



ANKARA-IZMIR HIGH SPEED RAILWAY PROJECT

Resettlement Policy Framework (RPF)

Ankara-Izmir YHT Yapımı İş Ortaklığı

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Abbreviations

Abbreviation	Definition
ABPRS	Address Based Population Registration System
AIHSR	Ankara-Izmir High Speed Railway (HSR) Project
AYGM	Directorate General of Infrastructure Investments
BCR	Building Coverage Ratio
BOQ	Bill of Quantities
CIMER	The Presidency's Communication Centre
CLOs	Community Liaison Officers
CLQs	Community Level Questionnaires
Contractor	Ankara-Izmir HSR Construction Joint Venture or ERG JV
DLH	Directorate General of Railways, Harbours and Airports Construction
DRS	Development Readjustment Share
E&S	Environmental and Social
EBRD	European Bank for Reconstruction and Development
ECA	Export Credit Agency
EHS	Environmental, Health and Safety
EIA	Environmental Impact Assessment
EM	Entitlement Matrix
Employer	Project Owner (AYGM)
EP	Expropriation Plans
EPs	Equator Principles
ERG Construction	ERG International UK Ltd., ERG Insaat Ticaret ve Sanayi A.S.
ESAP	E&S Action Plan
ESIA	E&S Impact Assessment
ESIA/RAP Consultant	GEM Sustainability Services and Consultancy Inc.
ESMMFP	E&S Management and Monitoring Framework Plan
ESMS	Environmental and Social Management System
ETLs	Energy Transmission Lines
EUR	Euro
FAR	Floor Area Ratio
FC	Financial Close
FX rate	Foreign Exchange Rate
GEM	GEM Sustainability Services and Consultancy Inc.
GIS	Geographical Information Systems
HH	Household
HHQs	Household Questionnaires
Hmax	Number of Floors or Building Height

Abbreviation	Definition
HR	Human Resources
HSE	Health, Safety and Environment
HSR	High Speed Railway
ID	Identification
IESC	Independent E&S Consultant
IFC	International Finance Corporation
JV	Joint Venture
KPIs	Key Performance Indicators
M&E	Monitoring and Evaluation
MoEU	Ministry of Environment and Urbanization
MoFAL	Ministry of Food, Agriculture and Livestock
MoTI	Republic of Turkey Ministry of Transportation and Infrastructure (Operator)
N/A	Not Applicable
NGO	Non Governmental Organisations
NTS	Non-Technical Summary
OECD	The Organisation for Economic Co-operation and Development
Operator	State Railways of the Republic of Turkey (TCDD)
PAP	Project Affected Person
PAS	Project Affected Settlement
PPI	Producer Prices Index
PSs	Performance Standards
RAP	Resettlement Action Plan
SEP	Stakeholder Engagement Plan
SGK	Social Security Institution of Turkey
SIRs	Structure Identification Reports
SSB	SSB Sauerwein&Schaefer Bau AG
TBD	To Be Determined
TCDD	State Railways of the Republic of Turkey
TEKEL	Tobacco, Tobacco Products, Salt, and Alcohol Business
TKGM	Land Registry and Cadastre Directorates
TLS	Transitional Livelihood Support
TRY	Turkish Lira
TurkStat	Turkish Statistical Institute
UK	United Kingdom
UKEF	UK Export Finance
WBG	World Bank Group

Glossary

Census: A complete and accurate count of the population that will be affected by land acquisition and related impacts. Census means a field survey carried out to identify and determine the number of Project Affected People (PAPs) and their assets. In this project, land acquisition has been largely completed, and even construction activities have started in most project areas. Therefore, the census will be required in case new land is needed.

Compensation: Payment in cash or in kind for an asset or a resource that is acquired or affected by a project at the time the asset needs to be replaced.

Cut-off date: Date of completion of the census and assets inventory of persons affected by the project. Persons occupying the project area after the cut-off date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the date of completion of the assets inventory, or an alternative mutually agreed on date, will not be compensated. In this project, land acquisition has been largely completed, and even construction activities have started in most project areas. Therefore, the census will be required in case new land is needed. Compensation is not paid for assets on expropriated land where construction work has not started. However, additional measures will be taken in order not to damage the products.

Displacement:

Physical Displacement: Loss of shelter and assets resulting from the acquisition of land associated with a project that requires the affected person(s) to move to another location.

Economic Displacement: Loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, or forest) resulting from the construction or operation of a project or its associated facilities.

Eligibility: Refers to criteria identifying which affected persons are entitled to receive compensation, resettlement assistance and / or other benefits as a result of resettlement. It is regulated by RAP as well as by law.

Entitlements: Compensation offered in RAP to persons, households, groups and / or communities affected by the Project.

Informal User: Refers to people who have no recognizable legal right or claim to the land they are occupying for residential, business and/or other purposes. They are not eligible for land compensation but qualify for compensation for loss of structures and improvements, loss of crops and transitional livelihood support.

Land acquisition: Includes both outright purchases of property and/or acquisition of access rights, such as easements or rights of way.

Land expropriation: Process whereby a public authority, usually in return for compensation, requires a person, household, or community to relinquish rights to land that it occupies or otherwise uses.

Livelihood restoration: In order to mitigate the economic displacement caused by involuntary resettlement, livelihood restoration process establishes the entitlements of affected persons and/or communities, and ensures that these are provided in a transparent, consistent, and equitable manner and that they are provided with adequate opportunity to re-establish their livelihoods.

Market value: The value that is required to enable affected persons and communities to replace lost assets with new assets of similar value.

Mitigation measure: Refers to the measures to be taken in order to minimize the negative effects of impacts on livelihoods of the affected people.

Project affected person (PAP): Any person who, as a result of the implementation of a project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.

Project affected settlement (PAS): These are villages, neighbourhoods and towns in the land use or environmental impact area of the project. Private lands, public lands, common properties located within the boundaries of these settlements are affected by the project.

Replacement cost: The rate of compensation for lost assets must be calculated at full replacement cost, that is, the market value of the assets plus transaction costs. With regard to land and structures, IFC defines "replacement costs" as follows:

- agricultural land—the market value of land of equal productive use or potential located in the vicinity of the affected land, plus the cost of preparation to levels similar to or better than those of the affected land, plus the cost of any registration and transfer taxes;
- land in urban areas—the market value of land of equal size and use, with similar or improved public infrastructure facilities and services preferably located in the vicinity of the affected land, plus the cost of any registration and transfer taxes;
- household and public structures—the cost of purchasing or building a new structure, with an area and quality similar to or better than those of the affected structure, or of repairing a partially affected structure, including labour and contractors' fees and any registration and transfer taxes.

In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.

Resettlement: Covers all direct economic and social losses resulting from land taking and restriction of access, together with the consequent compensatory and remedial measures. Project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, including those that lead to loss of income sources or other means of livelihood), or both.

Resettlement Action Plan (RAP): The document in which a project sponsor or other responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by an investment project.

Stakeholders: Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project.

Vulnerable groups: People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than other and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits

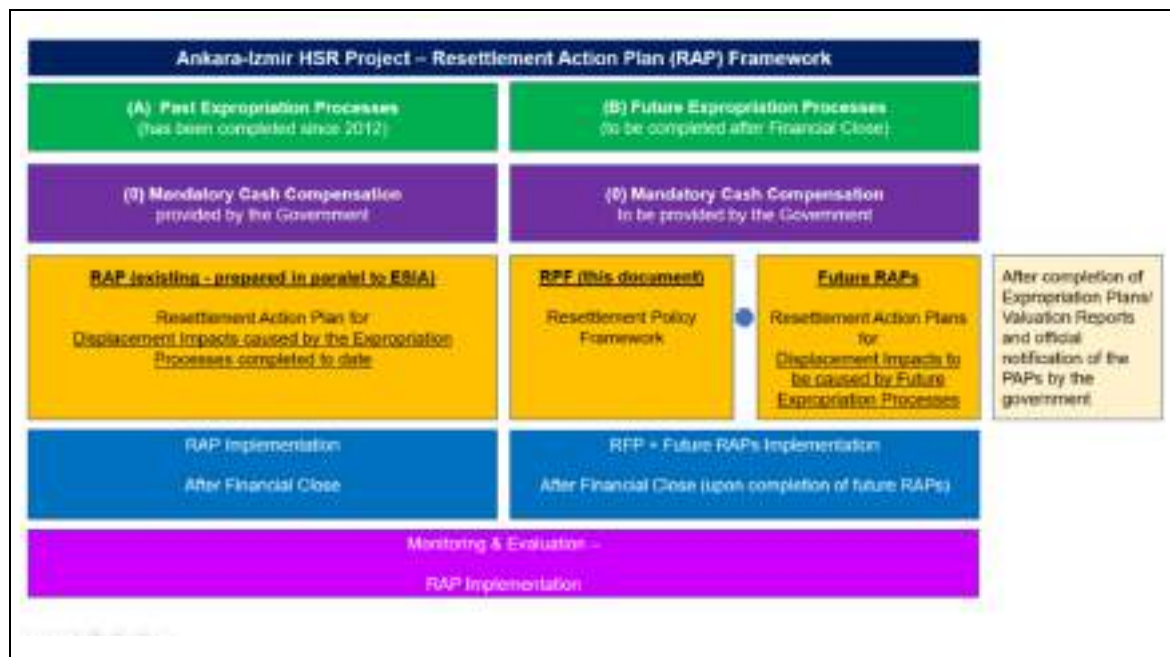
Executive Summary

This Resettlement Policy Framework (RPF) has been prepared by GEM Sustainability Services and Consultancy Inc. (GEM or the Environmental and Social Impact Assessment – ESIA/Resettlement Action Plan – RAP Consultant) for the Ankara-Izmir High Speed Railway (HSR) Project (hereinafter referred to as the Ankara-Izmir HSR Project, AIHSR Project or the Project) as a stand-alone document in parallel to the ESIA studies with the objective of forming the basis on which the future RAPs, to be required for the land acquisition that will be conducted/completed in the next phases of the Project, will be prepared for managing Project's potential future physical and economic displacement impacts in accordance with the requirements and objectives of International Finance Corporation (IFC) PS5 on Land Acquisition and Involuntary Resettlement.

As per the Constitution of the Republic of Turkey and the national Expropriation Law (Law No. 2942, 1983), expropriation works are undertaken by the responsible governmental authorities. Majority of the land acquisition within the Project expropriation corridor has been completed by the related governmental authority in line with the Expropriation Law (Law No. 2942, 1983). A Resettlement Action Plan (RAP) has already prepared in parallel to Project's ESIA process in order to address the retrospective physical and economic displacement impacts of the land acquisition works completed since 2012 in line with the Expropriation Law (No. 2942, 1983) of Turkey.

In the next phases of the Project, future land acquisition works will be conducted for multiple parcels in different settlements (i.e. 16 settlements – towns and neighbourhoods/villages – according to the current expropriation data) located along the full HSR alignment due to reasons including route relocation, integration of connection roads to the Project (to be designed and constructed by the Contractor), ongoing or suspended previous expropriation or legal processes (i.e. ongoing land seizure decision processes as per the Article 27 – Accelerated Expropriation Process) in line with the Expropriation Law. In addition to the parcels located within the expropriation corridor, parcels corresponding to the locations of the camp sites (if located outside the expropriation corridor), quarries and borrow sites (including access roads), above ground facilities of the electricity transmission infrastructure, and excavated material storage sites (if located outside the expropriation corridor) will also be affected from Project-related land acquisition. Also, during the Project implementation, additional expropriation works may also be conducted, as needed. Future RAPs will be prepared and implemented based on this RPF to address the potential physical and/or economic displacement impacts to be caused by expropriation processes.

This RPF should be read in conjunction with the existing RAP prepared for the Project in parallel to the ESIA process and the RAPs to be prepared for the future expropriation processes. The framework of the resettlement action planning for the past and future displacement impacts of the Project is summarised in the below figure:



1. Introduction

Ankara-Izmir High Speed Railway (HSR) Project (hereinafter referred to as the **Ankara-Izmir HSR Project, AIHSR Project or the Project**) is a key national transportation project of the **Directorate General of Infrastructure Investments (AYGM¹)** of the **Republic of Turkey Ministry of Transportation and Infrastructure (MoTI)**, connecting Ankara, the capital city of Turkey, to Izmir, the third largest city (by population).

Ankara-Izmir HSR Construction Joint Venture (Contractor), is a joint venture (JV) of three sister companies, namely ERG International UK Ltd., ERG Insaat Ticaret ve Sanayi A.S. (ERG Construction) and SSB Sauerwein&Schaefer Bau AG (SSB) (**ERG Group Partnership or Ankara-Izmir YHT Yapimi Is Ortakligi or ERG JV**). The Contractor has been awarded the tender of the AYGM for the construction (includes infrastructure, superstructure, electrification and signalling, structural works) of the Ankara-Izmir HSR through a Conditions of Contract for Construction (FIDIC Red Book 1999 1st Edition) + Finance model ("Construction Contract"). The investment cost of the Project is 2.16 billion Euro.

The Ankara-Izmir HSR will connect Central Anatolia Region to Aegean Region crossing through seven (7) provinces, namely Ankara, Eskisehir, Afyonkarahisar, Kutahya, Usak, Manisa and Izmir. The main HSR route from Ankara (Polatli district) to Izmir (Menemen district) has a total length of 503.2 km consisting of four (4) sections with additional connection lines in the Project that will connect Ankara-Izmir HSR to other HSRs or conventional railways.

As per the Constitution of the Republic of Turkey and the national Expropriation Law (Law No. 2942, 1983), expropriation works are undertaken by the responsible governmental authorities. As part of the Ankara-Izmir HSR, TCDD is the authority, which has been responsible from the Project-related expropriation works. As such, majority of the land acquisition within the Project expropriation corridor has been completed by the TCDD in line with the Expropriation Law (Law No. 2942, 1983).

This Resettlement Policy Framework (RPF) has been prepared as a stand-alone Project document to form the basis on which the future RAPs to be required for the land acquisition that will be conducted/completed in the next phases of the Project will be prepared for managing its physical and economic displacement impacts in accordance with the requirements and objectives of IFC PS5 on Land Acquisition and Involuntary Resettlement.

Remaining expropriation works (see Section 2.5) will be conducted/finalised by the governmental authority responsible from Project-related expropriation works in line with the Expropriation Law (Law No. 2942, 1983) (responsibilities for future expropriation works will be clarified between AYGM and TCDD). As part of the remaining and future expropriation works to be conducted, following the preparation of expropriation plans and notification/information of the PAPs by the authorities, further RAP surveys will be conducted with the PAPs and future RAPs will be prepared as necessary.

The implementation of the future RAPs during the construction phase, as applicable during the operation phase of the Project will be under the responsibility of the Employer (the responsibility for the operation phase may be delegated to the Operator depending on the internal agreement and procedures between the Employer and Operator). Consistent with the Construction Contract, costs associated with the RAP implementation shall be borne by the Employer.

The stand-alone SEP, including the External Grievance Mechanism, prepared for the Project in line with EP4 (2020) and IFC PSs (2012) will be instrumental in supporting the implementation of the future RAPs.

¹ Former Directorate General of Railways, Harbors and Airports Construction (DLH) has been reorganised under the name of Directorate General of Infrastructure Investments – AYGM as of 1 November 2011.

1.1. Objectives of the RPF

Consistent with the IFC PSs, the main objectives of this RPF are to:

- Set out the approach towards developing the Project's RAPs and associated livelihood restoration plans for future Project-related land acquisition works,
- Identify actions to be implemented and incorporated into the RAPs to be prepared for future Project-related land acquisition works,
- Ensure future RAPs are implemented in compliance with national legislation and IFC standards, and
- Ensure protection of human rights within the context of Project-related land acquisition works and during implementation of Project RAPs.

1.2. Key Principles of a RAP

Consistent with the IFC PSs, the main objectives of the future RAPs to be prepared in the scope of the Project in line with this RPF are to:

- Avoid, and when avoidance is not possible, minimise economic displacement by exploring alternative project designs.
- Respect human and legal rights.
- Avoid forced eviction.
- Anticipate and avoid, or where avoidance is not possible, minimise adverse social and economic impacts from land acquisition or restrictions on land use by (i) providing compensation for loss of assets at replacement cost and livelihood restoration through a set of fair and equitable compensation and assistance options to be consulted and agreed with the affected communities, and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected.
- Establish a pre-resettlement socio-economic baseline
- Improve, or restore, the livelihoods and standards of living of displaced persons and provide assistance with resettlement.
- Improve living conditions among physically displaced persons through the provision of adequate housing with security of tenure at resettlement sites.
- Provide for a robust consultation and participation processes.
- Provide specific provisions for vulnerable social groups.
- Identify the budget required for implementation of resettlement and livelihood restoration measures (RAP Fund) for incorporation to the Project budget as an upfront cost item.
- Incorporate an independent monitoring and evaluation procedure.

