crop produced by each land parcel by the crop unit price (e.g., a price per kg) for the relevant valuation year.
- Net income is obtained by subtracting the production costs associated with the annual crop from each land parcel, from the gross income for that crop.

The net income is then multiplied by the capitalisation rate, to obtain the national valuation of the compensation.

The formula used during the valuation of agricultural land is: $R / F = K$

R: Net income (gross income - production costs)

F: the capitalisation rate (risk related to the capital invested in agricultural land)

K: Value (national valuation of compensation)

The capitalisation rate is a key metric for the valuation of agricultural land. The net income of affected agricultural land is multiplied by this rate to determine its current value. The average capitalisation rate is calculated by dividing the yield of the crop (determined by the Ministry of Agriculture and Forestry annually, and its Provincial Administrations, each year) by the crop unit price. The independent asset valuation surveyors will then adjust the value of the land parcel depending on the specific characteristics (positive and negative) of the agricultural land being valued. Positive land characteristics will decrease the capitalisation rate, while negative characteristics will increase it.

Factors that positively affect the capitalisation rate (i.e., decrease the capitalisation rate) and therefore increase the calculated value of the agricultural land parcel are as follows:

- Proximity to a city or town,
- Proximity to access roads (land, railway, airway),

- Favourable transportation conditions,
- Buildings (if any) in good condition,
- Undivided land,
- Smooth and well-shaped land,
- Security and safety of land,
- Ease of purchasing and selling,
- Land having title deed registration,
- Cadastral surveys completed for land,
- High population densities,
- Easily changeable rotational cultivation system (applicability of crop diversity); and
- Favourable irrigation conditions, if it is irrigated land.

Factors that negatively affect the capitalisation rate (i.e. increase the capitalisation rate) and therefore decrease the calculated value of the agricultural land parcel would be the inverse of those listed above.

To ensure the net income capitalisation valuation has been correctly implemented, the independent asset valuation surveyors visit the land parcels to be expropriated to identify both the current land use, and to determine all the factors that may affect the final calculated value of the land parcel as defined in national legislation.

This approach identifies the final value required to provide compensation in accordance with national requirements and meet full replacement value as required by PS5.

5.5.1.2 Non-agricultural land

'Market Comparison Valuation Method' is the methodology used for calculating the value of non-agricultural land parcels in Türkiye. This valuation method for non-agricultural land parcels, defined explicitly in national legislation, is calculated by comparing the land parcel being valued to the sale prices of non-agricultural land parcels with similar characteristics.

5.5.2 Valuation of fixed assets on the lands

5.5.2.1 Trees

As per the Expropriation Law, a full tree count is carried out as part of the asset inventory update for each land parcel. This count records the type, age and diameter of all trees and other fixed assets in the expropriation corridor for the Project preferably with the property owners where possible. The national valuation method for compensating the value of a tree, is based on the following two criteria:

- Timber value; and
- Number of fruits produced by the tree.

The calculation of the timber value of a tree, and the average amount of fruit production, is informed by details such as the type, diameter, length and volume of the tree. The annual gross income from the tree is calculated based on the sum of the timber value and the income from the fruit sales (at average regional prices per standardised weight). The net income is then calculated by subtracting the cost of maintaining the productivity of the tree and the surrounding area, from the annual gross income.

According to the Expropriation Law, it is possible to make deductions such as "wood cost" and "cutting cost" during the valuation of trees. However, KGM pays compensation at full replacement cost of the trees without making such deductions in accordance with PS5 and the trees are cut by the Project Company.

In cases where the felled trees are returned to their owners, the compensation is paid by deducting the wood price/cutting price from the calculated compensation. KGM did not make this deduction and still returned the trees to their owners. The purpose of this application is to meet the expectations of international standards.

5.5.2.2 Structures

The valuation of residential and non-residential structures to be expropriated will be carried out by asset valuation surveyors under national legislation using set unit prices. These valuations will be based on the official unit prices of structures made from different primary materials (such as stone, brick, or wood) published annually by the Ministry of Environment, Urbanisation and Climate Change. These cost prices paid to the owner are prepared in line with the cost method which considers the completion ratio, cost of depreciation and debris.

The final value calculated for residential and non-residential structures for payment to the owner meets national requirements, however, it does not meet PS5 requirements, and as such additional compensation is required for residential and non-residential structures which are to be expropriated. Detailed information on additional compensations, relocation supports, and other entitlements is presented in Chapter 8 RESETTLEMENT AND COMPENSATION STRATEGY.

The project's principle of "compensation based on the cost of replacement" compensates for livelihood losses by replacing lost assets. However, some impacts may be permanent or reduce the resilience of livelihoods. Therefore, some groups are relatively more affected by other PAPs. Therefore, an additional Livelihoods Restoration Plan (LRP) will contribute to more sustainable and resilient livelihoods.

Eligible groups under the LRP are defined as "PICs under Significant Impacts" under this RAP&LRP.

5.6 Acquisition of Public Lands

The acquisition of public lands is as follows. While this type of acquisition is not inappropriate for PS5, users of public land can sometimes be overlooked. Therefore, additional commitments with respect to informal public land users are contained in CHAPTER 8 RESETTLEMENT AND COMPENSATION STRATEGY of this RAP&LRP.

5.6.1 Forestlands

Forest lands (wholly owned by the Ministry of Agriculture and Forestry) will be purchased through long-term lease (49 years) agreed by the local Forestry Directorates.

According to national legislation, no compensation is paid to the owner of assets located on forest lands. In this project, KGM also pays expropriation fees for informal assets on forest lands. Owners of structures and trees in forest lands are identified through "ownership identification" cases.

5.6.2 Treasury lands

The acquisition of Treasury land is processed by correspondence and no payment is made for these plots.

5.6.3 Lands belonging to other public institutions

Land owned by other state authorities (such as municipalities, Water and Sewerage Administration, General Directorate of Highways) is subject to Article 30 of the Land Acquisition Law. This process is very similar to private land ownership, but the negotiation is carried out in written correspondence.

5.6.4 Pasturelands

Land allocated for pasture will be acquired through changing the status from pastureland to Treasury land and will be treated as Treasury land.

5.6.5 Common lands of the settlements

Land allocated to the settlements will be acquired through changing the status from pastureland to Treasury land and will be treated as Treasury land.

5.6.6 Unregistered domains Non-registered areas

When it is necessary to register areas that are excluded from title deed (mostly stony, bushes, raw soil, stream culverts, etc. and are not suitable for income-generating use), it is a method to register them with the Treasury.

