**ANKARA METROPOLITAN MUNICIPALITY MAMAK EXPANSION PROJECT RESETTLEMENT ACTION FRAMEWORK**

DOCUMENT CHECK PAGE

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# Abbreviations

|  |  |
| --- | --- |
| AMM | Ankara Metropolitan Municipality |
| AFD | Agence Française de Développement |
| CLO | Community Liaison Officer |
| ESS | Environmental and Social Sustainability |
| EIA | Environmental Impact Assessment |
| ESDD | Environmental And Social Due Diligence |
| ESAP | Environmental and Social Action Plan |
| ESP | Environmental And Social Policy |
| EBRD | European Bank for Reconstruction and Development |
| EGO | Ankara Electricity, Gas and Bus Operations Organization |
| IPAM | Independent Project Accountability Mechanism |
| MPRD | Media and Public Relations Department |
| NATM | New Austrian Tunneling Method |
| PDF | Project Document File |
| PAP | Project Affected Persons |
| PIU | Project Implementation Unit |
| PR | Performance Requirement |
| TBM | Tunnel Boring Machine |
| RF | Resettlement Framework |
| RAP | Resettlement Action Plan |

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# Introduction

## Scope and Contents

This Resettlement Framework (RF) for Ankara Metropolitan Municipality (AMM) and EGO Dikimevi-Nato road Metro Line Project (The Project) sets out the framework to be followed in the management of the impacts of land acquisition. AMM applied to the European Bank for Reconstruction and Development (EBRD), and Agence Française de Développement (AFD) and other lenders (Lenders) for Project finance. The Project entails acquisition of private land, and as part of global sustainability goals, all land acquisition for the Project must comply with Performance Requirement (PR) 5 of the EBRD's Environment and Social Policy 2019 (ESP)[[1]](#footnote-1). As the location of all stations in the Project and the exact magnitude of land acquisition is not finalized and approved during the preparation of the ESDD reports, a resettlement framework (RF) has been prepared instead of a detailed resettlement action plan in accordance with PR5. This framework document will be converted to a full Resettlement Action Plan (RAP) once land acquisition route and magnitude is finalized.

This RF covers all the components that the Project would need for land acquisition.

The main objectives of RAP are as follows:

* Avoid or minimize physical and economic displacement as much as possible,
* Identify the potential impacts of the Project on physical and economic displacement,
* Analyse the legislative approach to be followed during land acquisition and present the legal framework,
* Describe the stakeholder relations undertaken within the scope of the Project's land acquisition,
* Present a valuation methodology for loss of assets at renewal cost,
* Ensure that resettlement activities are implemented with information sharing, consultation and informed participation of those affected,
* Identify actions that need to be taken to improve or at least restore the livelihoods and living standards of people who may be economically affected by resettlement,
* Prepare and present the entitlement matrix of the Project, which is EBRD PR 5 compliant
* Determine monitoring and reporting requirements during land acquisition,
* Describe grievance mechanism
* Outline the institutional arrangements and organizational structure.

## Key Definitions

**Resettlement/livelihood restoration framework [[2]](#footnote-2):** When the exact nature or magnitude of the land acquisition or restrictions on land use related to a project (or a Project component) are unknown, development of a framework document may be deemed acceptable for the project to proceed with approval by the EBRD. This often happens on linear projects (pipelines, roads, transmission lines) or projects which will be implemented in phases.

**Resettlement/livelihood restoration plan:** The preparation of a resettlement/livelihood restoration plan will follow the completion of the framework once the details of land acquisition requirements and the project footprint become available. However, if a framework is not appropriate or needed, a plan will be the first document that needs to be prepared. The purpose of a plan is to present to all interested parties, including affected people, who exactly will be affected by land acquisition, how acquisition will be implemented and by whom, as well as the time frame and resources.

**Land Acquisition**: refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of land and assets and acquisition of temporary or permanent access rights, such as easements, rights of way; establishment of restrictions of access to protected and other areas. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible. “Land” includes anything growing on or permanently affixed to land, such as crops, buildings and other improvements, and appurtenant water bodies.

**Replacement Cost:** is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labour for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety.

**Vulnerable People:** People or groups of people who may be more adversely affected by project impacts than others by virtue of characteristics such as their gender, gender identity, sexual orientation, religion, ethnicity, indigenous status, age (including children, youths and the elderly), physical or mental disability, literacy, political views, or social status. Vulnerable individuals and/or groups may also include, but are not limited to, people in vulnerable situations, such as people living below the poverty line, the landless, single-headed households, natural resource dependent communities, migrant workers, refugees, internally displaced people, or other displaced persons who may not be protected through national legislation and/or public international law.

**Gender:** The socially constructed roles, attributes, opportunities and relationships that a given society considers appropriate for men and women. These expectations differ from society to society and change over time. In many societies, it has been recognised that there are more than two genders. However, "men/boys" and "women/girls" are the most commonly recognised genders and are, therefore, used throughout this guidance

# Project Information and Potential Project Impacts

## Project Information

The metro system in the City is presently primarily an underground metro system with a 64.361-kilometer network and 54 stations network. The existing system consists of the M1 Batikent-Kizilay line (14.661 km and 12 stations), M2 Çayyolu-Kızılay line (16.590 km and 11 stations), M3 Batıkent-Sincan/Örekent line (15.360 km and 9 stations), M4 Keçiören-AKM line (9.223 km and 9 stations) and A1 AŞTİ-Dikimevi line (8.527 km and 11 stations).

The 7.46 km long Project will be an underground metro line with the stations and tunnel having an average depth between 30 to 45 meters below ground level. The line will start at Dikimevi and there will be eight stations namely Dikimevi (existing metro station), Abidinpaşa, Aşık Veysel, Tuzlu Çayır, General Zeki Doğan, Fahri Koruturk, Cengizhan, Akşemsettin, and NATO road. The line will provide an integration with the existing A1-Ankaray Dikimevi-AŞTİ metro Line, the Başkentray metro Line at Kurtuluş Station, the M1Kızılay-Batikent Line at the Kızılay Station and M2-Kızılay-Çayyolu Line and Intercity at the AŞTİ Station and integration with the Bus Terminal. The Project will result in safer and more reliable transport services for 625,000 passengers per day.

The Project will contribute to a significant reduction in air pollution in the City of Ankara. It will also result in new passengers switching to public transport, leading to a substantial modal shift from private cars and buses to a low-carbon metro mode. In terms of CO2 emissions, the project is expected to generate 346,115 tons of CO2 due to the construction. Still, overall, the Dikimevi - NATO Road Metro line in the CO2 emissions within the 2026-2050 period is expected to save 308,452 tons of CO2. Regarding HC the yearly savings will grow from 4,152 kg (in 2026) to 6,678 kg (in 2050), NOx from 22,196 kg (in 2026) to 35,700 kg (in 2050), and the PM values from 361 kg to 581 kg. These annual savings will allow a global CO2 saving of 324,792 tons of CO2. The metro construction is expected to start in 2022 and will take approximately 4 years to complete.

The Project will start in the Çankaya district after Dikimevi Station and continue along Mamak district. It provides a rail connection from the Mamak district to the city centre. Additionally, it provides a significant increase in the overall connectivity and accessibility:

* Connect Mamak district to Başkentray line at Kurtuluş Station,
* M1 Kızılay-Batıkent line at Kızılay Station
* M2 Kızılay-Çayyolu line again at Kızılay Station
* M4 Kızılay-Keçiören line again at Kızılay Station
* M2 Kızılay-Çayyolu line at Söğütözü Station, Intercity Bus Terminal at AŞTİ

The new line between Dikimevi station and NATO Road station will extend the Ankaray line between AŞTI – Dikimevi stations hospital complex (Ankara University). The line will start at Dikimevi and there will be eight stations namely Dikimevi (existing metro station), Abidinpaşa, Aşık Veysel, Tuzlu Çayır, General Zeki Doğan, Fahri Koruturk, Cengizhan, Akşemsettin, and NATO Road (Figure 2-1).

Figure ‑: Project Route Map

Map

Description automatically generated

The project includes the following features:

* Civil works for 7,46km of line extension
* Civil works for stations and auxiliary facilities
* Elevator and escalators
* Power supply and distribution
* Signaling: Sogutozu-ASTI (existing but non-operational), ASTI-Dikimevi (operational section), and Dikimevi-NATOyolu (new section)
* Communication
* Environmental systems

The project’s estimated cost is EUR 309million (excluding metro vehicles), which will be confirmed with this assignment. While AMM will be the Borrower for the Project, Ankara Transportation Company (“EGO” or “Company” – wholly owned by AMM) is expected to implement and operate the proposed metro line. The final construction investment cost will depend on the final negotiation between the City and the Construction Contractor.

The City is In the process of obtaining all the necessary approvals from the central government to include the Project in the National Annual Investment Program (“NAIP”) for making the Project eligible for foreign financing. Subject to approval by their respective authorities, the following international financial institutions are considering providing long-term finance to the City for this project:

* The European Bank for Reconstruction and Development (the “EBRD”)
* Agence Française de Development (AFD), and
* Other Lenders

The Project has been designated as a Category B project by the EBRD’s 2019 Environmental and Social Policy and Category B+ by AFD as the potential E&S impacts associated with the project are assessed to be limited and can be readily addressed and managed through the implementation of the Environmental and Social Action Plan (ESAP). The potential environmental and social impacts/risks will be mitigated through careful design and implementation of effective measures including avoidance of physical and economic resettlement during the design stage, use of tunnel boring machine (TBM), and New Austrian Tunnelling Method (NATM) technique resulting in fewer impacts compared to other techniques. The potential environmental and social impacts are generally site-specific and can be avoided or mitigated by adhering to relevant Lenders’ performance requirements, procedures, guidelines, and design criteria. Hence the existing E&S documentation and ESAP meet the requirements of both categories

The parties of interest for the planning, tendering, construction, and operation of the metro lines are Ankara Metropolitan Municipality (AMM), Ankara Electricity, Gas and Bus Operations Organization (EGO), Construction Contractor, and Owner’s Engineer.

**Ankara Metropolitan Municipality (AMM):**

AMM has the authority to:

* Develop and implement the metropolitan transportation master plan, planning and coordinating transport and public transport services; and
* Carry out public transportation services within the metropolitan and for this purpose to establish, build, operate, or allow the operation of the necessary facilities
* AMM, therefore, develops and implements the tendering process to plan, design, and construct the metro lines. AMM will manage the land acquisition and resettlement process and various other permits as required by in-country legislation. AMM will also engage an Owner’s Engineer to supervise the selected construction company. The construction company and the Owner’s Engineer have not been awarded the construction project yet.