To this end, to the extent feasible, the future RAPs will intend to:

- Identify the groups of PAPs that have been and will be physically displaced.
- Identify the groups of PAPs whose sources of income and/or livelihoods have been and will be affected.
- Establish the eligibility criteria and entitlements for the compensation of losses/impacts caused by Project-related land acquisition leading to physical and/or economic displacement, where applicable and feasible including the people affected from the previous land acquisition processes conducted within the scope of the Project.
- Describe the organisational structure and capacity that will ensure effective implementation of the RAP to achieve objectives of IFC PS5.
- Set out the timeframe for RAP implementation.

- Define the information disclosure and grievance management mechanisms that will be applicable throughout the RAP implementation.
- Provide the indicative budget for the RAP implementation.

Management of the potential land acquisition impacts of the Project on the residential houses owned/used by the local communities and the sources of income and/or livelihoods of local communities due to Project-related land acquisition in line with IFC PS5 will be covered within the Project RAPs.

The acquisition of parcels to be used temporarily during the construction phase of the Project will be done on willing contract basis. The RAPs incorporating the requirements of IFC PS5 will not be applicable to such acquisition processes.

1.3. Project Background

The main HSR route from Ankara (Polatli district) to Izmir (Menemen district) has a total length of 503.2 km consisting of four (4) sections with additional connection lines in the Project that will connect Ankara-Izmir HSR to other HSRs or conventional railways. As presented in Table 1-1, external to the Construction Contract of the ERG JV, there are multiple other parties performing ongoing infrastructure works in Section 3a, Section 3b, Section 4a and Section 4d (as defined in the table) under different contracts procured by the State Railways of the Republic of Turkey (TCDD) at different times. Following the completion of infrastructure works by other contractors, those sections will be handed over to the Contractor (ERG JV) by the Employer for the execution of superstructure, electrification, signalisation and buildings/facilities works along the full HSR alignment (see Figure 1-1).

Table 1-1. Contractors Responsible for Infrastructure Works in Different Project Sections

Section	Sub-section		Start KM	End KM	Total Length of the Section (km)	Length of Sub-sections (km)	Responsibility	
							Infrastructure	Superstructure, Electrification, Signalisation, Buildings, Facilities
Section 1	-	Polatli-Afyon	0+000.000	151+500.000	151.2	151.2	Contractor (ERG JV)	Contractor (ERG JV)
Section 2	(2a)	Afyon-Hatipier Passage	151+500.000	230+370.612	90.3	78.8	Contractor (ERG JV)	Contractor (ERG JV)
	(2b)	Hatipier-Passage	267+156.053	278+632.464		11.5	Contractor (ERG JV)	Contractor (ERG JV)
Section 3	(3a)	Banaz-Esme	279+000.000	364+600.000	159.9	85.6	AGA Energy (infrastructure works on-going)	Contractor (ERG JV)
	(3b)	Esme-Salihli	364+600.000	438+918.726		74.3	Bayburt Grup + Kolin JV ² (infrastructure-works on-going)	Contractor (ERG JV)
Section 4	(4a)	Salihli-Manisa	439+000.000	456+500.000	101.8	17.5	NAS+ Budakyol JV (infrastructure-works on-going)	Contractor (ERG JV)
	(4b)		456+500.000	501+000.000		44.5	Contractor (ERG JV)	Contractor (ERG JV)
	(4c)	Manisa North Passage	501+000.000	514+983.302		14.0	Contractor (ERG JV)	Contractor (ERG JV)
	(4d)	Manisa-Menemen	522+100.000	547+805.481		25.8	AGA Energy (infrastructure works on-going)	Contractor (ERG JV)
Total					503.2	503.2		

² The JV was originally structured as Cengiz İnş. San. ve Tic. A.Ş., Kolin İnş.Tur. San. ve Tic. A.Ş., Ovgun Yapı San. ve Tic. A.Ş., Kalyon İnş. San. ve Tic. A.Ş., and Bayburt Grup İnş. Nak. Mad. İth. İhr. San. ve Tic. A.Ş. and reported to be transferred to Bayburt Grup and Kolin JV in the course of the Project.

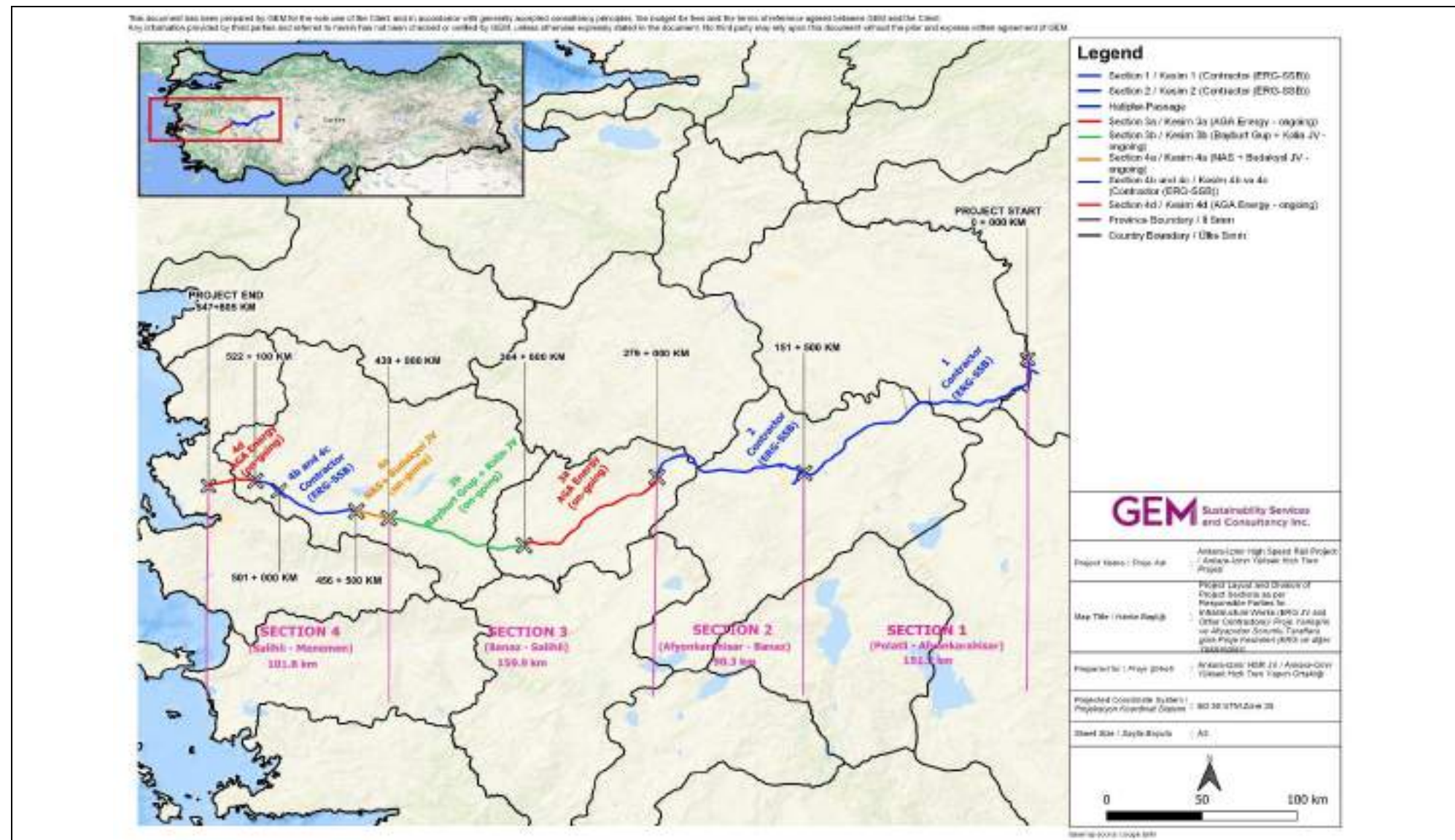
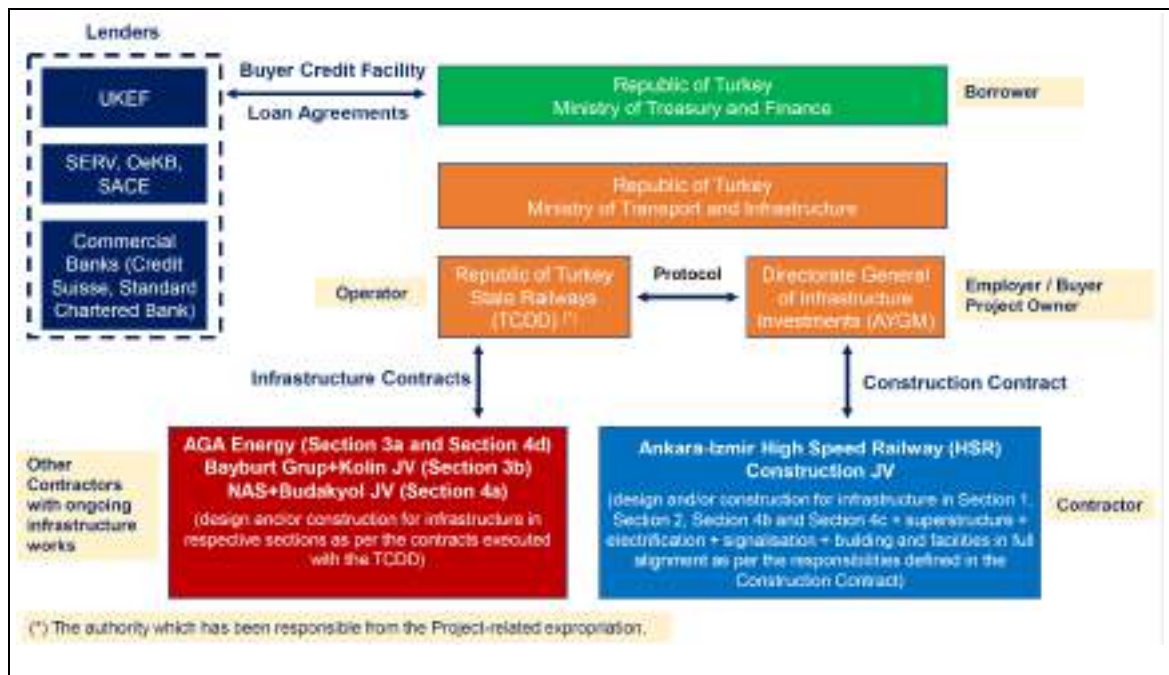