6. DATA COLLECTION METHODOLOGY

The main strategy of this RAP&LRP is to bridge the gaps between national legislation and IFC standards against physical and economic displacement. The socio-economic impacts of the Project's land acquisition are identified to plan the implementations necessary to close these gaps. A participatory approach was adopted in identifying these impacts, and a field study was planned based on consultations with the owners, users, and beneficiaries of the lands affected by the land acquisition of the Project.

6.1 Purpose

The RAP methodology has three main purposes:

- 1) Conducting statistical analysis to determine the land acquisition and land use impacts of the project in advance, and managing economic and physical resettlement, including livelihood restoration measures, to minimize the identified impacts on directly affected households.
- 2) Preparation of an Asset Inventory and Census in accordance with international standards by identifying all households affected by the project's land acquisition including formal/informal users of the lands.
- 3) Identify community level measures to manage the adverse impacts of the project's permanent and temporary land use on settlements and livelihoods of people indirectly affected by the project.

6.2 Data sources

Data sources of field studies include:

- Structured interviews (survey) with directly and indirectly affected people as the representatives of Project Affected Households (PAHs),
- Structured interviews (survey) with representatives (headmen/mukhtars) of Project Affected Settlements (PASs),
- Structured interviews (survey) with owners of the affected businesses,
- Non-structured key informant interviews (KII) with PAPs representing different socio-economic categories including vulnerable groups.

In this context, questionnaires were prepared for the RAP. The target groups and the contents of the questionnaires are presented in the table below.

Table 6-1 Contents and target groups of RAP consultations

Data collection tool	Target group	Content
Community Level Survey (CLS)	Headmen of the PASs	Information sharing about affected lands including common properties and people Population Seasonal labour Livelihood Opinions about the project impacts

Data collection tool	Target group	Content
Household Level Survey (HLS)	-All owners/ shareholder users of the affected lands -Only users of the affected private lands -Formal/informal users of affected public lands	Affected private lands Affected fixed assets Affected public land and common property Household demographic and socio-economic characteristics Land ownership, agriculture and livestock
Project Affected Business Interview (PABI)	Owners of affected business	General legal and economic information about businesses Issues / plans relating to relocation of the workplace Information about workers Effects without relocation
Qualitative Key Informant Interviews (KII)	Directly and indirectly PAPs	Depending on the impact topic, interviews may not be structured.

6.3 Sampling

The sampling strategy of the RAP preparation field study is full census. In order to reach PAPs living in the affected settlements (PAS), having ongoing relations with the affected land, and having a livelihood relationship with the affected land, data collection activities are conducted by visiting all PASs. According to the land registry records, some lands have more than one owner. However, not all of these owners live in the affected settlement, do not visit this settlement, have lost their relations with the land, and may not have a livelihood relationship with the land. Instead of focusing on these owners, attempts was made to reach PAPs whose relations with the land are ongoing – “**PAPs on the lands**”. Therefore, in most cases, the owner-users of the lands were interviewed. For lands not used by the owners, both the owner and the user are included in the survey. For the Census, all land users have been identified including formal/informal public land users.

Table 6-2 Sampling Strategies According to Data Collection Tools and Sample Sizes

Data collection tool	Target group	Strategy	Number of consultations targeted	Numbers reached
Community Level Survey (CLS)	Headmen of the PASs	Full census	19 PASs	CLS in 19 PASs
Household Level Survey (HLS)	- All owner/ shareholder users of the affected lands -Only users of the affected private lands -Owners who are has a relation with the lads	Full census	Owners and users of 1146 private lands. Of the 416 affected public lands, 172 are non-arable/not open to public use. Potential formal/informal users	HLS for 1098 ¹ different parcels with 637 households. Formal/informal users of 1040 lands have been

¹ During the HLS application, information was obtained about 1098 parcels. More than one household representative gave an opinion about some of these parcels. Because the same lands can be used by more than one household. Household representatives talked about the part of the lands they use or the

Data collection tool	Target group	Strategy	Number of consultations targeted	Numbers reached
	-Formal/informal users of affected public lands		of 244 arable/usable public lands	identified, including those who could not be reached and those who did not want to participate in the survey.
Project Affected Business Interview (PABI)	Owner of the affected business (to be relocated or only affected a part of the facility)	Full census	11 non-residential structures were identified in the land valuation records. Some of them are institutional buildings however there are shops some of under the residential buildings.	16 PABIs with representatives of identified affected businesses.
Key Informant Interviews (KII)	Directly and indirectly PAPs	Purposefully selected sampling	Depends on the need	66 KIIs with significantly affected PAPs

6.4 Field study application

The field work was carried out by four groups between January 4-20, 2024.

Group 1: Preliminary information group

They contacted the mukhtars of the affected settlements on January 4-5 and visit the villages. They shared the list of names of the PAPs who will be surveyed with the mukhtar and request that these people be available in the village during the survey team's visit. They provided preliminary information about the project.

Members of the team are one woman, one man, two experts. They are experienced in resettlement field studies.

Group 2: Field survey team

They visited the villages on the day of the appointment and conduct surveys with the PAPs affected by the land acquisition of the project.

The team, consisting of a field coordinator and four interview experts, are all experienced in resettlement studies.

The field coordinator ensured that the Census document was filled out together with the mukhtar and PAPs and that all users were identified and prepared daily field study reports.

On busy study days, the field team increased from five to eight people and to travelled with two vehicles

Group 3: Telephone survey team

The telephone numbers of the PAPs who are not present during the village visits have been taken and forwarded to telephone survey team on the same day. PAPs called by the team for survey. The team consisted of four people. These people are experienced and trained in survey implementation and resettlement.

Group 4: Data entry team

The completed survey and interview forms was sent to the data entry team by cargo every two/three days. Quantitative data was entered into the SPSS program. Qualitative data was grouped and recorded according to subject headings.

Apart from these, Project Manager and Assistant visited local institutions and exchanged information before the field study (6-7 January 2025).

6.5 Limitations

There is no information about the owners of some parcels (9 parcels) in the submitted asset inventory. These parcels are considered private lands, but it was difficult to find the owners of the lands during the field study. In addition, there are parcels where the landowners are not listed due to the lawsuits (27 parcels). There were difficulties in reaching the owners in these parcels. There are parcels which inheritance procedures have not been completed. In these lands, it was difficult to reach the children and grandchildren of the deceased owners. However, the field study team worked to identify users on all parcels.