**EGO**

EGO has the authority to undertake public transportation services tasks, including operating on and above ground with rail, trackless, and mobile machinery. EGO has been responsible for managing the AMM railway system on behalf of AMM, and they will take over the metro operation once construction is completed.

**The Project will be constructed under the responsibility of AMM and operated by EGO.**

## Project’s Land Acquisition

The Dikimevi-NATO Road line will have eight stations (one existing and seven new stations) and a total length of 7.46 km. It will go through a densely-built predominantly residential area of Mamak district, a university hospital complex (Ankara University), and the last station near a shopping mall. The project follows existing roads to minimize land acquisition. Nevertheless, the Project still requires land acquisition for entry and exits to the metro and other auxiliary facilities. **Although the land acquisition impact of the project is not fully finalised, draft expropriation plans have been prepared by the AMM Department of Expropriation.** Land acquisition impacts have been identified based on this draft plan. There may be revisions in the expropriation plans during the Project, therefore, RF shall be converted to RAP once expropriation is finalised. If revisions are required to the Project, the RAP to be prepared will also be updated within this scope.

In the first land acquisition plan of the Project, it was foreseen that Aşık Veysel Park would also be affected, but the partial expropriation of Aşık Veysel Park has been excluded from the scope in the revised plans. The Project follows the existing road route to minimize land acquisition. While determining the metro entry and exit points, social use and environmental features have been also taken into account, as well as the technical needs of the Project.

Permanent land acquisition for the Project entails expropriation of private parcels and parcels belonging to the Municipality, Military, or used as roads. There are 38 parcels impacted by land acquisition; 33 parcels will be acquired by expropriation according to Law on Expropriation 2942; The total land required for the Project is 4,480 m2 (***Table 2‑1***). Private land expropriation is 3,793 m2, with an average expropriation size of 115 m2.

Table 2‑1. Land Acquisition by Stations

|  |  |  |  |
| --- | --- | --- | --- |
| Station Name | Parcel type | Number of parcels | Expropriation Area m2 |
| Dikimevi | Military | 2 | 413.35 |
| Abidinpaşa | Municipality | 1 | 542.19 |
|  | Private | 12 | 1011.37 |
| Aşık Veysel | Private | 3 | 87.69 |
|  | 3.th Party | 1 | 254.22 |
| Tuzluçayır | Private | 2 | 27.42 |
| General Zeki Doğan | Municipality | 1 | 118.61 |
| Fahri Korutürk | Private | 2 | 719.60 |
|  | Municipality | 1 | 13.47 |
| Cengizhan | Private | 4 | 326.15 |
|  | 3.th Party | 1 | 10.64 |
| Akşemsettin | Private | 6 | 608.41 |
| Natoyolu | Private | 2 | 747.09 |
| Total |  | 38 | 4,880.21 |

Source: ABB 2022

The Project is in an urban setting. All land is urban, zoned land, and heavily developed. When expropriation files are analysed according to title-deed registration, concrete apartments and masonry buildings are expected to be impacted; however, site visit and review revealed that only pavements or a section of gardens of the buildings would be impacted. **The Project is not expected to trigger physical displacement due to expropriation.** However, the mukhtar of Abidinpasa did raise concern over potential impacts to buildings during construction works on the main road. A building structural census as a baseline in Abidinpasa will be prepared to avoid any damage to residential buildings in the neighbourhood and identify any risky structures. In the expropriation database, some parcels are registered as vineyards due to old title deeds, there are no vineyards in the Project site.

Table 2‑2. Number of Affected Parcels by Parcel Type

|  |  |  |  |
| --- | --- | --- | --- |
| Deed Type | Number of Private Parcels | Number of Other Parcels | Total |
| Land | 5 | 5 | 10 |
| The land registered as a vineyard house [[3]](#footnote-3) | 3 | 0 | 3 |
| Reinforced concrete apartment building | 14 | 1 | 15 |
| Masonry apartment building | 9 | 1 | 10 |
| Total | **31** | **7** | **38** |

Source: ABB 2022

Many small shops are prone to economic displacement during construction due to limited customer accessibility (only pedestrian access), road closures, and traffic interruptions. Moreover, the site visit revealed that some small business owners would lose their ‘outside space’ to the Project’s expropriation. These include kindergartens (child-care service), bakery-coffee shops, grocery stores, and restaurants.

The entitlement matrix of the project includes the approach of how to identify users for businesses. **After the expropriation is finalized, all affected businesses will be identified and their users/owners will be determined**.

### Expected Temporary and Permanent Impacts

Table 2‑2. Summary of Potential Impacts

| **Station** | **Expected Temporary Impacts** | **Expected Permanent Impacts** |
| --- | --- | --- |
| **Dikimevi** | * It is expected that the number of lanes on the main street named Tıp Fakültesi Caddesi will be temporarily reduced due to the construction zone, according to the traffic circulation and accessibility study. | * No permanent impact is expected. |
| **Abidinpaşa** | * Since the tunnels at the Abidinpaşa Station will be constructed through the cut-and-cover method, it is expected that there will be a high level of noise, dust, vibration and the construction-related-road-closures which will adversely affect those residing and working around the main-street. * As the main road will be closed to traffic due to the work site during the construction phase, the number of customers who use public transport or their cars for shopping from the stores is expected to decrease, which eventually adversely affect the daily revenue of the shops. Therefore, these shops may be impacted from economic displacement. Bread buffet of the Municipality will be temporarily relocated. * The trees and the base stations on the median strip will be relocated during the Project's construction phase. * There is a school undergoing renovation (29 Ekim Primary School) and closed for five years. There is no information on when the school will be opened for education. Currently, there is no impact as the school has been closed for at least five years, and thus, there are no students, teachers, and staff. However, once the school commences education, students will be prone to dust, noise, and traffic impact during Project’s construction period. A traffic management plan will be critical to managing school bus traffic. * Since the construction site will be built on the street in this neighbourhood, the access of pedestrians, wheelchair users, and people with strollers to the walkway might be blocked. | * The Abidinpaşa Taksi Stand will be permanently relocated as one of the entrance-exit points of the metro will be situated in that area. * 64 m2 of the winter garden terrace of a bakery may be expropriated. Seating capacity in the outdoor are may decrease. * Some small shops will be also permanently affected since the area in front of their shops will be one of the entrance-exit points of the metro. * 354 m2 of the garden of the school, which is the property of the Ministry of National Education will be expropriated. However, no impact is expected because there are no students, teachers, and employees at the school |
| **Aşık Veysel** | * Since the construction will be done by partial cut-and-cover method, road closure and residents' exposure to noise, dust and vibration will be shorter than Abidinpaşa. * The Aşık Veysel Taxi Stand next to the Aşık Veysel might be relocated during the construction. * As the Aşık Veysel Neighborhood is one of the oldest settlements in Mamak, the vibrations might damage the buildings. | * Metro users and residents will have direct access to metro from the park. * Once the Project is in operation, landscaping works will be in place. * No permanent resettlement impact expected |
| **Tuzluçayır** | * Some shops might be negatively affected during the construction because job site would limit their customers’ access to the venues by cars or public transport. * High number of private vehicles, partial road-closure might increase traffic jam in this neighbourhood. | * No permanent impact is expected. |
| **General Zeki Doğan** | * Some shops might be negatively affected during the construction because job site would limit their customers’ access to the venues by cars or public transport. * Since the tunnels will be excavated through Tunnel Boring Machine (TBM), the roadside construction site will be established only for metro entry/exit points. Therefore, partial lane narrowing will be made instead of the main road closure. * The construction site will also block the pedestrian path. Therefore, the passage of pedestrians, especially wheelchair users and people with a stroller, might be disrupted. | * No permanent impact is expected. |
| **Fahri Korutürk** | * The trees on the median strip will be temporarily relocated during the Project's construction phase. * The Fahri Korutürk Station will also be excavated through TBM tunnels, which will reduce noise, dust, vibration, and road closure duration. | * The winter garden terrace of the restaurant might be expropriated which reduce the restaurants’ current customer capacity. |
| **Cengizhan** | * The number of lanes on the main road will be reduced while the trees and base stations on the median will be relocated during the construction. * The Municipality’s Bread Buffet will be temporarily relocated * Some businesses will be negatively affected due to the construction site which restrict the walkways and intersections as well as main road that the customers, staff and suppliers normally use. | * No permanent impact is expected. |
| **Akşemsettin** | * Some businesses will partially lose their gardens. * The tunnels of Akşemsettin Station will be excavated through TBM.  Since the street here is slightly narrower than the previous streets, the on-road construction site will be built only for metro entrances, and exits will ensure that the traffic problem is for a short period. . | Loss of outside space for some shops.   * Although the station's name is Akşemsettin, the station is not located in the Akşemsettin Neighbourhood, but at the intersection of Cengizhan and Ege Neighbourhoods. This might be confusing for passengers during the operation phase. |
| **Natoyolu** | * Traffic in the roundabout will be managed. * Since the tunnels at this station will be built through the cut-and-cover method, excavation trucks will be used in this area; thus, high dust levels, noise, and vibration will affect those residing and working around. * During the construction, lane narrowing will be made, adversely affecting vehicle traffic. However, the construction site will not limit pedestrians' access to the walkway as the pavements are wide enough. | * No permanent impact is expected. |

## Commitment to Minimize and Avoidance of Land Acquisition in Later Phases of the Project

No additional land acquisition is planned during the operation period of the Project. Road and street routes and areas have been preferred as much as possible in order to minimize land acquisition. In addition, the bored tunnelling method has been adopted to reduce land acquisition. The project has avoided permanent land acquisition in Aşık Veysel Park and has given importance care to minimize land acquisition in common areas.

Table 2‑3: Station Types Summary Table

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Station No | Station Name | Station Length (km) | Distance Between Stations | Depth | Station Type | Platform Structure |
| 0 | Dikimevi | -0 + 085 | 0 | 11 | Cut-and-Cover | Island platform |
| 1 | Abidinpaşa | 0 + 967 | 1052 | 23 | Cut-and-Cover | Island platform |
| 2 | Aşık Veysel | 1 + 759 | 792 | 29 | Partial Cut-and-Cover | Island platform |
| 3 | Tuzluçayır | 2 + 461 | 702 | 46 | Deep drilling | Island platform |
| 4 | General Zeki Doğan | 3 + 407 | 946 | 41 | Deep drilling | Island platform |
| 5 | Fahri Korutürk | 4 + 233 | 826 | 49 | Deep drilling | Island platform |
| 6 | Cengizhan | 5 + 500 | 1267 | 30 | Drilling | Island platform |
| 7 | Akşemsettin | 6 + 249 | 749 | 31 | Drilling | Island platform |
| 8 | Nato Yolu | 7 + 221 | 972 | 25 | Cut-and-Cover | Island platform |

In the Project Introduction File prepared by AMM in November 2021, alternatives for the "A1 Line (ANKARAY) Dikimevi - NATO Road Rail System Extension Line" routes were discussed and it was stated that the alternative including the routes stated below is the most appropriate one. There are 8 stations on these routes.