Figure 1-1. Project Layout and Division of Project Sections as per Responsible Parties for Infrastructure Works (ERG JV and Other Contractors)

The FIDIC contract model is presented in a simplified version as below:



The Construction Contract of the Project has been executed between the Contractor and the AYGM on 23 November 2020. The commencement of the Construction Contract depends on, inter alia, the Financial Close (FC). As per the Construction Contract, total duration for the completion of works is 42 months. The liability of the Contractor extends until 2 years (defects liability period) after provisional acceptance of the Project by the Project Owner (Employer). The Loan Period continues for circa 14 years following issue of the Taking Over Certificate by the Employer.

Once the construction of the Ankara-Izmir HSR is completed, for the operation phase, the railway will be commissioned in phases and with all relevant components and infrastructure, it will be transferred by the AYGM (Employer) to the State Railways of the Republic of Turkey (TCDD)³, which is an affiliated state entity of the Republic of Turkey Ministry of Transportation and Infrastructure – MoTI (hereinafter referred to as the Operator).

The construction works of Section 1 and Section 2 initially started between 2012 and 2016. Afterwards, in 2018, the construction (infrastructure) works of the contractors in these sections were suspended. As of Q2 2021, the construction works in Section 3a (Banaz-Esme), Section 3b (Esme-Salihli), Section 4a (initial part of Salihli-Manisa between KM 439+000 and 456+500) and Section 4d (Manisa-Menemen section between KM 522+100 and 547+805) are still in progress under the responsibility of other contractors previously contracted by the TCDD in accordance with the requirements of national legislation.

As per the Construction Contract, the scope of works of the Contractor cover the following:

- Completion of the incomplete infrastructure works in Section 1, Section 2, and Section 4 (except Manisa-Menemen) including tunnels, bridges, viaducts, and culverts.
- 100% of the superstructure, electrification and signalling works over the full railway alignment from Section 1 to Section 4.

³ The Republic of Turkey General Directorate of State Railways (TCDD) was/has been responsible for the Project. In particular infrastructure construction works in certain sections of the Project were contracted by TCDD and currently (as of March 2021) construction works in some sections of the Project are continuing under those contracts. Also, TCDD was responsible from the expropriation processes conducted for the Project as per the Expropriation Law (Law No. 2942). Responsibility for future expropriation works will further be clarified internally between AYGM and TCDD.

1.4. Summary of Project Environmental and Social (E&S) Requirements and Studies

The funding for the Project is supported by a Buyer Credit Facility from UK Export Finance (the official Export Credit Agency (ECA) of the United Kingdom) with some reinsurance from SERV, OeKB and SACE. The commercial banks providing the loans are Credit Suisse and Standard Chartered Bank. These combined financing parties are hereinafter referred to as the "Lenders".

To meet the environmental and social (E&S) requirements of the Banks, **GEM Sustainability Services and Consultancy Inc. (GEM)** has been retained by the Contractor to carry out an E&S Impact Assessment (ESIA) study in line with the national environmental, health and safety (EHS) legislation including international conventions and treaties and the following international standards:

- Equator Principles (EP) 4 (2020)
- The Organisation for Economic Co-operation and Development (OECD) Common Approaches (2016)
- UK Export Finance Environmental, Social and Human Rights Policy
- International Finance Corporation (IFC) Performance Standards (PSs) (2012)
- IFC/European Bank for Reconstruction and Development (EBRD) Worker's Accommodation: Processes and Standards (2009)
- World Bank Group (WBG) General EHS Guidelines (2007)
- WBG EHS Guidelines on Railways (2007)
- WBG EHS Guidelines for Construction Materials Extraction (2007)

A national Environmental Impact Assessment (EIA) study was carried out for the Project back in 2005 and the EIA Positive Decision was secured in March 2006.

In line with the international E&S standards, the Project is considered as "Category A" and the ESIA study is designed to include the following deliverables:

- Gap Analysis and Scoping
- ESIA Disclosure Package including:
 - ESIA Report
 - Stakeholder Engagement Plan (SEP)
 - Non-Technical Summary (NTS)

The ESIA Disclosure Package is reviewed, and the E&S Action Plan (ESAP) is prepared by the Independent E&S Consultant (IESC) acting on behalf of the Lenders'.

The ESIA Disclosure Package is disclosed to public by the Contractor (on behalf of the Employer) and the Lenders for 30 days. As per the relevant requirements of the international standards, NTS and SEP are also disclosed in Turkish language by using appropriate disclosure methods.

1.5. Structure of the Document

The RAP is structured as below:

- Chapter 1 – Introduction
- Chapter 2 – Project Description
- Chapter 3 – Project Impacts
- Chapter 4 – Legal Framework
- Chapter 5 – People and Assets to be Affected
- Chapter 6 – Key Compensation and Assistance Principles
- Chapter 7 – Eligibility
- Chapter 8 – Entitlement Matrix
- Chapter 9 – Livelihood Restoration Plan
- Chapter 10 – Compensation and Assistance
- Chapter 11 – Organisational Arrangements
- Chapter 12 – Time Frame
- Chapter 13 – Disclosure of Information and Consultations
- Chapter 14 – Grievance and Feedback Mechanism
- Chapter 15 – Monitoring, Evaluation and Reporting
- Chapter 16 – Implementation Costs
- Appendices

2. Project Description

The Ankara-Izmir High Speed Railway (HSR) Project (hereinafter referred to as the Ankara-Izmir HSR Project, AIHSR Project or the Project) was initially planned by the former Directorate General of Railways, Harbors and Airports Construction (DLH) (which has been reorganised under the name of General Directorate of Infrastructure Investments – AYGM or Administration – as of 1 November 2011) as part of the Investment Program of 2004 with the Project No. 2004 E 010 010. Lately, the Project has been included in the Investment Program of 2021 with the Project No. 2020E01 – 154316 (2020-2025) and 2007E01 – 154124 (2007-2023).

The Project has an Environmental Impact Assessment (EIA) Report prepared in 2006 in line with the national EIA Regulation in force that time. The expropriation of parcels located within the expropriation corridor⁴ of the Project has been mostly completed along the Project route by the state authority (TCDD) responsible from Project-related expropriation in line with the Expropriation Law (Law No. 2942, 1983). The expropriation process for the sites, where route relocation is considered (e.g., Afyonkarahisar-Bayat district, Hatipler passage near Hatipler village), and acquisition of parcels/land use rights corresponding to off-site/associated Project facilities, such as quarries, borrow sites, camp sites, energy transmission infrastructure, etc., will further be completed by the state as per the requirements of the Expropriation Law (Law No. 2942, 1983).