As can be seen in the expropriation list, a person owns more than one parcel. Therefore, some household questionnaires have represented many parcels. Therefore, the surveyed household numbers (637) are below the number of parcels have been reached (910).

Some of the people on the expropriation list were not known to the mukhtar and local people and did not live in the affected settlement. It was learned that these people generally purchased land as investors but did not use the land for any income-generating activity. These people could not be reached for the household survey face-to-face or by phone.

Some landowners do not live in this region and live an urban life. Therefore, they do not engage in any income-generating activities on the land. However, local people living in the village on these lands carry out agricultural activities (gardening). In such cases, HLS was applied to the landowner and user, but in cases where the landowner could not be reached, HLS was applied only to the user. Since the person who carries out an income-generating activity on the land ("person on the land") is the user, the person under the impact of economic displacement is also the user.

All assets and owners on the lands have been identified on the expropriation list. User identification in line with PS5 (including informal users) has been made in this list. Asset Inventory and Census / Expropriation List is not presented in this report because it contains personal information. MOI will use the list as a living implementation summary by constantly updating it.

7. LIVELIHOOD RESTORATION PLAN

The project's principle of "compensation based on the cost of replacement" compensates for livelihood losses by replacing lost assets. However, some impacts may be permanent or reduce the resilience of livelihoods. Therefore, some groups are relatively more affected by other PAPs. Therefore, an additional Livelihoods Restoration Plan (LRP) will contribute to more sustainable and resilient livelihoods.

Eligible groups under the LRP are defined as "Significant Impacted PAPs" under this RAP&LRP.

7.1 PAP Categories Under Significant Impacts

Temporary impacts on livelihoods will be addressed through the above compensation strategies. However, the impacts on some PAPs affected by the project's land acquisition may be greater than others. Therefore, additional longer-term measures may be necessary. The following are the "PAPs under significant impacts" identified:

- Physically displaced PAPs who have lost their permanent residence,
- Landless informal users of affected public lands,
- PAPs whose total land assets are affected by more than 20% of the project,
- Employees of the affected enterprises,
- Owners of the greenhouses to be moved,
- PAPs (uncultivable lands) whose land is divided into two parts by the highway,
- Women farmers.

7.2 Livelihood Restoration Instruments

Some of the commonly used instruments of the LRP could be presented below:

Transitional Livelihood Support (TLS)

According to IFC PS5 the borrower will provide transitional support to all economically displaced. TLS is provided to support the livelihoods of households during the transition period. TLS payments will be equal to the monthly net minimum wage to be allocated from RAP-LRP Fund for significantly affected PAPs.

A scoring system based on impact rate and type has been developed for the calculation of TLS. For the methodology of calculating the TLS, see "Appendix C. "Estimated RAP Budget" and "Appendix D. Methodology for calculating the TLS", presented as a separate excel sheet.

Eligible groups within the scope of LRP collect TLS points according to Table 12-2 and are entitled to receive the TLS amount in Table 12-2 based on the score they collect. The RAP-LRP implementation unit of the MOI is responsible for the access of PAPs to their rights.

Priority in local employment

Local employment is a mitigation measure offered under the ESIA. In addition, priority will be given to the employment of dependent vulnerable household members directly affected by the project's land acquisition under the LRP. In the job application forms, "Were your house and lands directly affected by the land acquisition of the project?" question will appear. For the provision of temporary or permanent employment opportunities, prioritization of local employment and physically displaced persons will be

stipulated in contracts to be made with the subcontractors and Project Company will ensure that these people have been provided with employment opportunities in the Project.

Project Company will take care to employ local people during the construction works. Particular attention will be paid to the employment of directly-PAPs whose lands are affected by land acquisition of Project, including dependent vulnerable PAPs. During M&E activities, local employment numbers will be reported as direct-PAPs and indirect-PAPs (local communities).

Agricultural project assistance

Grant and loan application support will be provided to vulnerable PAPs who develop agricultural/farming projects but are unable to implement these projects due to lack of resources. Within the scope of the project, agriculture and livestock project assistance trainings will be organized in district centers and a project cycle expert will contribute to the grant/loan finding and project writing processes of vulnerable PAPs.

Real property tax and transaction cost support

PAPs whose owned lands are affected by the project are compensated for the replacement cost. However, public land users are only compensated for the trees they own; no compensation is provided for the ground/land. If the landless informal users of the affected public lands want to purchase a land, the real property taxes (2%) and transaction cost (0.5%) will be covered by RAP-LRP fund. A PAP can receive support %2.5 of the land to be purchased regardless the land size was affected by the project.

In order to encourage PAPs that have lost their greenhouses to establish a new greenhouse, tax support and transaction costs will also be provided to people who have lost their greenhouses and want to buy land to set up a new greenhouse.

PAPs whose land is partially unusable because a highway runs through the middle of their land will be eligible for property tax and transaction cost support in proportion to the size of the affected land.

Fruit sapling support

A large number of trees have been affected by the project's land acquisition. It will take time for these trees to be planted on a new land and become productive. According to the Presidential Decree dated August 23, 2024, the amount of support to be paid by the State for vine and fruit tree sapling species is 400 TL per decare for standard seedlings and 1,000 TL per decare for certified saplings. The added value of the trees grown in the region and the prices of saplings are above the average of Turkey. Therefore, in this Project, within the scope of LRP, landless unregistered users of public lands affected by the Project will be supported with 1,000 TL per decare when they want to purchase land and continue their fruit growing activities.

Re-establishment assistance for affected greenhouses

Grant and credit supports provided for greenhouse establishment in Türkiye are available and varied. The Project Company will be responsible for informing and guiding PAPs affected by the project about these credit supports. One information meeting will be held in the district centers for PAPs who want to benefit from grant and credit supports for the establishment of new greenhouses. The meeting organization and invite the greenhouse-affected people will be provided by the RAP-LRP fund. Collaboration with local institutions and organizations can be made during the organization of activities.

Agricultural trainings

The main purpose of agricultural trainings is to help the vulnerable PAPs increase the productivity of their existing lands. Enabling farmers whose lands are partially affected by the project to use their remaining land more efficiently will reduce the adverse impact of the project on livelihood.