"A1 Line (ANKARAY) Dikimevi - NATO Road Rail System Extension Line" starts from the existing Dikimevi Station of the A1 (ANKARAY) metro. "A1 Line (ANKARAY) Dikimevi - NATO Road Rail System Extension Line" is one of the rail system lines recommended to be built in the short term in the Ankara Metropolitan Area and its Near Surroundings Transportation Master Plan prepared by the Ankara Metropolitan Municipality. This line aims to connect the city center with the residential and commercial centers in the southeast direction.

* The 7.43 km long line starts from the existing Dikimevi station in Çankaya district and continues through Mamak district.

Dikimevi - NATO Road Rail System Extension Line consists of 8 stations and is integrated with the General Zeki Doğan Station and Central Integration Hub( (O) in the Transportation Master Plan Dikimevi – NATO Road Line connects military and health facilities, main transportation points, settlements and trade centers in the city center.

* The line reaches the residential and commercial centers in the southeast of the city through Abidinpaşa, Aşık Veysel, Tuzluçayır, General Zeki Doğan, Fahri Korutürk, Cengizhan, Akşemsettin, NATO Road stations, respectively.
* Integration is planned between the and Central Integration Hub(O) and the Dikimevi – NATO Road Rail System Extension Line which is planned as the 2nd Stage Heavy Rail System Line.

# Regulatory Framework

## National Legislation

National laws and regulations to the land acquisition applications of the Project are discussed under this chapter.

### Land Acquisition

National legislation for land acquisition in Turkey is governed through several regulations among which are, but not limited to, the Turkish Constitution, Land Registry Law, Cadastral Law, Expropriation Law and the Settlement Law.

Article 46 of the Turkish Constitution explains that state and legal public entities, in cases of public benefit, are entitled to entirely or partially expropriate immovable properties in private possession, on condition that the real value of those immovable properties are paid in advance and in cash; and to establish easement rights on these immovable properties in compliance with the procedures and principles set by the Expropriation Law.

Land Registry Law No. 2644 is the main land title regulation which was the amended by Law No. 6302, that entered into force on 18 May 2012. Land registration in Turkey is based on the Cadastral Law No. 3402. The Cadastral Law also defines the process for the identification of land owners without registered title deeds or where there is confusion over land ownership.

All expropriation related works are regulated by the Expropriation Law No: 2942. According to Article 8, the designated expropriation authority (AMM) appoints one or more valuation commissions (consisting of at least 3 people) for the valuation of subject lands. After valuation is complete, another commission for negotiations (again consisting of at least 3 people) is assigned to negotiate the fee for the acquisition of land. All land owners are notified of the decision for acquisition of their land through an invitation for negotiations.

Within 15 days after notification, negotiation meetings are held. In cases where agreement cannot be reached or for owners with unidentified addresses, or for cases with ownership disputes; as per Article 10 of the Law, a lawsuit is filed with the relevant court for valuation and registration. The court then assigns a valuation commission to determine an expropriation fee for subject immovable. The fee set by the court’s valuation commission is deposited in a bank account by the expropriation authority to be paid to the owner of the expropriated property. Expropriation fees are determined according to the criteria set out in Article 11 of the Law.

All state owned lands subject to acquisition are acquired through the application of Article 30 of the Law. The article depicts that a fee is identified by the expropriation agency according to Article 8 of the Law and is presented through a written application to the relevant state authority owning the subject immovable. Similar to private lands, if negotiation is reached, rights for the subject property is transferred, if not, a court process is initiated as per Article 10 of the Law.

In summary, the Expropriation Law sets out the procedures for the expropriation of immovable assets in possession of private and public legal entities in circumstances where there is public interest by the State. The law states procedures and methods for calculation of the expropriation price, registration of the immovable property and the right of way in the name of the authority, and settlement of related disputes. While expropriation is compulsory, the expropriation price must be paid prior to land entry by law. Moreover, the owner and the occupant of the immovable property subject to expropriation and other concerned parties may file actions against the expropriation procedure or appraised values and errors of fact before judicial courts.

According to Municipal Law 5393[[4]](#footnote-4), The Municipal law 5393 defines the role of the Municipality, and its power and privileges. The articles of the Municipal law relevant to the Project are: **ARTICLE 14-** The municipality can undertake the following works to serve a common purpose; Providing services of urban infrastructure such as development of the region, water and sewage system and transportation; geographical and urban data systems; environment and environmental health, cleaning and solid waste; security forces, fire brigades, emergency aid, relief services and ambulance; city traffic; funeral and cemetery services; forestry, parks and green areas; housing, cultural and artworks, tourism and presentation, youth and sporting activities; social and aid services; marriage ceremonies, professional trainings; and services aimed at development of economy and commerce. The Greater City Municipalities and the municipalities having population more than 50,000 shall open houses for women and children welfare.

According to Greater City Law Number 5216[[5]](#footnote-5), The Project is undertaken by the Istanbul Metropolitan Municipality, which is a bound to Greater City Law. The sections of Greater City Law relevant to this Project are as follows: ARTICLE 7- Following are the functions, authorizations and responsibilities of the Greater City municipalities; To perform mass transportation activities within the greater city municipal boundaries and to construct and operate or let others to construct and operate facilities for such purpose; to issue license for to the mass transportation vehicles, including land and sea taxi and service vehicles within greater city boundaries.

Execution of expropriation works for the Project in line with the Expropriation Law (No: 2942) is under the responsibility of AMM. Consequently, the acquisition of the immovables will be realized through expropriation. An Asset Valuation Commission (AVC) established within AMM will identify and verify impacted immovable on the spot and accordingly will determine a value based on the market value.

Prices determined for each asset will be then proposed to rightful owners in accordance with Article 8 of the Expropriation Law no 2942. The negotiated and agreed expropriation fees will be deposited by AMM in the account of the legal holder, followed by the transfer of the title deed to AMM resulting in the completion of subject land’s acquisition.

### Stakeholder Engagement and Grievance Mechanism

* Right to Information Law. 4982; OG Date/Number: 24.10.2003/25269;
* Regulation on the Principles and Procedures for The Enforcement of the Law on the Right to Information; OG Date/Number: 27.04.2004/25445;
* Use of the Right to Petition Law. 3071[[6]](#footnote-6); OG Date/Number: 10.11.1984/18571.

### Regulations on Human rights and Gender/GBVH

* Law on Protection of Family and Prevention of Violence Against Women

<https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=6284&MevzuatTur=1&MevzuatTertip=5>

* Implementation Regulation on Law No. 6284 on Protection of Family and Prevention of Violence Against Women

<https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=17030&MevzuatTur=7&MevzuatTertip=5>

* Regulation on the Procedures and Principles Regarding the Implementation of the Law on the Turkish Human Rights and Equality Institution

<https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=24109&MevzuatTur=7&MevzuatTertip=5>

* Turkish Human Rights and Equality Institution Law

<https://www.mevzuat.gov.tr/mevzuatmetin/1.5.6701.pdf>

* Turkish Human Rights Institution Law

<https://www.mevzuat.gov.tr/MevzuatMetin/1.5.6332.pdf>

## EBRD Requirements

The Environmental and Social Performance Requirements and the EBRD's Environmental and Social Policy outline the requirements that all EBRD-financed projects must meet. The core of the Performance Requirements is the application of the mitigation hierarchy and good international practices. EBRD requires its clients to take necessary measures to manage the social and environmental impacts of projects. EBRD has 10 Performance Requirements (PRs) covering environmental and social issues. EBRD Performance Requirement 1: Assessment and Management of Environmental and Social Risks and Impacts is a requirement implemented by each project.

### EBRD Performance Requirement 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

This Performance Requirement (PR) addresses impacts of project-related land acquisition, including restrictions on land use and access to assets and natural resources, which may cause physical displacement (relocation, loss of land or shelter), and/or economic displacement (loss of land, assets or restrictions on land use, assets and natural resources leading to loss of income sources or other means of livelihood). The term “involuntary resettlement” refers to both of these impacts and the processes to mitigate and compensate these impacts. Resettlement is considered involuntary when affected persons or affected communities do not have the right to refuse land acquisition or restrictions on land use, other assets and natural resources, even if compulsory acquisition is used only as a last resort after a negotiated process. The objectives of this PR are to:

* Avoid involuntary resettlement or, when unavoidable, minimise involuntary resettlement by exploring feasible alternative project designs and sites;
* Avoid forced eviction;
* Mitigate unavoidable adverse social and economic impacts from involuntary resettlement on affected persons by: (i) providing timely compensation for loss of assets at full replacement cost; and (ii) ensuring that land acquisition, restrictions on land use, other assets and natural resources and involuntary resettlement activities are implemented with meaningful consultation, participation, and disclosure of information, in accordance with the requirements of PR 10;
* Improve, or as a minimum restore the livelihoods and standards of living of affected persons compared to pre-displacement levels; and
* Improve living conditions of physically displaced persons through the provision of adequate housing (including essential services and utilities) with security of tenure at resettlement sites.

This PR also applies to any physical displacement or economic displacement carried out by the client or a government for purposes relevant to the project before EBRD’s involvement. Where displacement has already occurred prior to the involvement of the Bank, an audit shall be conducted to identify: (i) any gaps of past activities against this PR; and (ii) the corrective actions that may be required to ensure compliance with this PR. A corrective action plan will describe all activities to reach compliance with this PR in the form of a time-bound plan, including a budget, implementation arrangements, allocation of roles and responsibilities, and implementation schedule.

### EBRD Performance Requirement 10: Information Disclosure and Stakeholder Engagement

This Performance Requirement (PR) recognizes the importance of an open and transparent engagement between the client, its workers, worker representatives, local communities and persons affected by the project and, where appropriate, other project stakeholders as an essential element of good international practice and corporate citizenship. Such engagement is also a way of improving the environmental, social and overall sustainability of projects. In particular, effective community engagement, appropriate to the nature and scale of the project, promotes sound and sustainable environmental and social performance, and can lead to improved financial, social and environmental outcomes, together with enhanced community benefits.