The Project aims to improve the efficiency and adequacy of the transport system in the region by addressing poor rail connectivity and lack of environmental alternative transport modes. It is designed to ease road traffic congestion and promote socio-economic development to support tourism in Izmir and intercity job and growth opportunities through a safe and improved commuting service. The HSR has the additional benefit of being an electric low carbon alternative, with hard currency savings to Government from reduced importation of higher polluting diesel fuel as currently used in conventional trains.

This line is particularly important for bringing Ankara closer to Izmir, an attractive tourist destination, along with regional/intercity connectivity with Manisa, Usak and Afyonkarahisar. When complete, the HSR travel time will be reduced to around three and a half hours from 14 hours by existing indirect railway routes. Ankara-Izmir by motorway is 587 km with travel time takes of around 9 hours. With airport transfers, operations and waiting time air travel between Ankara and Izmir is approximately three and a half hours. The substantial reduction in HSR time will make the HSR the best option when travelling between the two cities.

Being the final stage of the current national high speed railway masterplan, the Ankara-Izmir HSR Project is a priority for the Republic of Turkey Ministry of Transportation and Infrastructure (MoTI). HSR delivers more passengers per hour than roads and runways combined – at far less cost. Passengers will get to their destinations quickly, efficiently and on time. A single HSR line can carry the equivalent of a 10-lane highway, be built at much lower cost, is cheaper to operate and uses a fraction of the energy from electricity, not conventional fossil fuels.

⁴ The expropriation corridor for the HSR has a minimum width of 30 meters along the HSR alignment. The width of the expropriation is extended up to 100 m based on the design of excavation and fill areas, footprint of the stations, etc.

2.1. Railway Route and Project Location

The Ankara-Izmir HSR will connect Central Anatolia Region to Aegean Region crossing through seven (7) provinces, namely Ankara, Eskisehir, Afyonkarahisar, Kutahya, Usak, Manisa and Izmir. Along the full alignment, the railway route is divided into four sections as indicated in Table 2-1 and shown in Figure 2-1. The settlements affected from the Project-related land acquisition (Project Affected Settlements – PASs) in 21 districts are shown on the maps presented in Figure 2-2, Figure 2-3, Figure 2-4, and Figure 2-5.

Table 2-1. Railway Sections

Section	Sub-section	Start KM (*)	End KM	Total Length of the Sub-sections (m)	Total Length of the Section (m)	(km)
Section 1	(-) Polatli-Afyon	0+000.000	151+500.000	151,170.39	151,170.39	151.2
Section 2	(2a) Afyon-Hatipler Passage	151+500.000	230+370.612	78,870.61	90,347.02	90.3
	(2b) Hatipler-Passage	267+156.053	278+632.464	11,476.41		
Section 3	(3a) Banaz-Esme	279+000.000	364+600.000	85,600.00	159,918.73	159.9
	(3b) Esme-Salihli	364+600.000	438+918.726	74,318.73		
Section 4	(4a) Salihli-Manisa	439+000.000	456+500.000	17,500.00	101,790.26	101.8
	(4b) Salihli-Manisa	456+500.000	501+000.000	44,500.00		
	(4c) Manisa North Passage	501+000.000	514+983.302	14,113.56		
	(4d) Manisa-Menemen	522+100.000	547+805.481	25,676.70		
Total Route Length (***)					503,226.40	503.2

(*) The difference between the start and end kilometres of sections, if any, is caused by the fact that the design of different sections has been carried out by different companies. The route alignment is a continuous line and there are no physical gap in between different sections.

The lines that will connect Ankara-Izmir HSR to other HSRs or conventional railways are summarised in Table 2-2. Progressive elaboration of the route of connection lines is ongoing through more detailed studies and discussions with the Employer. Technical information on the final routes (to be approved by the Employer) will be available once the ongoing discussions/evaluations are concluded with the Employer.

Table 2-2. Connection Lines

Section	Connection Line	Ankara-Izmir HSR Start KM	Approximate Length of the Connection Line (km)
Section 1	Ankara-Konya HSR Connection	7+983.000	6.3
Section 2	Afyonkarahisar-Konya Railroad Connection -1	152+038.000	9.2
	Afyonkarahisar-Konya Railroad Connection - 2	166+202.000	2.9
	Afyonkarahisar-Eskisehir Railroad Connection	166+698.000	0.8
Total			19.2

Besides the main HSR route and connection lines, there are conventional lines under the responsibility of the Contractor as part of the Project. The scope of design and construction works for the conventional lines under the responsibility of the Contractor is same as the scope of HSR. This covers the following conventional lines:

- Between approximately HSR KM 295+000-330+000 (in Section 3), the Usak conventional railway line is running mainly parallel to the HSR within the expropriation line (approximately 34.5 km in length).
- Between approximately HSR KM 430+000-458+800 (Corresponding partly to Section 3 and partly to Section 4), the conventional railway line running mainly parallel to the HSR within the expropriation line is referred to as Salihli Passage (approximately 30.5 km in length).