At least one agricultural training will be planned in each district according to the demands of directly-PAHs. The Activity will be announced on the Project's website and PAPs will be invited through the headmen by Community Liaison Officer (CLO). Training subjects can include, but are not limited to:

- Efficient use of resources
- Productivity increasing agricultural techniques
- Sustainability practices
- Climate change
- Development of alternative agricultural activities:
- Trainings to increase product diversity
- Medicinal and Aromatic Plant cultivation
- Fenni Beekeeping, Queen Bee Production etc.
- Greenhouse Growing
- Organic Egg Poultry etc.
- Alternative products
- Milking techniques
- Livestock practices

These trainings will be provided by institutions such as:

- Provincial Directorates of Agriculture and Forestry
- General Directorate of Agricultural Reform
- Regional Development Agencies
- Union of Chambers of Agriculture of Türkiye

Project Company will organize special training activities for PAHs by contacting the institutions above according to the demands of local communities.

8. RESETTLEMENT AND COMPENSATION STRATEGY

RAP&LRP will have a four-pronged strategy. The management of physical resettlement cases has been improved to include both compensations and supports. To manage economic displacement, reparations for temporary impacts and livelihood restoration measures for permanent or residual impacts will be implemented. In addition to compensations, mitigation measures will also be taken to mitigate the effects of land acquisition/use and meet the needs of vulnerable groups.

8.1 General Principles

8.1.1 *Avoiding economic and physical displacement*

The Project's physical resettlement strategy is to avoid relocation in accordance with the IFC PS5. Efforts have been made to reduce the amount of expropriation through project revisions. For an assessment of alternatives, see Section 5 LAND REQUIREMENTS AND ACQUISITION OF THE PROJECT.

The Project's preliminary economic displacement strategy is to avoid economic displacement under PS5. Therefore, the following principles have been adopted:

- Avoiding damage to cultivated/planted crops (waiting for harvest),
- Avoiding construction activities during periods when products are sensitive and in areas close to behaviors or taking precautions against dust emissions,
- Preventing damage to irrigation systems,
- Avoiding the closure of agricultural access.

8.1.2 *Same or better conditions*

In the implementation phase of the RAP, in cases where the entitlements in this RAP are insufficient, it is accepted as the basic principle that the people do not come to a worse socio-economic condition than their current situation due to the Project activities. They should maintain their current conditions or improve them.

8.1.3 *Compensation payment before construction*

After this RAP&LRP comes into force, both the expropriation cost and the RAP&LRP fund payments and relocation/living support will be provided.

8.1.4 *Asset Inventory*

An asset inventory was prepared within the scope of land valuation studies conducted by KGM in April 2024. Therefore, April 2024 was accepted as the cut-off date, as it was prepared in accordance with international standards in terms of users' livelihood patterns, total land assets, the project's impact on livelihoods and household vulnerabilities in the Census / Expropriation Plan.

Eligibility criteria: PAPs defined and recorded in the project's "Asset Inventory and Census/Expropriation List" are eligible for the commitments in this RAP. An inventory of the assets has been prepared and the determination of the structures on the lands has been completed by KGM. Owners were designated by KGM, and users, including informal users of public lands, were identified by the Project Company Advisor in January 2025 in accordance with international standards.

The land valuation process has been completed. Compensation payments for land plots and fixed assets are available in the Census. The asset inventory will include values and compensatory payments in line with PS5 and will be paid out of the RAP fund. The Project Company will use the Asset Inventory

and Inventory as an implementation summary and update (living document). This inventory will be continuously updated throughout the RAP implementation phase, and expropriation fees and deductions that are not compatible with IFC PS5 will be added to the Inventory.

8.1.5 Right to use all recovered materials

Before residential and non-residential buildings, structures and greenhouses are dismantled, the owners have the right to use all recovered materials in their buildings/facilities, including but not limited to windows, doors, kitchens, bathrooms, metal parts, wooden parts.

8.1.6 Protection against inflation

In recent years, there has been a high inflation problem in Turkey. Compensation and living support payments to be made from the RAP fund will be updated according to the Consumer Price Index (CPI) with the Monetary Values Update Tool of the Turkish Statistical Institute (TurkStat) and will be paid to PAPs by the environmental and social project management units of the Project Company. RAP payments (e.g. supplementary payments) will be made in parallel with the Section 27 payments, or at least with a minimum time frame. Otherwise, supplementary payments will be updated.

8.1.7 Retrospective operation of the RAP

The valuation process has been completed, compensation amounts have been paid for some lands and the construction activities of the Project have started. Due to the acquisition of these lands, the PAPs affected by the Project are also entitled under this RAP, including the LRP. During the implementation of the RAP and LRP, the said PAPs will be included in all studies and compensation payments. In the event that PAPs are moved from the settlement after the expropriation process and cannot be reached, a complaint and request mechanism will always be open to which they can apply to seek their rights in the RAP (See Section 10)

Moving support

Moving support will be provided during or after the physical resettlement of resident households whose permanent residence has been affected by the project's land acquisition. The amount of relocation support is equal to two rental support amounts in the urban transformation implementation of MoEUB. In this project, the same method will be used to calculate the relocation support amounts. The amount of rent support determined for Mersin in 2025 has been determined as 5,500.00 TL per month by the MoEUB². Accordingly, the amount of moving support will be 11,000.00 TL. This amount will be updated according to the prices of MoEUB in the following years. Moving support will also be provided for tenants.

Even if the moving has already taken place, households affected by the physical resettlement can request their relocation support rights from the Project with the Grievance Mechanism (GM).

Rent assistance

Once the expropriation fee has been paid, the owners of the affected houses will be given time to build a new house if they want to build a new house with the expropriation payment. If construction is required to start before this period is recognized, households will be provided with rental assistance in cash for six months according to the prices determined annually by the Ministry of Environment and Urbanization

²https://webdosya.csb.gov.tr/db/altyapi/haberler/2025-yili-kira-yardimi-artis_calismasi_guncel_20250102114126.

for urban transformation. The amount of rental assistance determined for Mersin in 2025 is 5,500.00 TL per month.³

Some families have ongoing property lawsuits over their homes. If these families need to move out of their homes due to construction requirements before the case is completed, rental support will be provided for up to 6 months according to MoEUB prices. In summary, rent support will be provided for the following groups.