Stakeholder engagement is central to building strong, constructive, and responsive relationships which are essential for the successful management of a project's environmental and social risks and impacts. It is an inclusive and on-going process which is most effective when initiated at an early stage of the project and is an integral part of the assessment, management and monitoring of environmental and social risks and impacts of the project.

## Gap Analysis

Table 3‑1. Gap Analysis

| Topic/Issue | Key EBRD PR Requirement | National Requirements | Gap | Mitigation |
| --- | --- | --- | --- | --- |
| **Avoidance and Minimization** | According to EBRD PR 5 involuntary resettlement should be avoided where feasible or minimized. | There is no provision regarding avoiding and minimization of resettlement in Turkish expropriation law. However, as good practice, AMM considers avoidance and/or minimization of the crossing of residential and industrial areas and keeping sufficient distance to the borders of the residential areas to the extent possible in order to minimize potential social impacts and associated expropriation costs. | Land acquisition and involuntary resettlement will be minimized by the AMM at the feasibility stage of the Project to the extent possible. | Land acquisition and involuntary resettlement are minimized by AMM during construction phase as well as feasibility stage of the Project. AMM will prepare a RAP to define Project’s impacts and entitlements. |
| **Census and Baseline information** | PR5 states, where land acquisition or restrictions on 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 establish an inventory of land and assets to be affected, to determine who will be eligible for compensation and assistance, and to discourage ineligible persons, such as opportunistic settlers, from claiming benefits. | Turkish Law requires preparation of inventory of assets.  Land acquisition through expropriation requires the preparation of a census (full count) of affected immovable assets, and a full list of their owners. | National requirement is limited to census of immovable assets and legal titleholders.  Census and baseline information on Project affected populations as defined by EBRD PR5, including tenants, users of communal lands, land holders/occupants without legal or customary title is not required. | Census baseline information is compiled by a third party AMM technical consultant that will include tenants, users of communal land, land holders/occupants without legal or customary title.  A baseline for current condition of the buildings along the route will be conducted by a third party AMM technical consultant. |
| **Cut-Off Dates** | PR5 states that, in conjunction with the census, the Borrower will establish a cut-off date for eligibility.  Information regarding the cut-off date will be well documented and will be disseminated throughout the project area | There is no provisioning for cut off dates for PAPs that use public/private lands.  Compensation for expropriation is provided to legal titleholders according to Law on Expropriation 2942. In order to avoid new comers settling to expropriation site, public interest decision announcement posted in village headmen’s office is used for large-scale investment projects as the cut-off date. Digital cadastre and population registry system that depends on current address of persons is used to prevent fraudulent claims. | EBRD requires a census study for establishing a cut-off date whereas Turkish resettlement law includes a three-year residency time limit for eligibility for non-owner PAPs. Asset inventory and PAP notifications studies are conducted by the responsible governmental agencies in line with national standards.  Prevention of opportunistic claims in line with EBRD PR5. | Census baseline presents the cut-off date for Project’s eligibilities. |
| **Valuation Methodologies –**  **Full Replacement Value** | According to PR5, when land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, the Borrower will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods | Valuation of agricultural land depends on capitalization of annual net income calculated by taking market prices into account. | No gaps identified since the national valuation for land assets follows market prices for urban land and capitalization of net income for rural land. | Project follows expropriation lawvaluation of market value |
| **Compensation for Loss of Land** | Economically displaced persons who face loss of assets or access to assets will be compensated for such loss at full replacement cost  Economically displaced persons who are without legally recognizable claims to land (iii)) will be compensated for lost assets other than land (such as crops, irrigation infrastructure and other improvements made to the land), at full replacement cost.  The client is not required to compensate or assist opportunistic settlers who encroach on the project area after the cut-off date for eligibility. | Turkish law provides cash compensation to persons with legal rights/claims recognized. | Gap exists for compensation of displaced persons without legally recognisable claims to land such as tenants, squatters.  There is no livelihood restoration and/or transitional support provisioned in Turkish law except for government led resettlement. | Project will be compensate PAPs with legal titles at market value.  If Project has adverse impacts on livelihoods of land users, tenants, AMM or the Contractor will compensated according to PR 5. |
| **Addressing Loss of Livelihoods** | In addition to compensation for lost assets economically displaced persons whose livelihoods or income levels are adversely affected will also be provided opportunities to improve, or at least restore, their means of income-earning capacity, production levels, and standards of living | Expropriation law does not assess loss of livelihoods, compensation is provided to titleholders for land loss only.  There is no provisioning in the Turkish Law for livelihood restoration.  Government led resettlement has livelihood restoration components. | There is no provision of livelihood loss or assessment of individual livelihood impacts.  Pursuant to Turkish laws, only legal right owners can receive compensation. Whereas, pursuant to international standards, all project- affected persons are granted the right of compensation which will enable them to restore their means of livelihood at least to the levels prior to the project | A RAP will be developed by AMM to mitigate livelihood losses triggered by the Project. |
| **Compensation prior to land take/displacement** | EBRD PR5 states that “displacement or restriction of access does not occur before necessary measures for resettlement are in place”. | According to Expropriation law compensations need to be deposited into titleholders account prior to land take. | Regular expropriation law is in line with EBRD standards. | AMM will ensure that payment is made prior to land entry for civil works. |
| **Measures for Vulnerable Persons** | EBRD 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 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 socio-economically encourage them to reach a high standards of living. In this context, the State applies several rules and measures to protect and to support its needy, weak, helpless and homeless citizens (ex. The Law No.2022 date 01.07.1976). | Land acquisition does not address vulnerability. | Vulnerable groups are also beneficiaries of RF and RAP |
| **Monitoring and Evaluation (M&E)** | M&E is required for projects that cannot avoid physical and economic displacement. Resettlement and livelihood restoration of the affected persons should be monitored for such projects. | No provisions for monitoring the implementation or impacts of expropriation or resettlement. | No provisions for monitoring the implementation or impacts of expropriation or resettlement. | AMM conducts internal monitoring. There is a PIU monitoring in place for RAP  Implementation of the Resettlement and Livelihood impacts on businesses, households and vulnerable groups will be monitored through internal and external monitoring  RAP implementation and monitoring reports to be issues as part of the E&S reports to the lenders |
| **Level and timing of Community Engagement / Consultation / Negotiation / Participation** | EBRD emphasizes early and meaningful consultations, preparation of a stakeholder engagement plan.  Project should consult with project affected persons about the project’s environmental and social aspects and should take their views into account. | There is no requirement for Stakeholder Engagement Plan.  The Notification Law provides that all affected persons are notified in writing. | According to EBRD Performance Standard 10, there is no provision for effective stakeholder engagement through the disclosure of project-related information and consultation with local communities on matters that directly concern them.  Information sharing on land acquisition is conducted on later phases of the Project. | Effective stakeholder engagement is ensured. AMMs stakeholder engagement will be conducted by the project team that has Community Liaison officer environmental and social team of the Contractor. ABB has a SEP that defines participation in the Project. ABB follows the SEP for consultations, negotiations and clarifications. |
| **Information Disclosure** | EBRD emphasizes disclosure of information and expects the Borrower to provide Affected Communities with access to relevant information on: (i) the purpose, nature, and scale of the project; (ii) the duration of proposed project activities; (iii) any risks to and potential impacts on such communities and relevant mitigation measures; (iv) the envisaged stakeholder engagement process; and (v) the grievance mechanism. | Public participation meetings are conducted in accordance with the requirements of the national EIA Regulation as part of the EIA process. This allows consultation with the project-affected communities to a certain extent during the scoping phase of the national EIA process.  Upon completion, EIA disclosure is compulsory. Public disclosure/information meeting is officially announced 10 days prior to the meeting; the meeting is attended by an Officer from Provincial Directorate of Ministry of Environment and Urbanization. | Disclosure content is limited to EIA and does not include social issues/concerns. | Public disclosure is conducted according to EBRD standards. There is a SEP in place. SEP describes in detail Project disclosure. RAP will be disclosed according to SEP. |
| **Project-level Grievance Redress Mechanisms** | Where there are Affected Communities, the client will establish a grievance mechanism to receive and facilitate resolution of Affected Communities’ concerns and grievances about 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 not sought for the immovable property to be expropriated. 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 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.” | There is no grievance mechanism requirement. | There is a grievance mechanism in place; grievances are recorded/responded and necessary actions are taken. |

# Key Principles, Objectives and Process

## Key Principles

The project shall conduct land acquisition in compliance with both local legislation and EBRD PR 5. In this context of the project:

* Land acquisition will be minimized and private property expropriation will be avoided to the extent possible.
* Forced eviction will be avoided.
* Before entering the field, a full census of the people and immovable properties affected by the Project will be conducted and the project affected persons will be identified.
* Vulnerable groups will be identified before the beginning of land acquisition begin and additional measures will be taken to ensure that these groups are not adversely affected by the process.
* The Project aims to acquire land through negotiated agreement (Article 8). If consent is not reached, relevant lawsuits will be filed under Article 10. The urgent expropriation decision (Article 27) will not be taken unless mandatory conditions occur.
* Before entering the field, compensation payments will be deposited to the right holders.
* Attention will be paid to ensuring gender equality and access to compensations, consultation process and information activities will be carried out in accordance with gender equality.
* Consultations with affected individuals and communities will be organized and be supported by the disclosure of information about the Project.
* The views and grievances of the owners and other affected citizens will be timely tracked and resolved.

### Determination of Entitlement and Cutoff Date

Registered owners and shareholders, registered or unregistered land users, official or unofficial tenants affected by land acquisition within the scope of the project will be identified through a census study after final land expropriation plans are approved.

The date of census will be used as the cut off date for the Project’s entitlements. Persons who settle and use the property plot or land that will be affected by the expropriation after the cut off date, cannot benefit from the entitlement unless there are reasonable causes.

## Processes

The land acquisition approach and expropriation process are summarized in Figure 4-1. Consultations and information-sharing will be the basis throughout the entire process and the Project's community liaison officers will take an active role by supporting AMM's Department of Real Estate and Expropriation. The Project Implementation Unit (PIU)will be involved in the implementation, monitoring and evaluation of the process. Reporting and process monitoring will be conducted by the AMM project team with the support of PIU.

Figure 4‑1. Land Acquisition Process of the Project

# Resettlement and Compensation Approach

## Entitlement Matrix Approach

Entitlement matrix encompasses all persons (private/legal) who may be affected by physical and/or economic displacement due to the Project's land acquisition. Entitlement matrix includes not only legal rights holders, but also businesses, tenants, users and vulnerable groups that may be exposed to adverse impacts and are at risk of loss of livelihood. The rights to be offered for the specified entitlement categories are determined in the entitlement matrix. When the land acquisition of the project is finalized, the entitlement matrix will be updated by determining the persons in the entitlement category determined in the Resettlement Action Plan to be prepared.