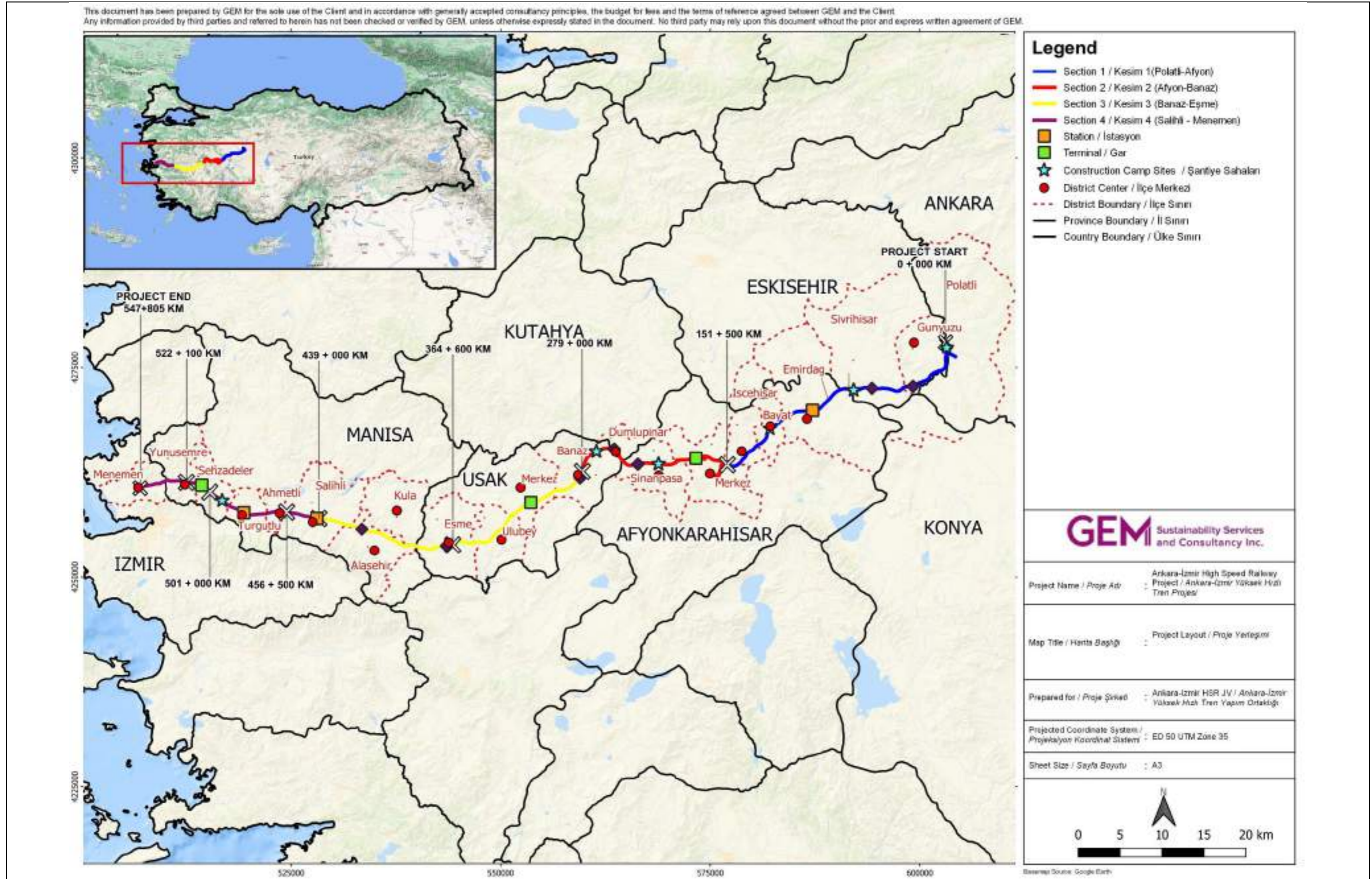


Figure 2-1. Project Layout – Overall HSR Alignment

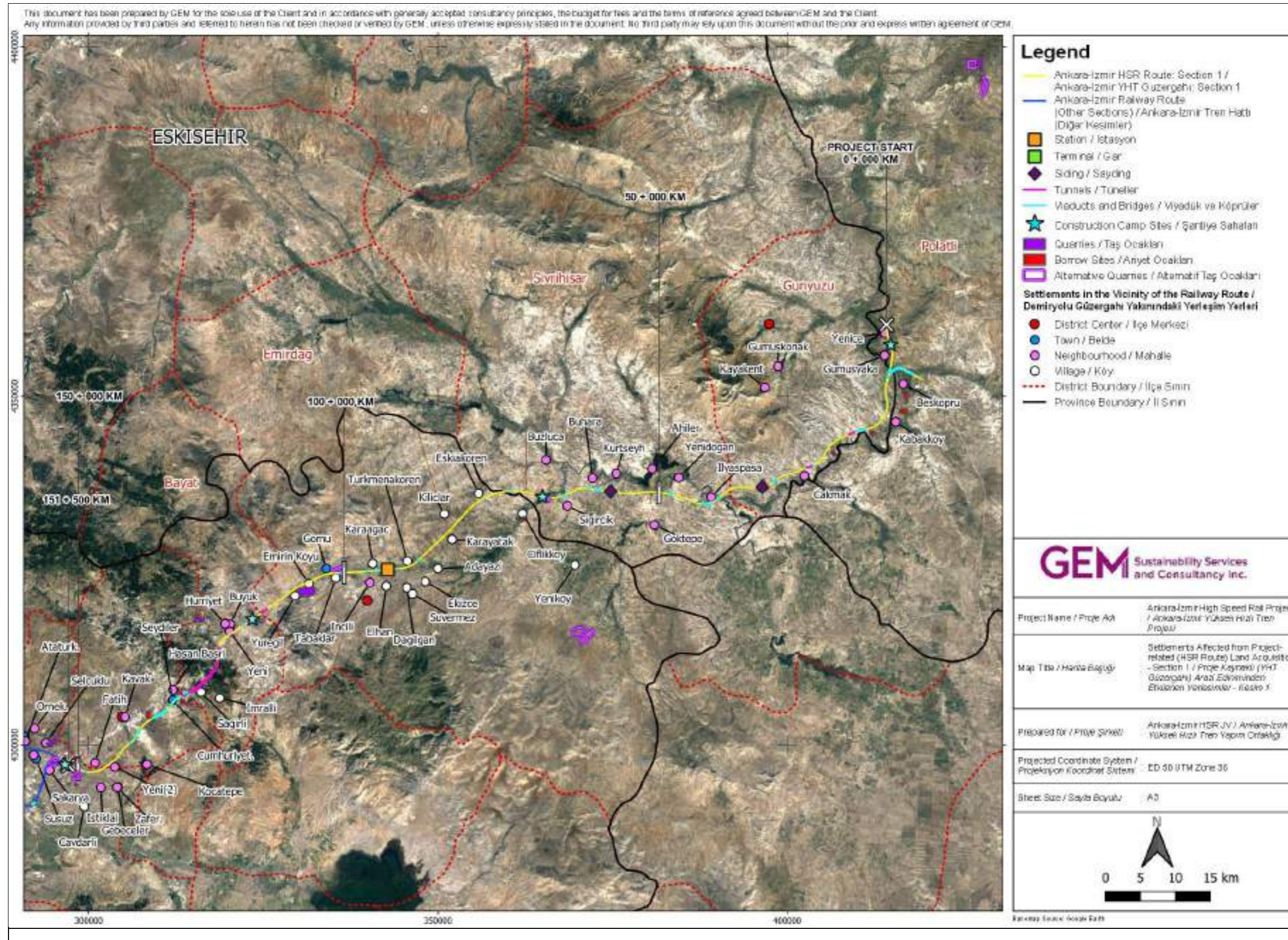


Figure 2-2. Settlements Affected from Project-related Land Acquisition along the HSR Route - Section 1

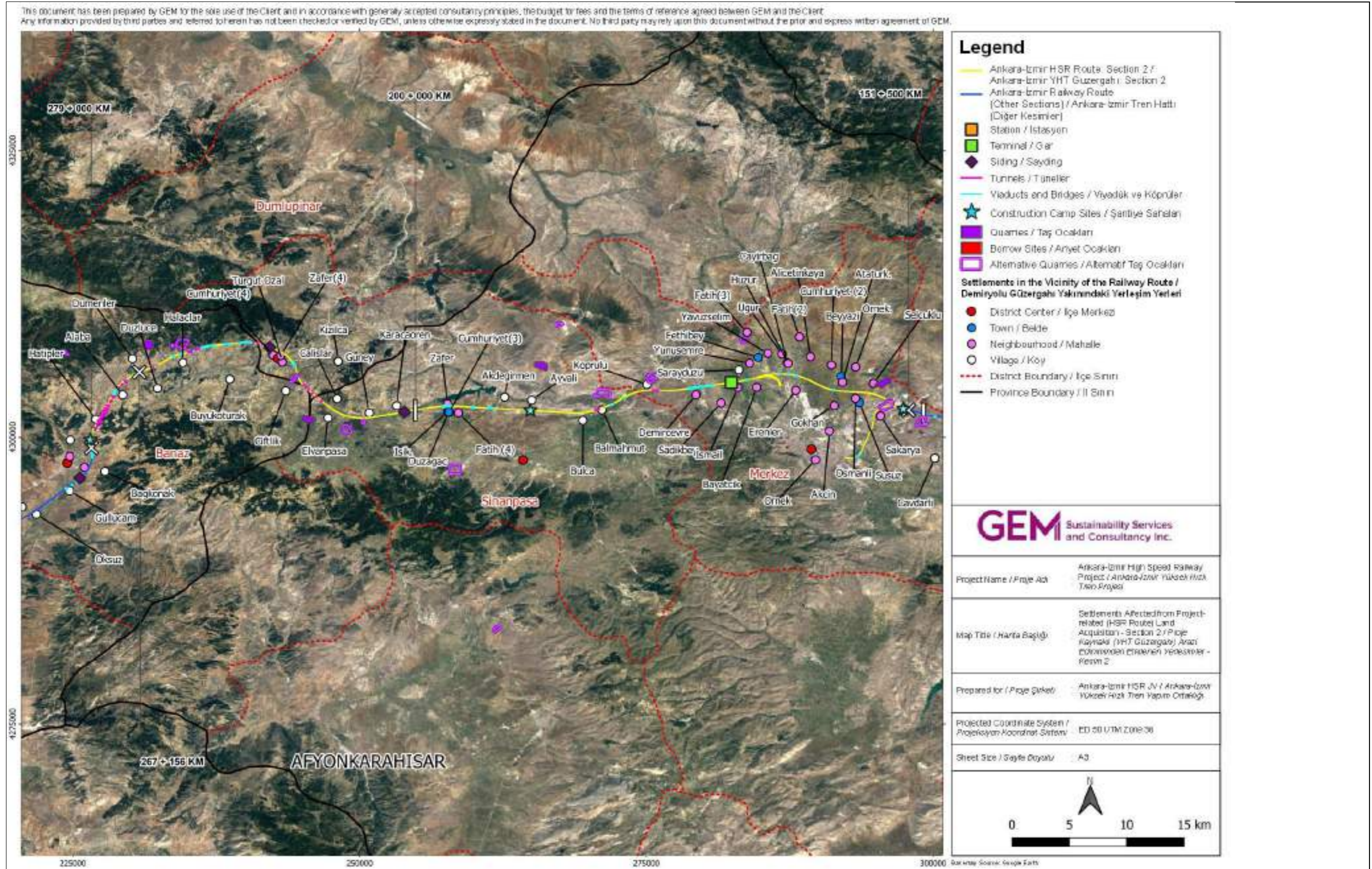


Figure 2-3. Settlements Affected from Project-related Land Acquisition along the HSR Route - Section 2