Table 8-1 Eligible groups for rent support

Eligible groups	Time
Rent assistance for landowner who are constructing their houses (for permanent residences)	When resettlement occurs
Rent assistance for PAPs who have to move before compensation because of implementations related to ownership identification (users of public lands and owners of the lands under case process)	When resettlement occurs

Houses cracking due to the use of dynamite

During the RAP field study, feedback was received about houses that were declared to have cracked due to dynamite explosions and small cracks were observed in some houses. There was no high or medium level damage. Complaints from local people are already recorded by MOI. MOI evaluates complaints by conducting interviews and observations regarding cracks caused by dynamite and repairs cracked houses (For complaint mechanism and communication channels, see CHAPTER 11). Applications such as filling cracks, painting etc. are recorded and written approval is obtained from the homeowners for the repair process (For application examples, see Appendix B3. Sample repair application for cracked houses.).

8.1.8 Businesses to be relocated

Commercial buildings

There are non-residential buildings on the affected lands that need to be moved due to land acquisition. The cost of these buildings is paid by adding them to the expropriation price.

Moving support for affected business to be relocated

National legislation does not make provision for the compensation of business owners for loss of income caused by expropriation, only the loss of property and/or structures. To meet the requirements of PS5, if permanent land acquisition affects a business activity, the affected business owner will be addressed by RAP-LRP Fund. This support covers moving expenses to be documented by the owner of the businesses.

8.1.9 Greenhouses to be relocated

Greenhouses to be transported

There are greenhouse structures that need to be relocated due to land acquisition on the affected land. According to national legislation, in addition to the land price, the costs of assembling, dismantling and

³https://webdosya.csb.gov.tr/db/altyapi/haberler/2025-yili-kira-yardimi-artis-calismasi_guncel_20250102114126.pdf

transporting the greenhouse materials are also paid to the owner. However, in this project, KGM has both paid the expropriation price for the greenhouses and allowed the greenhouse materials to be reused. In this way, the replacement cost has been compensated..

8.2 Economic Resettlement Strategy

For situations where avoidance is not possible, the Entitlement and Eligibility adopted by the project to minimise economic displacement impacts are presented below. The strategy depends on following PS5 requirements:⁴

8.2.1 Land-based livelihoods to be affected

Full substitution of land and trees

Compensation of lands and trees are paid in accordance with national Land Expropriation Law in cash to property owners. The values of tree are announced annually by the Ministry of Agriculture and Forestry. The final value calculated for affected trees and other fixed assets meets national requirements, but it does not meet PS5 requirements normally. However, KGM does not make any deductions and compensates the trees at full replacement value.

Cash compensations at full replacement values of structures

There are secondary structures located on the affected lands that are affected by land acquisition. These are structures such as water wells, barns, wire fences. The cost of these structures is paid by adding them to the expropriation price.

Information for prevention of replanting

Information activities will be carried out to prevent the re-cultivation of expropriated lands. Project Company will provide the necessary information during village visits to ensure that the expropriated lands are not replanted before the land acquisition. The construction schedule will be shared in advance to ensure that the public lands within the expropriation border of the project are not replanted. A signed document can be obtained from farmers to prevent replanting. If expropriated lands are still planted despite all information, harvest can be expected to the extent that the construction schedule allows. However, if the construction schedule does not allow, harvesting of crops on expropriated lands may not be expected. The Project Company may enter the land on condition that it documents its information activities.

Cash compensation for unviable lands

If the remaining part of the land is “unviable” after partial permanent expropriation, the remaining parts may be expropriated under law by KGM as per the “unviable lands acquisition criteria”. However, KGM proactively includes unviable lands (small and/or misshapen) in the expropriation amount from the very beginning. If farmers who believe that their land remains unviable may apply to KGM for expropriation of their remaining land within three months of expropriation.

Crop payment for temporary access barriers

Access to agricultural lands will be provided. Temporary access barriers due to construction work may cause some lands to become unviable hence crops not to be raised and/or harvested. In such cases, compensation is provided to crop owners by the Project Company.

⁴ <https://www.ifc.org/en/insights-reports/2012/ifc-performance-standard-5>

If the land outside the construction area becomes unviable for agricultural activity throughout the construction period, the claim (of actual land user) received via GM for payment for standing crops on unviable lands will be evaluated by the Project Company according to crop cost determined by the local directorates of Ministry of Agriculture and Forest.

Compensation for harms and damages

Damages caused by construction activities to products and assets outside the construction and expropriation area are compensated by sub-contractor firms. Subcontractor agreements of the Project Company will include compensation for harms and damages commitment and liability. The Project Company is responsible for compensation for damages and damages outside the expropriation area. Damage and losses complaints will be registered with the GM and resolved.

Movable asset transportation support

Support will be provided for the transfer of portable assets such as solar energy panels, containers to another land parcel. At the request of the owners, the movable assets in the affected land can be moved to another land in the same city by the Project Company in-kindly.

Transportation of beehives

If there are beehives on lands affected by the project or on lands very close to the project route, these hives will be moved to another land of the owner by the Project company in-kindly. Beehives will be prevented from being adversely affected by construction activities.

8.2.2 Mitigating measures

Mitigation measures are the recommendations presented in the ESIA report regarding all the social and environmental impacts of the project. Mitigation measures also serve to reduce the adverse impacts of the project on livelihoods by reducing the impacts of the project on soil, water resources, flora and fauna, population, livelihoods, etc.

The construction calendar will be shared with the headmen of the PASs by the Project, so that the farmers can harvest their crops. Waiting for the standing crops to be harvested will be the priority method. When this is not possible, compensations will be provided for standing crops.

GM submissions will be diligently reviewed to safeguard the crops within the Project zones from dust-related damages. Adequate precautions will be implemented to limit dust impact, and compensation will be provided for any crop damage caused by dust. Construction subcontractor will be informed about the commitments of the Project.

Damage to the irrigation systems in the area that is subject to expropriation, may affect the irrigation of the remaining areas. For this reason, deteriorated irrigation systems will be fixed. Irrigation systems will be repaired, as required. Beehives will be prevented from being adversely affected by construction activities.

Efforts will be made to ensure the local communities have access to their agricultural lands, gardens, forests, and grazing lands based on their requests received through the mukhtars who the community representatives are. Access roads to the agricultural lands, forests and pastures will be provided according to demands of local communities. Technical and feasible measures will be explored to

provide access to pastures, forests and agricultural lands, and proper passages will be provided to restore access.

If irrigation and access restriction and dust impacts cannot be avoided, compensation liability will arise according to crop cost determined by the local directorates of Ministry of Agriculture and Forest.

In order to reduce the dust impact on trees and crops, project vehicles will move slowly as specified in ESIA and road irrigation will be done. Harms and damages caused by dust will be compensated. Those who think that their crops and trees have lost productivity due to dust should contact the project managers via GM.