### Entitlement Matrix

Table 5‑1: Entitlement Matrix

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Impact/ Loss Type | Duration and period of impact | Type of Person Affected by the Project | Ownership of Right Provided by the Project | Responsible Unit/Institution/Organization |
| Partial loss of privately owned land in urban use | Permanent,  Construction and Operation | Privately owners  32 land lots  Business tenants using properties affected by expropriation | 1. In accordance with the standards of the Lenders, maximum efforts will be taken to avoid adverse effects on households and businesses as much as possible during the selection of routes and station areas. 2. In cases where expropriation and resettlement are unavoidable, land valuation will be based on market value. According to the Expropriation Law, land valuation is calculated over the market value by Valuation Commission. This process will be carried out in accordance with EBRD PR 5, and the prices will be paid to beneficiaries prior to land entry. 3. Priority will be given to negotiated settlements with the owners regarding land acquisition. After the zoning plan is approved, necessary land divisions procedures will be implemented and the owners of the immovable properties along the route will be contacted. 4. Property owners and users must be informed in advance and their informed consent must be obtained. 5. As a result of the appraisal report to be prepared, the owners of immovable properties will be invited to negotiations within the scope of Article 8. 6. In the absence of agreement, the Article 27 will be applied as a last resort. Prior to Article 27 is applied, in order to ensure that the owners have access to compensation, attention shall be paid to ensure that inheritance transfers are made before the court hearing. 7. If the negotiations fail, a compensation valuation lawsuit is filed in accordance with Article 10 of the expropriation law. 8. During the land acquisition process, land owners will have open access to the grievance mechanism and all grievance-request records will be constantly monitored and recorded. All Project-Affected-People (PAPs) shall be informed about the grievance mechanism. The project's community liaison officer shall visit PAPs and inform them about the land acquisition process. 9. AMM will conduct a census study for all businesses affected by the land acquisition (Number of employees, income, expenditure, sector, service capacity, etc.). This study will be prepared separately with the support of an institution (university, consultancy firm, etc.) specialized in the field. 10. Although the land acquisition has not been finalised yet, the existing plans illustrate that the small section of the exterior common area (such as the garden) may be impacted. Garden areas used by businesses for income generating activities whether it is formal, informal, user or occupier may result in economic displacement due to the Project's land acquisition. Impacts on livelihoods will be identified and will be compensated. For compensation, cash compensation or in-kind methods may also be preferred. Among these methods:     * First of all, AMM will ensure that the contractor takes preventive measures in order to minimize the income losses that may occur due to road closure, construction-related dust and noise measures. To ensure this, the impacts of construction should be regularly controlled by the Ankara Metropolitan Municipality.     * Affected businesses will be prioritised by the contractor for local procurement, with targets for procurement from the affected businesses.     * Information and application support will be provided to SMEs by the related unit of AMM about the support provided by AMM; If there is information about the sources of access to grants and loans for business development, they will be informed of other support packages offered by the municipality. 11. After the land acquisition plans are finalized and approved, businesses that may suffer from loss of livelihood due to the construction impacts of the Project (road closure, dust, noise or physical damage to workplaces, etc.) will be identified, their losses, if any, will be recorded through monitoring and evaluation, and continuous consultation will be held to identify solutions for livelihood restoration. The compensation of the businesses whose livelihoods are affected due to the construction impact will be covered by the Contractor. Where necessary, the Contractor will provide temporary rental and relocation support to the tenant business Consultations will be recorded, and suggested alternatives and solutions will be recorded. The project-affected people (PAPs) and businesses will be regularly informed about the project processes by the community liaison officer. 12. Information will be provided by community liaison officers on grievance mechanism channels and access to grievance mechanisms. Grievance about land acquisition will be examined under a separate heading and will be reported regularly. | **Action 1**  AMM Project unit responsible for selection of route and engineering work  **Action 2**  Department of Expropriation  **Action 3**  Department of Expropriation and Public Relations Officer  **Action 4-8**  Department of Expropriation  Community Liaison Officers    **Action 9**  AMM and Consultant Firm  **Action 10**  The Contractor,  Related Units of AMM  Supervised by PIU  **Action 11**  The Contractor, Party Responsible for Damage, AMM Project Control Unit, Community Liaison Officers and Department of Expropriation  **Action 12**  The Contractor and Community Liaison Officers of AMM |
| Temporary physical relocation | Temporary, Construction | Taxicab Stand, Public Bread Buffets | 1. AMM shall show alternative locations to businesses affected by the temporary relocation. For these alternative locations:    * AMM will indicate the nearest location as an alternative to these businesses’ former location,    * Location selection will be decided jointly with taxi drivers and station management,    * The entire decision-making and consultation process will be documented. 2. Information on to access the grievance mechanism will be shared. 3. Relocation support will be provided: Taxicab stand, public bread buffet, taxi telephone line will be assisted to be relocated. 4. Relocation support will be given to these businesses after construction in order to move them to their old locations. | **Action 13-14**  Related Units of AMM  The Contractor  **Action 15-16**  Related Units of AMM  Community Liaison Officer  The Contractor |
| Permanent Physical Displacement | Permanent, Construction and Operation | Abidinpaşa Taxicab Stand | 1. AMM will provide alternative locations to businesses affected by permanent relocation. For these alternative locations:    * AMM will indicate the nearest location as an alternative to these businesses’ former location,    * Location selection will be decided jointly with taxi drivers and station management,    * The entire decision-making and consultation process will be documented. 2. Access to the grievance mechanism will be provided. All grievance and requests will be recorded and regularly monitored and evaluated. 3. Relocation support will be provided: Taxicab stand and taxi telephone line will be assisted to be relocated to their pre-construction state. | **Action 17-19**  Related Units of AMM  PIU  The Contractor  Community Liaison Officer |
| Temporary economic displacement as a result of the impact of road use restriction | Construction, Temporary | * Businesses situated at metro entry and exit points * Businesses likely to be affected by the temporary road closure in Abidinpaşa | 1. The contractor is required to have a basic socio-economic survey applied with expert support (university, consultant, etc.) and will collect basic base data such as ownership status of all businesses (tenant, landlord), service sector, number of employees, business lines, income and expenses, and record contact information. The purpose of business-based data collection is to measure and monitor possible negative economic impacts. 2. The contractor will prepare a monitoring procedure in line with a framework to track the impact of a loss of income. 3. Based on university approved livelihood monitoring reports, necessary support that fall outside of the contractor's procurement activities (rent, expense items etc.) will be provided based the reasons for the loss of income to the business tenants by the responsible person specified in the report (AMM or Contractor). 4. AMM and the contractor ensure that all businesses on restricted routes will have pedestrian access. Pedestrian crossing will not be interrupted. Loading and transportation access of businesses will also be provided on a regular basis. This is especially important for businesses such as grocery stores that need regular loading. In addition, traffic arrangements will be made in line with the requests of the businesses. 5. AMM will regularly audit the measures taken by the contractor to prevent loss of income of the businesses. In particular, it is necessary to monitor where the access of the businesses to the customers is restricted, the loading and display areas are blocked, the pedestrian access is cut off, to determine compensation for the damages and losses. 6. The grievance mechanism of the project will prioritise the grievances submitted by businesses such as dust, noise, job loss, access problems arising from construction. 7. The construction arrangements undertaken by the contractor to minimize economic loss of the businesses will be recorded through joint consultations. Contractor's commitments will be regularly monitored by AMM and external monitoring. 8. Local businesses will be regularly visited by the Project's community liaison officer and their grievances and requests will be recorded. Regular consultations will also be recorded in the consultation log. | **Action 20**  The contractor will have a qualified specialist firm or a competent university based in Ankara carry out a determination study or have it approved by a university**.**  Monitoring and evaluation by AMM, PIU and the Contractor & Community liaison officer  **Action 21-22**  The Contractor will have a qualified specialist firm or a competent university based in Ankara carry out a determination study or have it approved by a university.  **Action 23**  The Contractor or AMM  **Action 24**  The Contractor,  AMM project control unit and community liaison officers – supervised by PIU.  **Action 25**  AMM Project control units and PIU  **Action 26-27**  Monitoring and evaluation by AMM, PIU and the Contractor & Community liaison officers |
| Damage to homes and temporary physical relocation | Construction, Temporary | Those living in residences on the construction work route located at metro stop locations | 1. Emergency Evacuation Plan and Procedure must be prepared by the contractor. This plan will be monitored by ABB. 2. The contractor will have specialist institutions conduct a risk assessment. While this risk assessment building structure study is being carried out, **an up-to-date complete census will also be conducted on a household basis**. Household-based census will include age, vulnerable group and gender data of the PAPs living in the building. 3. The baseline information will be shared with these households by the contractor, and the construction impacts will be regularly monitored and reported to the AMM. 4. Where temporary resettlement is necessary, timely notification and informed consultations will be conducted. Among the PAPs who will be impacted from temporary resettlement, there may be vulnerable groups that may be more difficult to resettle. During this process, support will be provided and regular consultation will be held with vulnerable groups including the elderly, female family heads, and the poor. Unregistered users who live in these structures without official registration are also included to this scope. For example, temporary resettlement support will be provided to PAPs such as students and immigrants living in these buildings. Temporary resettlement conditions will be discussed with PAPs and must be agreed upon prior to implementation. 5. Information on the conditions of temporary resettlement, including possible impacts, compensations offered and rights to be provided, and legal aid, will be shared with PAPs and recorded in a written report. This report will also be written in a clear and easy to understand language appropriate for vulnerable groups. In addition, the report will contain detailed information on how to access the grievance mechanism. 6. Relocation support such as packing, finding alternative housing, moving shall be provided to households subject to temporary resettlement, especially vulnerable groups in need, and the situation of these households shall be monitored monthly and reported regularly. 7. When the households are relocated by the contractor back to their old settlement, they will be asked to sign the 'Closing' report confirming that the relocation is complete and that no issues regarding resettlement are left unsatisfied. The reasons for the households that do not sign this report shall be recorded, and the grievances shall be followed up. 8. Emergency Evacuation Plans and consultations are also included in stakeholder engagement. 9. Results should be reported in the scope of ESAP monitoring, RAP monitoring and annual E&S reports. | **Action 28-37**  Principal responsible is the Contractor.  Monitoring, evaluation and reporting are the responsibilities of the AMM project control unit and PIU |
| Vulnerable Groups | Construction, Temporary | Those considered vulnerable groups including the elderly, sick, people with disabilities, female household heads, children, refugees | 1. Vulnerable groups shall be informed face-to-face by community liaison officers on the Project's land acquisition, road restrictions, and access to alternative routes. 2. Access of vulnerable groups to their economic activities shall not be restricted due to the Project and roads shall be accessible for users of wheelchairs, strollers etc. 3. Vulnerable groups that may be adversely affected by construction impacts – particularly damage to the building structure or temporary relocations – will be identified prior to construction and, if evacuation required, relocation support such as packing, finding alternative housing, moving, shall be provided and their situation shall be regularly monitored during construction. 4. In settlements where refuges live and where there is a risk of temporary relocation due to the construction, community liaison officers accompanied by translators will prepare an entitlement document in the refugees' mother tongue so that refugees would be able to read and approve it. | **Action 38-40**  The Contractor  Community Liaison Officers  Monitoring and evaluation by PIU and AMM |
| Permanent economic displacement | Permanent, Operation | Transport service providers (minibus, dolmush; public bus) | 1. AMM shall hold regular meetings with all stakeholders providing transportation services on the Mamak route. 2. Grievance and requests submitted by stakeholders about the project shall be recorded. 3. If requested, AMM shall suggest an alternative route to service providers who may lose income due to the project. All interviews shall be recorded, and statements shall be taken down. | **Action 41-43**  The Contractor  AMM Project Control Unit  Community Liaison Officers |
| Third party land loss | Permanent, Construction and Operation | Mamak Municipality, Military Office | 1. Necessary permits for land use shall be obtained from the municipality. 2. Necessary permits for land use shall be obtained from the military office. | **Action 44-45**  Related Units of AMM |