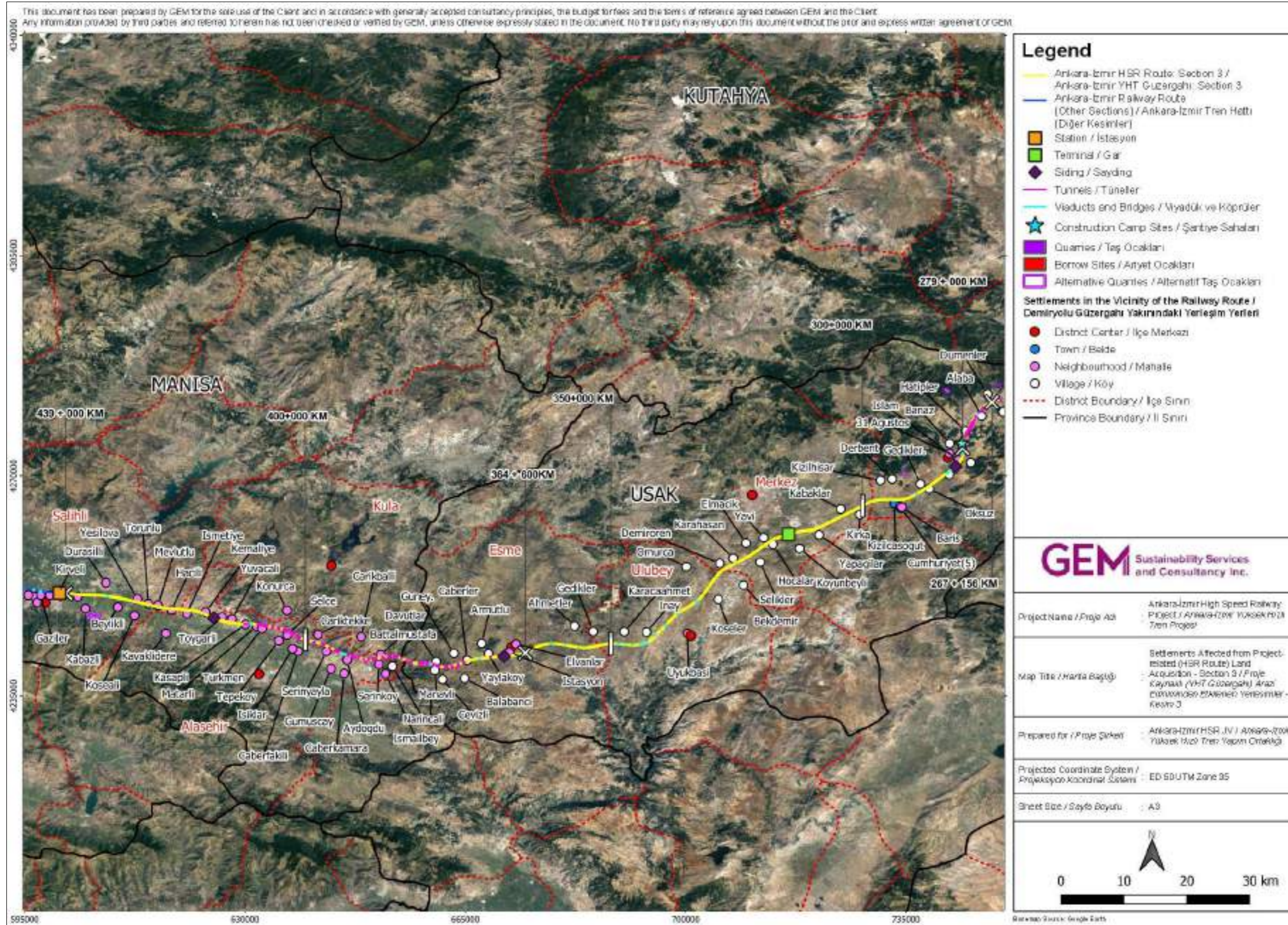


Figure 2-4. Settlements Affected from Project-related Land Acquisition along the HSR Route - Section 3

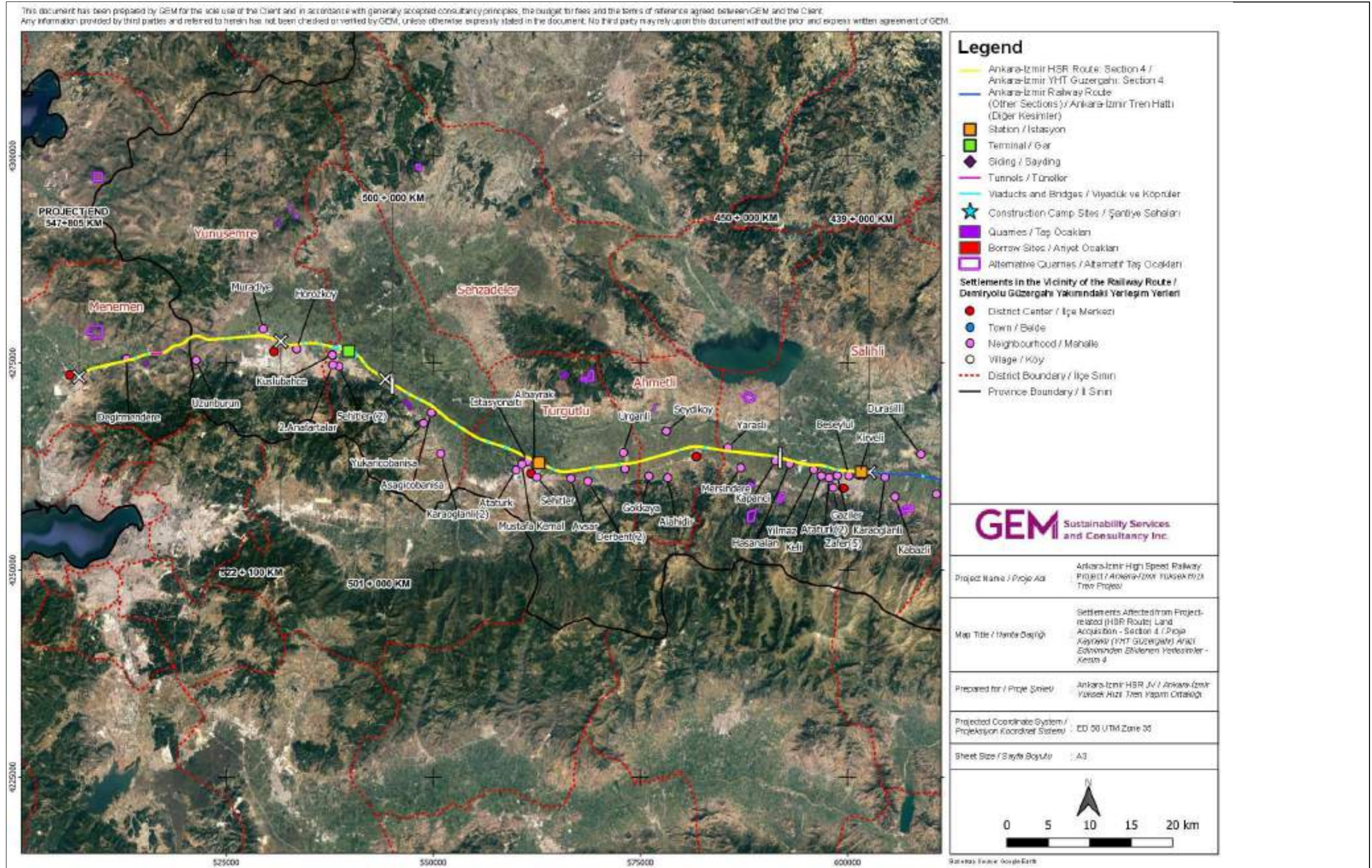


Figure 2-5. Settlements Affected from Project-related Land Acquisition along the HSR Route - Section 4

2.2. Project Facilities and Activities

Main Project facilities include the following:

- High-speed railway (HSR)
- Engineering Structures including viaducts, tunnels, underpasses, overpasses and culverts
- Electrification and Telecommunication Infrastructure
- Railway Stations
- Excavated Material Storage Sites
- Temporary Facilities including construction camp sites, quarries and material borrow sites and their access roads, concrete plants.

The Project, including the railway and engineering structures, will be designed and constructed in accordance with the standards specified in the Construction Contract executed with the AYGM.

Following the completion of construction works, the HSR route and the facilities (e.g. stations) will be fenced off with appropriate materials (e.g. wire fence, concrete panels, etc.).

The scope of construction works is summarised in Table 2-3.