8.2.3 Livelihood Restoration Measures

Temporary impacts on livelihoods will be addressed through the above compensatory strategies. However, some impacts may be permanent or reduce the resilience of existing livelihoods. The impacts on some PAPs affected by the project's land acquisition may be greater than others. Therefore, additional long-term measures may be necessary. These are called Livelihood Restoration measures and are planned in CHAPTER 7 LIVELIHOODS RESTORATION PLAN.

9. VULNERABILITY ASSESSMENT

9.1 Vulnerable Groups

Vulnerabilities are related to individual's or group's race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status. What distinguishes them from other people affected by the Project land acquisition is that they need to be supported when involved in expropriation processes, as they need the support of others in other daily duties/routines because of physical (disability), social (gender) or economic (poverty, landless) disadvantages. Because of these disadvantages, they may be expected to experience difficulties at some stages of land acquisition and construction (such as stakeholder engagement, access to payments, livelihood activities or access to grievance mechanism).

Vulnerable individuals living in settlements affected by the project constitute the indirect vulnerable group, while disadvantaged PAPs (members of households affected by the project's land acquisition) directly affected by land acquisition constitute the directly affected vulnerable group. While indirect vulnerable groups are evaluated in ESIA, only direct-PAPs are addressed in this RAP&LRP. These groups are:

- Female head of household
- Elderly in need of care and social assistance
- Disabled (Physical / Mental)
- Unemployed
- Widowed/divorced women
- Homebound due to Chronic Disease
- Children of school age who cannot go to school
- Illiterate adult
- Refugee/migrant
- People who don't know Turkish
- Groups from different religions, sects or ethnic minorities

9.2 Vulnerability Assistances

Due to some disadvantages in the land acquisition and construction process, there may be various problems that vulnerable people may encounter difficulty in access to payment etc. For independently vulnerable PAPs, difficulty in access to:

- stakeholder engagement activities undertaken throughout the land acquisition and construction process by virtue of some disadvantages,
- grievance mechanism despite being subject to economic displacement or suffering damage or loss due to project activities,
- service to restore their order of life and livelihood,
- compensation or crop payment for their crops and assets acquired for the Project by virtue of some disadvantages in the process of the land acquisition,

- their livelihood activities in private lands, public lands and common properties (pasture and forest),
- infrastructure and social services,
- livelihood restoration activities.

MOI has already initiated additional engagement activities with vulnerable groups through CLOs it has already employed. The following actions will be implemented for PAPs in households affected by land acquisition.

Table 9-1 Vulnerability assistances per vulnerable groups

Vulnerability category	Vulnerability Assistance
Female head of household	Safe stakeholder engagement opportunities will be provided for women. Women CLOs will hold one-on-one meetings with these groups and provide information about the entire project, including land acquisition, community health and safety, and gender aspect. Requests for assistance will be considered to achieve compensation or various supports.
Widowed/divorced women	
Elderly in need of care and social assistance	It is known that these groups have difficulties in accessing information, compensations, and other supports. Therefore, when they want to reach a service related to the Project directly or indirectly but has difficulty reach it due to their vulnerability; they can request assistance from the local units of the Project. These Vulnerability Assistances include, but are not limited to: • Reaching the bank • Meeting with the bank • Bank employee home visit • Reaching the notary • Getting information from the notary • Notary employee home visit • Sending and receiving documents (cargo, fax, e-mail, etc.) • Signing any document at home • Transportation • Access to information and consultancy • Professional, lawyer, estate agent etc. providing • Utilization in public services • Engagement opportunities at home Vulnerable PAPs identified in the Census study will be provided with specific information about their entitlements from LRP.
Disabled (Physical / Mental)	
Homebound due to Chronic Disease	

Vulnerability category	Vulnerability Assistance
	Additional supports for vulnerable individuals (groups in the left column) whose home or surroundings, stables or livelihood resources are affected by the project may include: - Renovation, gardener, architect, etc. support. - Support if health needs arise during the move. - Providing facilities to facilitate their daily life if their roads are disrupted. - Providing all services that serve to restore or even facilitate daily life. - Participation in expenses for poor households. Requests are received by CLOs at site visits or through the GM and evaluated by the PIU in terms of tie of project and vulnerability.
Unemployed	Local employment is a mitigation measure offered under the ESIA and LRP. In the job application forms, "Were your house and lands directly affected by the land acquisition of the project?" question will appear.
Illiterate adult	Oral, face-to-face and visual engagement opportunities and translator support will be provided. Consultancy will be provided in line with their demands in accessing social services.
Children of school age who cannot go to school	
Refugee/migrant	
Those who do not speak Turkish	
Groups from different religions, sects, or ethnic minorities	

9.3 Seasonal agricultural workers

The seasonal worker accommodation situation in the affected settlements was questioned. Seasonal workers are accommodated in 10 settlements. The average number of workers accommodated is 10,000. This number includes repetition since the same workers may join works in different settlements. 36.5% of the population accommodated for seasonal workers are women and 18.3% are children under the age of 16. The workers mostly come for lemon and citrus work, while there are also those who come for tourism and construction work. The workers mainly come from the Southeastern Anatolia Region of Türkiye.

However, the areas where these workers are staying are not expected to be affected by the land acquisition of the project. Mukhtars in three settlements have pointed out this risk. MOI will conduct additional consultations in these villages and take the necessary measures.

If the accommodation areas of seasonal agricultural workers will be affected by the project, they will be informed by the Project Company in advance, and they will be provided to establish shelters in the existing alternative areas. The alternative area should be sufficient in terms of toilet, drinking and utility water and electricity facilities. If advance notice is not given and seasonal workers need to be relocated during construction, transportation support will be provided by Project Company.

10. IMPLEMENTATION INSTRUMENTS

10.1 Stakeholder Engagement

10.1.1 Consultation and Disclosure Information

According to IFC Performance Standards, disclosure of relevant project information helps stakeholders understand the risks, impacts and opportunities of the Project. This RAP&LRP will be disclosed and is open to stakeholder feedback. Softcopies of draft RAP will be accessible on the project website. Stakeholders can convey their opinions, suggestions and requests through the following communication channels.

Table 10-1 Communication channels

Correspondence address:	Mersin/Erdemli
Project website:	https://mersinotoyolu.com/
Email:	ukarayer@kolin.com.tr zyalcin@kolin.com.tr
Phone:	0850 200 34 45

During the RAP-LRP implementation studies, face-to-face interviews will be held with PAPs and information about entitlements will be provided.