## Valuation of Affected Assets

All expropriation activities carried out by AMM are based on the Expropriation Law No. 2942. The land acquisition process will be carried out by AMM in accordance with the Expropriation Law No. 2942. Accordingly, expropriation plans are prepared, the owner and possession of the immovable properties are determined and the Land Registry Directorate is notified about the expropriation decision taken. Within the scope of Article 11 of the Law, the estimated value of the immovable property is determined by utilizing scientific and objective data. The methods applied in determining the price of immovables are explained below.

### Valuation of Plots

It is a legal obligation to make a valuation according to the market price criteria in the plot valuation for expropriation purposes.

**Market Value**

Market value is the estimated amount required to be used in the exchange of an asset or liability as of the valuation date between a willing seller and a willing buyer as a result of appropriate marketing activities and a non-collusion transaction, in which the parties acted with knowledge, prudence and without coercion.

**Market Approach**

The market approach refers to the approach in which the indicative value is determined by comparing the asset with the same or comparable (similar) assets for which price information is available. It is deemed necessary to apply the market approach and to give significant and/or significant weight to it in the following situations:

(a) the asset subject to the valuation has been sold in the last period for a price in accordance with the value basis,

(b) active trading of the subject asset or assets that are significantly similar to it, and/or

(c) Frequent and/or current observable transactions involving substantially similar assets.

The market approach usually uses market multipliers derived from comparable assets, each with different multipliers. Selecting the appropriate multiplier from the specified range requires an evaluation that takes into account both qualitative and quantitative factors.

In practice, the value of the plot is usually found by direct comparison with similar plots for which the actual selling price is known. For this, it is necessary to know the real sales prices of the plots similar to the plot that is appreciated in terms of various qualities and to calculate the average m2 price from these prices.

**The Method Used in Investigation of Land Precedents**

While determining the value of a plot according to the market method, the possible purchase and sale prices of that plot in the market are taken as a basis. The following conditions are necessary for the method to be applied:

1. The goods to be compared are found under the same conditions,
2. Very new market prices should be known
3. The existence of free competition.

The value of the plots is usually calculated by direct comparison with similar plots for which the actual selling price is known. For this, it was done by knowing the real sales prices of the plots similar to the plot that were valued in terms of various qualities and calculating the average m2 price from these prices.

PV = ∑V / ∑P

∑V: The sum of the sales prices of the plots purchased for comparison,

∑P: Total area of the plots taken for comparison,

PV: Plot Value (Average m2 price).

The valuation expert will apply for direct comparison and look at the latest purchase and sale prices of plots similar to the plot to be appraised. The equivalent sales values provided have been moved to the valuation date with the Domestic Producer Price Index (D-PPI) and the value has been calculated by taking into account the levels of representation.

### Valuation Process in Plots

Valuation studies for lands consist of the following stages:

1. Preliminary examination,
2. Land surveys
3. Data collecting,
4. Analysis of data
5. Reporting

### Preliminary Examination

The land in the expropriation area needs to be examined and classified as plot or land. According to the principles of the Expropriation Law, the first step to be taken during the valuation phase of an immovable is to determine whether the immovable is a plot or a land. In accordance with Article 11 of the Expropriation Law, the type of immovable property in question must be determined while valuation is being carried out. It is very important to determine whether the expropriated immovable property is plot or land. Because the price to be determined will change accordingly. The determination of the values of plots and lands is subject to different principles. While immovables in the nature of land are appraised on the basis of “income”, immovables in the nature of plot are valued on the basis of precedent.

In accordance with the "Decision on the Unparceled Land to be Considered as Land" of the Council of Ministers, numbered 83/6122 and dated 28.02.1983, different criteria have been introduced for the lands within and outside the boundaries of the municipality and the adjacent area. The criteria introduced in accordance with Article 1 of this law are as follows:

* The lands located within the boundaries of the municipality and the adjacent area, which are separated as settlement areas by a zoning plan;
* “Unparceled lands and pieces of land” that are located within the boundaries of the municipality and the adjacent area but are not separated as a settlement area by this zoning plan, but are actually inhabited and are among the places benefiting from municipal services, are “considered as plot. However, the land and the pieces of land in these places are not considered as plot if they are used for agricultural activities.

In line with the decision of the Council of Ministers dated 28.2.1983 and numbered 1983/6122, which was partially adopted by the Court of Cassation, and the decision of the Grand General Assembly of the Supreme Court of Appeals, dated 17.4.1998 and numbered 1996-3-1998-1; in order for an immovable not included in the zoning plan to be considered a plot, it must be within the boundaries of the municipality or the adjacent area, but must benefit from municipal services (road, water, electricity, transportation, garbage collection, sewerage, lighting, etc., because it is or will be inhabited by the municipality) and be among residential areas.

In order to define the type of an immovable as a plot, two conditions must be met;

* If the immovable property is in the zoning plan on the expropriation day, this place is considered as a land without any conditions.
* If the immovable to be expropriated is not within the zoning plan as of the evaluation date, but within the borders of the adjacent area; It is considered as plot, provided that it benefits from all municipal services and is inhabited.

### Land Surveys

In land surveys, all the features that affect the value of the real estate positively or negatively are determined.

### Data Collection

At the stage of data collection, in addition to the information to be obtained from the Land Registry Directorate, real estate offices, local administrations (municipality, headman and special administration), chambers of industry, commerce and agriculture, and the population directorate regarding the land market, the purchase and sale prices are compiled from the people who have bought and sold the plot.

### Local Administrations (Municipality, Mukhtars’ Office): Analysis of Precedent and Data

Calculations are made after the appropriate precedent values are determined by assessing the collected data and field surveys.

### AMM Department of Expropriation’s Process

The Valuation Commissions, established by the Expropriation Branch Office, consist of 3 principal and 2 substitute members. There are civil engineers, survey engineers, agricultural engineers, construction technicians and survey technicians in the commission. A valuation is determined by the members of the commission according to the average of the current market prices obtained from real estate agents located around the land to be expropriated and from the land registry office of the relevant municipality. In addition, immovable property owners affected by the route are also determined in the field study. Immovable property owners are invited for negotiation by a written notification.

Negotiations according to Article 8 of the Law No. 2942 begin with the participation of landowners. If agreement is reached, an agreement report is written down with the immovable property owners and sent to the relevant In case of disagreement with the owners of the immovable, a price determination and registration lawsuit is filed in accordance with Article 10 of the Law No. 2942.land registry office.

## Land Acquisition Process

Land acquisition process will be carried out by AMM according to the Expropriation Law No. 2942. Accordingly, expropriation plans are prepared, the owners and possessors of immovable properties are identified, an expropriation decision is issued and notified to the Land Registry Directorate and an administrative annotation is affixed as per Article 7 of the Law. Estimated value of the immovable property is appraised by using scientific and objective data within the scope of Article 11 of the Law. First of all, land acquisition will be made through willing buyer - willing seller arrangements as per Article 8 of the Expropriation Law.

A memorandum of understanding is prepared in the event that an agreement is reached with the owners of immovable properties regarding the appraised value as the expropriation process starts with acquisitions and this memorandum constitutes the legal basis of the ex-officio registration of such immovable properties in the name of our administration (Article 8 of the Law).

If no agreement is reached with the owner of an immovable property, the expropriation price is set by the court as per Article 10 of the Law and paid to the owner thereof and the immovable property is registered in the name of the administration.

If the immovable property of another Public Entity is required, the provision stipulated in Article 30 of the Law applies. If no agreement can be reached with the administration that is the owner of the immovable property, this issue is finalized by the Court.

Figure 5.1. Expropriation Process



Figure 5.2. Reconciliation, Litigation and Payment Process

# Disclosure and Meaningful Consultation

## Past Studies

A Project Description File (PDF), prepared in 2021 was submitted to the Ankara Provincial Directorate of Environment and Urbanization (PDEU). Under the Environmental Impact Assessment Regulation (Official Gazette Date/Number: 25.11.2014/29186), an ‘EIA not Required’ decision (official notification dated 28.06.2022) was issued for the Project.

A third party Environmental and Social Due Diligence (ESDD) was commissioned by the EBRD for the Project. The objective of the ESDD was to identify and assess the environmental and social impacts associated with the construction and operation of the proposed metro line and the capacity of the Project development to address these impacts in line with the Lender's environmental and social requirements.

Stakeholder engagement and project information sharing will be carried out by AMM Media and Public Relations Department (MPRD). In addition to this department, AMM has the Neighbourhood Affairs Directorate communicating with mukhtars, Social Media Directorate managing the social media accounts and the Women and Family Services Directorate focusing on communication with women. AMM will utilize online and offline communication tools to reach all residents and inform them about the Project.

Stakeholder engagement and information disclosure for the Project will be undertaken by AMM Media, Communications and Public Relations Department (MCPR). In addition to MCPR Department, AMM has Mukhtar’s Directorate, in direct communication with muhktars for information disclosure, Social Media Directorate, that manages social media accounts and, Women and Family Services Directorate that focuses on engagement with women. AMM uses online and offline communication tools to reach all residents and inform them about their projects.

The Project was announced on the EGO website[[7]](#footnote-7) on February. First Project specific face to face meeting with Muhktars was held on March 17th, 2022 at AMM during ESDD consultations. ESDD Consultations included consultations with the below stakeholders (Table 2-1). All stakeholders emphasized the importance of metro. The Mukhtar’s in the Project’s impact area stated that the Project is the top priority across all infrastructure and social projects, since transportation is a grave concern in Mamak. All consulted PAPs voiced their strong support to the Project. Even during discussions on possible construction impacts- road routings, blockages, noise, dust- PAPs welcomed the Project, they said it is necessity. For women, metro means safer, accessible and more comfortable travel alternative. Overcrowded bus and minibus service, heavy traffic were main complaint areas for transportation. Main questions posed regarding the Project were:

* the timeline of construction: Start date and the duration
* exact location of the stations

Taxi drivers were also consulted to assess potential impact on their livelihoods. They said even if people living in close proximity may prefer metro as opposed to taxi service, more people will use taxis to access metro stations. They do not expect decrease in their income since there will be further demand to access metro stations.

**Internal Stakeholders**

Table 6‑1. Stakeholders Consultations

|  |  |  |  |
| --- | --- | --- | --- |
| No | Institution | Title | Number of Participants |
| 1 | Ankara MM General Secretariat | Secretary-General | 1 |
| 2 | Ankara MM Department of Public Works and Engineering (DPWE) | Project Manager  Engineer  Engineer  The expert responsible for the grievances directed by Başkent 153 to FIGM | 4 |
| 3 | Ankara MM Department of Muhktars’ Affairs | Head of Department of Neighbourhood Affairs  Chief of Department of Neighbourhood Affairs | 2 |
| 4 | Ankara MM Department of Media, Publications and Public Relations | Head of Department of Media, Publications and Public Relations  Branch Manager of Media and Publications | 2 |
| 5 | Ankara MM Department of Environmental Protection and Control | Branch Manager of Climate Change  Landscape Architect | 2 |
| 6 | Ankara MM General Directorate of Electricity, Gas and Bus Operations Organization | Vehicle Maintenance Unit Manager  Officer  Safety Management Unit Officer  Line Maintenance Unit Manager | 4 |
| 7 | Ankara MM Department of Machinery Supply, Maintenance and Repair | Chief | 1 |
| 8 | Ankara MM Department of Real Estate and Expropriation | Head of Department of Real Estate and Expropriation  Officer  Officer | 3 |
| 9 | Ankara MM Department of Women and Family Services | Chief of Women's Counselling Center and Shelters  Sociologist | 2 |
| 10 | Yüksel Project | Project Manager | 1 |
| 11 | Metro İstanbul | Etude Project and Railway Manager  Project Manager  Architect  Architect | 4 |

**External Stakeholders**

Table 6‑2. External Stakeholder Meetings

|  |  |  |  |
| --- | --- | --- | --- |
| No | Institution | Title | Number of Participants |
| 1 | Mukhtars | Mukhtar of Abidinpaşa Neighborhood  Mukhtar of Aşık Veysel Neighborhood  Mukhtar of Tuzluçayır Neighborhood  Mukhtar of General Zeki Doğan Neighborhood  Mukhtar of Fahri Korutürk Neighborhood  Mukhtar of Cengizhan Neighborhood  Mukhtar of Akşemsettin Neighborhood  Mukhtar of Ege Neighborhood | 8 |
| 2 | Women in the District of Mamak | Women residents of the Abidinpaşa Neighborhood  Women residents of the Aşık Veysel Neighborhood  Women residents of the Tuzluçayır Neighborhood  Women residents of the Cengizhan Neighborhood | 22 |
| 3 | Businesses | Aşık Veysel Taxi Station  Manav Center  Adıyaman Ticaret  Çağdaş Market  Başkent Emlak | 9 |

## Disclosure and Consultation

Disclosure stakeholder engagement activities will be undertaken by AMM. AMM is committed to transparency in its relations with stakeholders and disclose all of the public consultation documents in accordance with best practice. In this context, this SEP will be disclosed on AMM’s website <https://www.ankara.bel.tr>

For this purpose, AMM will publish the information documents produced within the scope of the Project related reports.

This RF and future RAP will also be disclosed at AMM’s web site <https://www.ankara.bel.tr> The summary of these plans will be distributed with a brochure to PAPs in the Project route.

Project’s environmental and social reports (non-technical summary, project information document etc) will also be disclosed on the official website. All comments, requests and inquiries via e-mail, SMS, whatsapp messages and social media, AMM’s phone lines (153, etc) will be recorded and responded.

All disclosure materials (summary, brochure, etc.) will be printed and shared at the mukhtars’ office in the project area and at some regional NGO’s. Details of these activities and feedbacks that are collected will be reported by AMM.

# Grievance Mechanism

## General Level

AMM has an active grievance mechanism that is effectively used. AMM records and responds to grievances. ALO153 call center and Mavi Masa complaints management center were set up in 2003 in order to receive, assess, dispatch, and follow up on all grievances arriving at these centers. Residents submit their requests, opinions, and complaints through:

* ALO153 call center,
* Mobile Application,
* Municipality Web Page,
* mail and email,
* fax,
* SMS,
* Whatsapp number,
* social media platforms including Twitter, Facebook and Instagram,
* E-Government Portal,
* Governorship of Ankara,
* CİMER (presidency grievance mechanism), and
* face-to-face contact points (for some grievance channels see Table 4).

| Channel | Info |
| --- | --- |
| Whatsapp | 0312 153 0000 |
| E mail | [153@ankara.bel.tr](mailto:153@ankara.bel.tr) |
| Municipality Web Page | https://mavimasa.ankara.bel.tr/#about-mavimasa |

After the possible damages and losses due to the construction activities of the project are submitted to the grievance mechanism, expert opinion will be taken for resolution. Grievances related to loss and damage from land acquisition will be regularly monitored by the PIU. The existence of a grievance mechanism does not constitute a hurdle to PAPs' right to sue.

## RF-Specific Grievance Mechanism

The grievance mechanism of the project will prioritize the grievances submitted by businesses related to dust, noise, job loss, access arising from the construction. Consultations by the contractor with PAPs and businesses to mitigate project impacts will be recorded. Contractor's commitments will be regularly monitored by AMM and external monitoring. Local businesses will be regularly visited by the community liaison officer and their grievances and requests will be collected. Regular consultations will also be recorded in the consultation log.

## Confidentiality

Grievance mechanism adheres to confidentially and anonymity. The grievance forms online and offline allow for anonymous complaints.

All projects financed by EBRD shall be structured to meet the requirements of the EBRD Environmental and Social Policy (2019) which includes ten Performance Requirements (PRs) for key areas of environmental and social sustainability that projects are required to meet, including PR10 Information Disclosure and Stakeholder Engagement. In addition, EBRD’s Independent Project Accountability Mechanism (IPAM), as an independent last resort tool, aims to facilitate the resolution of social, environmental and public disclosure issues raised by PAPs, and civil society organisations about EBRD financed projects among project stakeholders or to determine whether the EBRD has complied with its ESP and the Project-specific provisions of its [Access to Information Policy](https://www.ebrd.com/cs/Satellite?c=Content&cid=1395282205899&d=&pagename=EBRD%2FContent%2FDownloadDocument); and where applicable to address any existing non-compliance with these policies, while preventing future non-compliance by the EBRD.

EBRD’s Independent Project Accountability Mechanism (IPAM), as an independent last resort tool, aims to facilitate the resolution of social, environmental and public disclosure issues raised by PAPs, and civil society organisations about EBRD financed projects among project stakeholders or to determine whether the EBRD has complied with its ESP and the Project-specific provisions of its Access to Information Policy; and where applicable to address any existing non-compliance with these policies, while preventing future non-compliance by the EBRD.

AFD’s complaint mechanism is open to any individual, group or community harmed by environmental and social incidents caused by an AFD-funded project. The mechanism is managed by Complaints Office, acting independently of the AFD Operations Division. It is overseen by Ethics advisor. This mechanism strengthens the transparency and accountability of AFD funded projects and operations.

Within this scope, ABB will conform to the disclosure and stakeholder engagement requirements of EBRD ESP (2019) as outlined in PR1, PR5 and PR10

# Vulnerable Groups

The vulnerable groups identified by the project include women (women transport users, mothers with children, female family heads, etc.), the elderly, children, people with physically and mentally disabilities, and refugees. The data regarding **these identified groups who reside in Mamak** are given below. **Vulnerable groups to be affected by land acquisition will be identified during the RAP study.**

## Women

The number of women in Ankara and Mamak is 2,903,916 and 342,402. [[8]](#footnote-8) The population of women residing in the Project neighbourhood constitutes 19.4 percent of the total number of women living in Mamak. The female population in these neighbourhoods, except for Akşemsettin and Fahri Korutürk, is slightly higher than the male population. In line with its goal of being a Women Friendly City, Ankara Metropolitan Municipality conducted quantitative research with 8000 women. Based on this research, 65 percent of the women state their need for kindergartens and children's clubs, while 53.4 percent want parks and recreation areas in which baby care rooms are located. Accordingly, various projects in the province and Mamak have been carried out. These projects conducted in Mamak are shown in below table

Table 8‑1. Projects Carried Out By Ankara Metropolitan Municipality

|  |  |
| --- | --- |
| Neighborhood | Project Name |
| Abidinpaşa | Children's Club |
| Şafaktepe | Women's Club |
| Women Counselling Center |
| Children's Activity Center |
| Üreğil | Children Day Care Center |
| Abidinpaşa | Mamak Field Studies  Health Education Hygiene Kit Support |
| Tuzluçayır |
| Saimekadın |
| Gülveren |

## Children

Those between the ages of 0-and 14 account for 20.2 percent of Ankara's current population.[[9]](#footnote-9) In Mamak, there are 174,214 children in this age range.[[10]](#footnote-10) It is calculated that the population of those living in the Project neighbourhoods constitutes 14.7 percent of that of Mamak.

## Elderly

According to Turkey's Address-Based Population Recording System, the elderly population – persons aged 65 years or over – in Ankara and Mamak is reported as 539,254 and 52,990, respectively. However, the Project neighbourhoods are home to 11,701 older people, which corresponds to 22.1 % of the total elderly population of Mamak. According to the data provided by the Ankara Metropolitan Municipality Women's Counselling Center and Shelters Department, 2355 families whose members are over the age of 65 receive aid from the municipality. The distribution of 415 families living in the Project neighbourhoods is stated in below table.