To strengthen the consultation processes under the project, MOI has employed two Community Liaison Officers (CLOs) (one woman and one man).

10.1.2 Grievance Mechanism

The purpose of grievance mechanism is to establish a system for addressing, evaluating and resolving all kinds of internal and external complaints, concerns, questions and suggestions of affected communities and other stakeholders such as construction workers related to project activities.

Project Company is responsible for the implementation of the grievance mechanism during the land preparation, construction, and operation phases. The Project Company must ensure that the grievance mechanism is effectively implemented.

The CLO is responsible for taking and managing the complaint process and the measures to be implemented to resolve the incoming complaints, as well as reporting to KGM. The relevant records will be kept and reported to KGM.

All complaints related to the project will be evaluated and answered. The grievance mechanism will serve both internal (such as Project Company employees and subcontractors) and external stakeholders. Any person or organization may personally ask questions and/or make complaints about the project.

The following communication channels may be used to communicate complaints.

- Phone
- Website
- E-mail address
- Complaint boxes to be placed on construction sites, for working personnel.

- Complaint boxes in different settlements to be placed along the highway route are intended for local residents.
- Direct communication with unit managers and CLOs on construction sites
- Meetings

All complainants may also submit their complaints anonymously.

In addition, Project Company is committed to resolving complaints of sensitive nature such as SEA/SH, GBV. The confidentiality of the complainant's credentials and the priority of the complaint will be ensured by the Project Company.

The step-by-step complaint resolution process for both internal and external complaints to be accepted is given below:

- Receipt of the grievance through any communication channel.
- Registration into the grievance register and filling out the grievance/request registration form.
- The grievance shall be forwarded to the responsible department for handling the grievance within 7 days at the latest from the receipt of the complaint (except for urgent complaints to be dealt with as soon as possible and with priority).
- The grievance is checked/examined for validity by the relevant person (CLO) within 5 days at the latest from the date of receipt.
- If the grievance is not valid, the necessary explanation is given to the complainant. If the grievance is valid, corrective measures are determined to resolve the grievance within 30 days at the latest from receipt. If the grievance takes longer to be resolved, a partial response may be given to the complainant.
- The necessary measures are taken, and a response is given to the complainant. The Grievance/Request Closure Form will be filled out. All comments and grievance will be responded orally or in writing to the complainant according to the method of communication preferred by the complainant, provided that the complainant's contact information is provided.
- The result is registered into the grievance register.

10.1.3 Guide to Land Acquisition and Compensation (GLAC)

A Guide for Land Acquisition and Compensation (GLAC) will be published and disseminated by the Project to PAPs to raise right awareness.

Project Company will play a role in the dissemination of GLAC in PASSs. GLAC will contain the following information:

- Expropriation process,
- Rights and responsibilities of PAPs,
- Frequently Asked Questions,
- RAP Entitlements and Eligibility,
- LRP opportunities,

- Grievance Mechanism,
- Contact information.

10.2 Monitoring and Evaluation

According to ESIA of the project, during monitoring activities, Environmental and Social Management System (ESMS) will be measured in terms of its aspects outlined below:

- Nine elements of ESMS,
- Implementation of action plans and procedures,
- Effectiveness of the ESMS in terms of compliance with national/international legislation/standards, progress based on the objectives/targets and E&S performance of the Project.

Qualitative and quantitative indicators will be defined within the scope of ESMS documentation.

Monitoring activities will be performed on an annual basis as a good practice and/or if circumstances are changed within the scope of Project (i.e. non-routine activities, amendment in applicable regulatory framework, etc.) through visual observation, interviews with employees/external stakeholders, measuring/testing, questionnaires, surveys, and document review.

10.2.1 M&E Frequency

This RAP and its specific Monitoring and Evaluation program are presented here. The RAP will be monitored in three phases:

- Internal monitoring (Biannually)
- External monitoring (Annually)
- Completion audit

Internal monitoring

M&E activities, which are carried out with the reporting made within the Project Company (MOI) biannually. These are the M&E activities that are carried out with the reports made within the MOI and demonstrate the implementation of RAP requirements. Internal monitoring reports will include correction actions. These actions are the responsibility of the MOI and during each internal monitoring activity, the implementation status of the correction activities of the previous internal and external monitoring report will be reviewed.

External monitoring

M&E activity supported by the consultancy from an independent party annually. It is an M&E activity that evaluates the implementation of RAP requirements, which is carried out with the consultancy support received from an independent organization. The activity must be run by an external Resettlement Expert to comply with RAP standards. External monitoring reports will include correction actions. These actions are the responsibility of the MOI and during each internal monitoring activity, the implementation status of the correction activities of the previous external monitoring report will be reviewed.

RAP completion audit

The RAP completion audit is a comprehensive report that will be prepared as a document showing that the Project implementations have been completed in accordance with the RAP commitments. When the construction works are completed, the RAP will be considered complete and all compensations are expected to be paid within this period. Detection of apps that are not compatible with RAP and PS5 may

require new app recommendations. It is the responsibility of MOI to implement the recommendations. This M&E study is also carried out by external/independent experts. The activity must be run by an external Resettlement Expert to comply with RAP standards.

10.2.2 M&E Indicators

The RAP indicators that will serve as a reference for Monitoring and Evaluation activities are as follows:

- The number of physically and economically displaced households and individuals by project component and/or type of land acquisition,
- The number of public information and consultations needed during the implementation of the RAP&LRP on land acquisition and livelihood restoration,
- The number of completed compensation payments,
- The amount and percentage of payments made due to court proceedings and payments made as a result of negotiations,
- The number of ongoing/open/completed cases among the total cases,
- The number and type of complaints about land acquisition, compensation process, and land use issues,
- Status of complaints (open, closed), closing time and resolution status,
- The number of PAPs receiving any compensation payments and/or subsistence,
- The number of stakeholders contacted during the RAP Implementation (types of stakeholders, issues raised/discussed, and gender distribution of participation) and feedback received from Consultations,
- The amount and number of RAP-LRP Fund payments,
 - # Number of moving supports
 - # Rent assistance
 - # Number of TLSs, etc.
- Livelihood Restoration activities and types of eligible PAPs,
- the number and types of complaints about resettlement issues,
- Nonconformity determinations and suitability of solutions.

10.3 Implementation Procedures

The steps to be taken in the calculation and payment of RAP&LRP payments are presented below.