Table 8‑2. Number of families receiving aid by neighborhoods

|  |  |
| --- | --- |
| Neighborhood | Number of families receiving assistance |
| Abidinpaşa | 40 |
| Aşık Veysel | 30 |
| Tuzluçayır | 57 |
| General Zeki Doğan | 107 |
| Fahri Korutürk | 52 |
| Cengizhan | 61 |
| Akşemsettin | 68 |
| Total | 415 |

## Persons with disabilities

According to the Disability and Aging Statistical Bulletin of February 2022[[11]](#footnote-11), there are over 4.9 million people with at least one disability in Turkey. This population constitutes around 6.9 percent of the Turkish population. The ratio of persons with disabilities to the provincial population of Ankara is 3.2% which puts Ankara among the five provinces with the lowest disability rate. As of December 2021, the number of people receiving home care health services is calculated as 22,150. There is no official statistical data available regarding persons with disabilities on a neighbourhood basis.

## Migrants and Refugees

As of March 2022, the number of registered Syrian refugees under temporary protection in Ankara has been reported as 100,698, which corresponds to 1.75 percent of the provincial population.[[12]](#footnote-12) The number of Iraqis with different residence permits except humanitarian ones is registered as 327,899 in Turkey.[[13]](#footnote-13) There are no official statistics on the distribution of these migrants by province and the number of Iraqis living in Turkey with a humanitarian residence permit. However, data on the number of migrant and refugee families receiving aid from the Municipality's Women's Counselling Center and Shelters Department - without specifying their ethnicity - are given in ***Table 3‑13***. The total number of families receiving aid in these neighbourhoods constitutes 16.5% of that of Mamak, which is reported as 4148.

Table 8‑3. Number of families, including migrants and refugees, receiving

|  |  |
| --- | --- |
| Neighborhood | Number of families receiving assistance |
| Abidinpaşa | 197 |
| Aşık Veysel | 208 |
| Tuzluçayır | 65 |
| General Zeki Doğan | 123 |
| Fahri Korutürk | 38 |
| Cengizhan | 22 |
| Akşemsettin | 31 |
| Total | 684 |

## Mitigations for Vulnerable Groups

* Community liaison officers will regularly hold consultations with vulnerable groups identified in the RAP and regular monitor vulnerable groups.
* An emergency action plan and emergency evacuation plan will be prepared by the Construction Contractor and AMM.
* The land use and construction activities of the Project may create more risks for vulnerable groups. In this context, measures will be taken for community health and safety. Among these measures:
  + Appropriate signage to be placed on the construction area
  + Continuous stakeholder engagement with residents
  + Training of the work force to be aware of the vulnerable groups
  + Identify through a risk assessment how the community and the vulnerable groups will be impacted from the construction area.
  + Awareness trainings will be given in schools and other community centers in the vicinity in order to prevent children and other vulnerable groups from being adversely affected by construction effects and traffic.
  + Impact monitoring and evaluation will be carried out particularly for children and other vulnerable groups.
  + In order for women to be included in stakeholder engagement processes, female public relations personnel will be employed, and special attention will be paid to holding information meetings for these women.
  + Prevention of Gender Based Violence and Harassment (GBVH) through Policy development and adoption by AMM and EGO. Grievance mechanism and complaints line to be revised in a way to track GBVH issues Trainings and awareness raising activities shall be implemented to raise the awareness of both Metro AS personnel and passengers/wider community members using EGO services
* Mitigation measures for residential buildings/houses along the metro line and around stations:
  + A detailed building structure survey and risk assessment to all project-affected residents along the metro line and around the station. The structural integrity of the buildings within the construction zone of impact will need to be assessed by reputable technical experts before the construction and a building-based risk assessment will be undertaken.
  + Baseline data on the residents and vulnerable groups that may be affected in the affected/ risky buildings;
  + Continuously monitor vibrations in the identified risky buildings;
  + A reputable third-party assessment to analyse any potential/actual claims on damaged buildings during construction.
  + An effective complaint management process to assess potential damages to the buildings by reputable third-party experts;
  + When the decision is made to evacuate the buildings due to the construction risk, support will be provided in the relocation of vulnerable groups to another location.

# Monitoring and Evaluation

## Monitoring and Evaluation Approach

AMM will be responsible for implementing all dimensions of RF. All parties involved in different aspects of project implementation will need to comply with the requirements set out in this RF. Stakeholder consultations will be conducted as specified in the SEP document.

After the land acquisition is finalized and the full census is completed, the RF will be converted to RAP.

AMM will undertake continuous internal monitoring, evaluation and periodic reporting regarding RAP implementation and these documents will include the involvement of key stakeholders, including those affected and other project stakeholders. The Project Implementation Unit to be established for this Project will carry out its internal monitoring and share these reports with AMM, EBRD and AFD.

A completion audit will be conducted by independent experts (subject to lenders’ approval) appointed by AMM to assess the success of activities within the scope of the RAP.

The main objectives of the completion audit shall be as outlined below:

* Verifying that all mandates and commitments described in the RAP are fulfilled,
* Determining whether RAP measures are effective in improving the livelihoods of affected people,
* Checking for grievances that may be unresolved,
* Identifying necessary corrective actions to complete RAP commitments.

Monitoring the project according to defined monitoring indicators will ensure the effective implementation of livelihood restoration and compensation measures outlined in this RAP.

Table 9‑1. Monitoring Indicators

|  |  |  |  |
| --- | --- | --- | --- |
| Key Indicators | Information Source | Frequency | Responsible Unit |
| *Input indicators* |  |  |  |
| RAP budget expenditure | Financial | Annual | AMM |
| Persons affected by expropriation | Fully census | Quarterly | AMM Department of Real Estate and Expropriation |
| Detection of businesses affected by land acquisition | Fully census | The determination to be made before the project will be reviewed quarterly. | AMM, Community Liaison Officer |
| Stakeholder meetings | SEP, RAP | Monthly | AMM, Community Liaison Officer |
| Interviews with businesses | SEP, RAP | Monthly | AMM, Community Liaison Officer |
| Interviews with vulnerable groups | SEP, RAP | Monthly | AMM, Community Liaison Officer |
| *Output indicators* |  |  |  |
| PAPs receiving compensation (gender-based distribution) | Database | Monthly | AMM Department of Real Estate and Expropriation |
| Parcels acquired through Article 8/PAPs who prefer to make an agreement (gender-based distribution) | Database | Monthly | AMM Department of Real Estate and Expropriation |
| Parcels and persons whose lawsuits are pending |  | Monthly | AMM Department of Real Estate and Expropriation |
| Grievances on land acquisition (gender-based distribution) grievance subjects, resolution process, recurring grievances, unresolved grievances | Grievance database | Monthly | AMM and The Contractor |
| Supports offered in RAP and number of beneficiaries (gender-based distribution) | Database | Monthly | AMM |

# Responsibilities

## Implementation Responsibilities

Once land acquisition is finalized, RF will be converted to RAP. AMM is responsible for the implementation of the RAP. AMM shall ensure coordination among its units for the implementation of the plan. AMM Department of Public Works and Engineering, Department of Real Estate and Expropriation and Department of Media and Public Relations shall play an active role in the implementation of the RAP. The Project Implementation Unit will report to the EBRD and AFD on all RAP issues within the scope of implementation, monitoring and evaluation.

Table 10‑1. Implementation Responsibilities

|  |  |
| --- | --- |
| Task | Responsible Unit |
| Preparation of RAP | AMM, Department of Public Works and Engineering, External Experts |
| Implementation of RAP | AMM, Department of Public Works and Engineering, PIU |
| Land acquisition and expropriation | AMM Department of Real Estate and Expropriation |
| Informing stakeholders | AMM Department of Media and Public Relations |
| Grievance mechanism | AMM Department of Media and Public Relations, Community Liaison Officer, PIU |
| Building structure risk analysis and detecting households | The Contractor |
| Determination and compensation of damages and losses arising from construction activities | The Contractor |

## Project Timetable

|  |  |
| --- | --- |
| Project Activity | Timeline |
| Approval for financing from the Municipal Council, Ministry of Finance and Treasury | February 2023 |
| Tender process for construction | February 2023- September 2023 |
| Expropriation process | February 2023- September 2023 |
| RAP Preparation | February 2023 |
| RAP disclosure | March 2023 |
| Building structure risk analysis and detecting households | September 2023 |
| Project construction | September 2023-2028 |

1. https://www.ebrd.com/news/publications/policies/environmental-and-social-policy-esp.html [↑](#footnote-ref-1)
2. [↑](#footnote-ref-2)
3. There are no vineyard houses in the region, the area in question is in an urban structure. It is stated in the table as it is mentioned in the land registry. [↑](#footnote-ref-3)
4. Municipal Law, Law Number 5393, Date of Passage 03.07.2005, Date of Official Gazette 13.07.2005- Nr. 25874 [↑](#footnote-ref-4)
5. Greater City Law, Law number 5216, Date of Passage 10.07.2004, Date of Official Gazette 23.07.2004- Nr.25531 [↑](#footnote-ref-5)
6. It is only for filing petition to the parliament. For complaints and petitions for projects mostly law no: 4982 is used. [↑](#footnote-ref-6)
7. https://www.ego.gov.tr/tr/haber/5825/ankaraya-metro-mujdesi-dikimevinatoyolu-metrosu-icin-proje-tamamlandi [↑](#footnote-ref-7)
8. Turkish Statistical Institute, 2021 (<https://data.tuik.gov.tr/>) [↑](#footnote-ref-8)
9. Turkish Statistical Institute, 2021 (<https://data.tuik.gov.tr/>) [↑](#footnote-ref-9)
10. Turkish Statistical Institute, 2021 (<https://biruni.tuik.gov.tr/medas/?locale=tr>) [↑](#footnote-ref-10)
11. Ministry of Family and Social Services, General Directorate Of Disabled And Elderly Services, 2022 (<https://www.aile.gov.tr/eyhgm/sayfalar/istatistikler/engelli-ve-yasli-istatistik-bulteni/>) [↑](#footnote-ref-11)
12. The Presidency of Migration Management, 2022 (<https://www.goc.gov.tr/gecici-koruma5638>) [↑](#footnote-ref-12)
13. The Presidency of Migration Management, 2022 (<https://en.goc.gov.tr/residence-permits> ) [↑](#footnote-ref-13)