Table 10-2 Calculation and Implementation Steps of RAP&LRP

Action	Implementation steps	Explanation
Top up payments / RAP compensations for immovables	The calculation methodology of this top up payment is: Reviewing the national land valuation reports, Identifying the deductions not in line with PS5 (depreciation and demolition costs are noncompliance, incomplete construction cut is compliance), • Total cuts = top up payment..	Documents will be evaluated in the calculation process: • Parcel and km information, • Expropriation Expert and Valuation reports, • Expropriation Case result documents, • Current KMZ file,

Action	Implementation steps	Explanation
Moving and livelihood supports for physical displaced households	Additionally, vulnerabilities and moving needs of the households will be identified with supporting documents and the RAP/LRP package will be paid. Supporting documents could be: • Identity Document (ID), • Document indicating sensitivity (such as disability, unemployment certificate), • E-government land registry records indicating land ownership, • SSI statement, • Business activity certificate, • Consent letters..	• Parcel Query system data, • Roll sheet • RAP preparation filed study data, • RAP implementation field observations and consultations with PAPs and muhtars.
LRP payments for economically displaced PAPs (Chapter 9) and vulnerability assistances (Chapter 10)	Eligible PAPs are identified in Appendix A1. However, new eligible PAPs can be identified during the implementation phase. These determinations are made during the mukhtar interviews and PAP interviews. When eligible PAPs falling into any of the LRP categories are identified, the PAP category is proven with land registry records, activity records and expense invoices and; Identity information (ID) and account information are obtained. The interview with the PAP is recorded. If applicable, transitional livelihood support is calculated according to Appendix D. • The payment is recorded with a signature.	Eligible PAP categories: * PAPs under significant impacts" are below: • Physical displaced PAHs losing their owned permanent residence, • Landless informal users of impacted public lands, • PAPs whose total land holdings are affected by the Project more than 20%, • Workers of the affected businesses, • Owners of the greenhouses to be relocated, • PAPs whose land is divided into two by a highway (unviable lands), • Woman farmers. • *Vulnerable PAPs: • Female head of household • Elderly in need of care and social assistance • Disabled (Physical / Mental) • Unemployed

Action	Implementation steps	Explanation
		• Widowed/divorced women • Homebound due to Chronic Disease • Children of school age who cannot go to school • Illiterate adult • Refugee/migrant • People who don't know Turkish • Groups from different religions, sects or ethnic minorities
Community-level support	The needs of the local communities have been analysed in this report (See Chapter 9). However, the decision on which community level investment will be made will be made through focus group meetings to be held in the settlements together with direct and indirect PAPs.	For the community level supports, collaboration will be held with local institutions such as: • Provincial Directorates of Agriculture and Forestry • General Directorate of Agricultural Reform • Regional Development Agencies • Union of Chambers of Agriculture of Türkiye

10.4 Roles and Responsibilities

The Cesmeli - Kızkalesi Highway, which is a part of the Cesmeli-Erdemli-Silifke-Tasucu Highway Project, belongs to KGM. The Highway is financed and constructed by Mersin Otoyol Investment and Management Inc. (MOI) (Project Company), which was established by KOLIN İnşaat Turizm Sanayi ve Ticaret A.Ş. (Contractor), with the Build-Operate-Transfer model. The environmental and social responsibilities arising from the Contractor's use of international financing belong to the Project Company. Expropriation compensations will be largely covered by KGM, while RAP funding will be provided from the Contractor's current budget.

The roles and responsibilities required in the implementation of RAP-LRP are presented in the table below.

Table 10-3 RAP-LRP Implementation Roles and Responsibilities

Level/Unit	Roles	Responsible
Administrative		
General Directorate of Highways (KGM)	To monitor the national environmental and social performance of the Project Company.	KGM 5th Regional Directorate
International		
Creditors	To monitor the international environmental and social performance of the Project Company.	Lenders
General Project Management		
Contractor	- To monitor the national and international environmental and social performance of the Project Company. - Ensure allocation of adequate financial and human resources for effective implementation of RAP-LRP throughout the Project in line with the Project Standards. - Establish a RAP-LRP Budget	MOI
Project Company	- To monitor the national and international environmental and social performance of the Project Company. - To monitor using the RAP-LRP Budget and RAP-LRP implementations. - Reporting the environmental and social performance of the project to creditors, including the implementation of RAP-LRP.	Project Company Central Management
Local Project Management		
Project Company	- Oversee compliance of Project's social performance (including implementation of measures/actions related to SEP, GM, ESMP) with Project Standards. - Prepare social management/action plan updates and training documents on the implementation of the SEP and grievance mechanism as part of Project E&S Management. - Ensure effective and periodic communication with the internal and external stakeholders including information activities related to RAP-LRP commitments.	Social Expert (with CLOs)

Level/Unit	Roles	Responsible
Project Company	- To follow up land acquisition transactions, lawsuits and notify the construction team. - To provide land acquisition documents for RAP-LRP application. - To report information on the current status of expropriation.	Land Acquisition Team
Project Company	- To ensure coordination with land acquisition team - To ensure the implementation of RAP-LRP - Reaching rights holders and providing their entitlements - Review resettlement and loss of income related public grievances and ensure/verify that the site teams address the public grievances/corrective actions in responsive timeframes. - Ensure the LRP and Vulnerability Assistance implementations. - Preparing internal audit reports quarterly related to RAP/LRP implementation. - Preparing budgets for additional compensations and supports from RAP fund for compensations not in line with PS5 by reviewing expropriation and valuation reports and submitting to PIU for approval.	RAP and LRP Expert
Project Company	- Providing information on RAP-LRP requirements on lands prior to construction. - Determining RAP-LRP requirements by consulting with eligible PAPs, stakeholders and mukhtars. - Ensuring that PAPs have access to their entitlements in RAP. - Prepare monthly RAP-LRP implementation reports and assisting RAP and LRP Expert in writing quarterly audit reports.	RAP and LRP Implementation Team
Project Affected Parties		
Project Affected People	PAPs that are eligible for the entitlements in this RAP have been identified. However, there were PAPs	RAP and LRP Implementation Team

Level/Unit	Roles	Responsible
	that could not be reached due to the limitations presented in CHAPTER 6. Therefore, those who think they have rights arising from this RAP should apply to the project via GM. Informal public land users are also eligible.	
Local institutions and organizations	Cooperation will be made with all local institutions and organizations to reduce the adverse environmental and social impacts of the project. Those requesting information from local institutions and organizations regarding the project and international social standards should be directed to GM.	RAP and LRP Implementation Team