Table 2-3. Scope of Construction Works

Work Phase	Scope of Works
Infrastructure	<ul style="list-style-type: none"> • Earthworks (excavation, filling, etc.) • Various engineering structures including viaducts, bridges, tunnels, underpasses, overpasses, culverts, retaining walls • Drainage works • Infrastructure transfer/displacement works
Superstructure	Construction and commissioning of line superstructure works, including: <ul style="list-style-type: none"> • Ballasted rail with concrete sleepers and all connections • Slab track rail with all connections • Turnouts • All completion works including welding and grinding
Electrification and Signalisation	<ul style="list-style-type: none"> • Design, supply, installation, testing and commissioning of all electromechanical and signalling and communication systems • Providing warranty and services • Training of TCDD personnel
Structural Works (Buildings and Facilities)	<ul style="list-style-type: none"> • Design and construction of a service and maintenance Depot • Design and construction of stations

As per the Construction Contract, the design and construction responsibility of the Contractor in each section of the Project, is as summarised in Table 2-4. The grey highlighted cells represent the Project sections, for which the responsibility for infrastructure works does not belong to the Contractor, but other contractors.

Table 2-4. Design and Construction Responsibility Matrix for Contractor's Scope of Work

Section No.	Sections	Infrastructure	Superstructure	Electrification	Signalisation	Building & Facilities
Section 1	Polatli – Afyon	C	D + C	D + C	D + C	D + C
Section 2	Afyon – Hatipler Passage	C	D + C	D + C	D + C	
	Hatipler Passage	D + C	D + C	D + C	D + C	
	Hatipler Passage – Banaz	—	D + C	D + C	D + C	
Section 3	Banaz – Usak	—	D + C	D + C	D + C	
	Usak – Esme	—	D + C	D + C	D + C	
	Esme – Salihli	—	D + C	D + C	D + C	
Section 4	Salihli Passage	D + C	D + C	D + C	D + C	
	Salihli – Manisa	D + C	D + C	D + C	D + C	
	Manisa Passage	D + C	D + C	D + C	D + C	
	Manisa – Menemen	—	D + C	D + C	D + C	
	Menemen – Alsancak Port Connection	Available Izban Line will be used and improvements requested by the Authority will be done by the contractor with the offered Bill of Quantities (BOQ) rate				

D: Design; C: Construction; — : Not included in the scope

D: Design; C: Construction; — : Not included in the scope

Once the construction of the Ankara-Izmir HSR is completed, the railway will be commissioned in phases and with all relevant components and infrastructure, it will be transferred by the AYGM to the TCDD, which is an affiliated state entity of the MoTI.

The operational life of the systems to be established during the construction will be minimum 30 years.

Detailed planning of the operation and maintenance facilities and activities will be done by the AYGM and TCDD in due course.

2.3. Project Land Use

Based on the expropriation plans prepared for the Project and approved by the TCDD, the land use/ownership characteristics of the parcels affected/to be affected within the expropriation corridor⁵ are classified as below:

- Privately owned lands
- Treasury lands
- Lands owned by legal entities
- State-owned pasture lands
- State-owned forest lands

Total area within the expropriation corridor of the Project sums up to 3,556.50 ha. Approximately 63% (2,247.45 ha) of the land (in terms of area) and %76 (8,647 parcels) of the parcels (in terms of parcel numbers) acquired/will be acquired within the expropriation corridor of the Project is classified as agricultural land in terms of affected area. Figure 2-6 summarise the number and area of the affected private and public (including treasury, pasture, forest, etc.) parcels within the Project expropriation corridor:

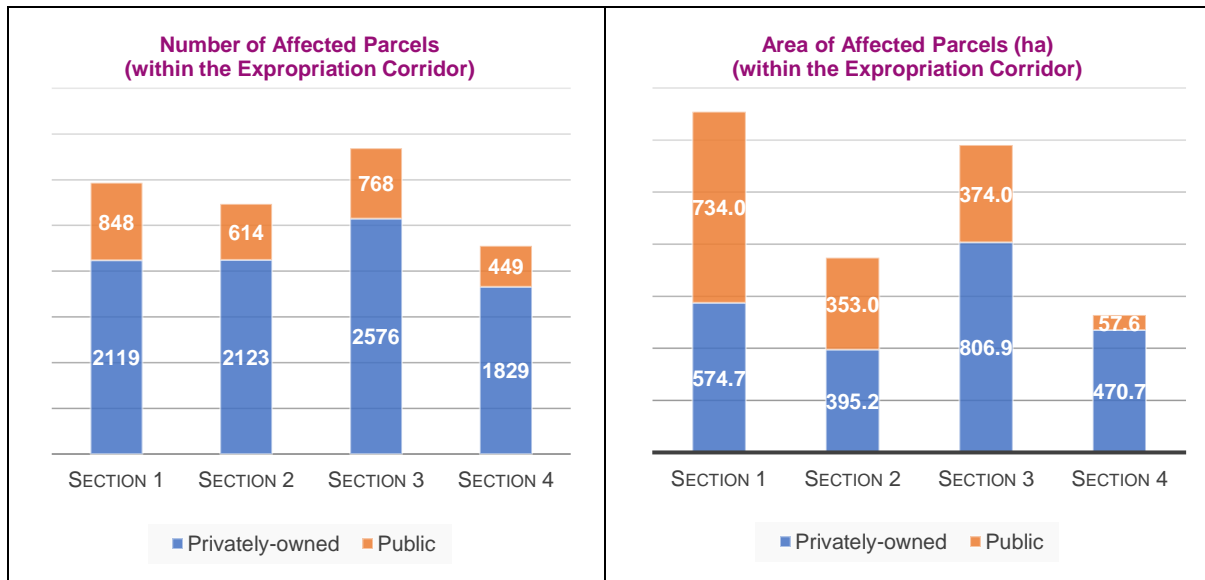


Figure 2-6. Distribution of Affected Parcels per Project Section

In addition to the parcels within the expropriation corridor, land corresponding to the operation areas of the quarries and material borrow sites, as well as other facilities located outside the expropriation corridor, will also be affected from the Project. The total license area of the quarries and material borrow sites considered for use in the current design sums up to 1,794.9 ha (the operation permit area for each site, where the material extraction activities will be conducted, will potentially be smaller than the license area). Approximately 40% (708.9 ha) of this area corresponds to pasture lands and 27% (495.6 ha) corresponds to forest lands, whilst the remaining corresponds to agricultural and other land use types.

⁵ The expropriation corridor for the HSR has a minimum width of 30 meters along the HSR alignment. The width of the expropriation is extended up to 100 m based on the design of excavation and fill areas, footprint of the stations, etc.

2.4. Status of Construction Works

The construction works of Section 1 and Section 2 initially started between 2012 and 2016. Afterwards, in 2018, the construction (infrastructure) works of the contractors in these sections were suspended. As of May 2021, the construction works in Section 3a (Banaz-Esme), Section 3b (Esme-Salihli), Section 4a (initial part of Salihli-Manisa between KM 439+000 and 456+500) and Section 4b (Manisa-Menemen section between KM 522+100 and 547+805) are still in progress under the responsibility of other contractors previously contracted by the TCDD.

The overall progress of the physical works in the sections at which the remaining infrastructure works will be completed by the Contractor is summarised below based on the data compiled by the Contractor as of December 2020⁶:

- Section 1 (Polatli-Afyonkarahisar) – 65.2% (Excavation Progress – 68.7%)
- Section 2 (Afyonkarahisar-Banaz) – 31.8% (Excavation Progress – 70.0%)
- Section 3 (Banaz-Salihli)
 - Section 3a (Banaz-Esme) – 27.4% (Excavation Progress – 49.6%)
 - Section 3b (Esme-Salihli) – 27.4% (Excavation Progress – 78.8%)
- Section 4 (Salihli-Menemen) (Excavation Progress – 9.0%)
 - Section 4a-4b-4c (Salihli-Manisa) – 5.2%
 - Section 4d (Manisa-Menemen) – 30.0%

2.5. Status of Land Acquisition

Start of land acquisition works in the scope of the Project date back to 2012. Majority of the land acquisition within the Project expropriation corridor has been conducted by the State Railways of the Republic of Turkey (TCDD) in line with the Expropriation Law (Law No. 2942, 1983) between 2012 and 2018. At locations where land acquisition has been completed, infrastructure works were initiated by previous contractors as per the contracts awarded by the TCDD.

Considering the Under the General Directorate of the TCDD, the following regional directorates are responsible for Project-related expropriation works:

- 7th Regional Directorate (Afyonkarahisar) responsible for Section 1 (Polatli-Afyonkarahisar) and Section 2 (Afyonkarahisar-Banaz)
- 3rd Regional Directorate (Alsancak) responsible for Section 3 (Banaz-Salihli) and Section 4 (Salihli-Menemen)

Remaining expropriation works along the HSR route (see Table 2-5 and Figure 2-7), which will be conducted/finalised by the governmental authority responsible from Project-related expropriation works in line with the Expropriation Law (responsibilities for future expropriation works will be clarified between AYGM and TCDD; the schedule of the remaining expropriation works will be decided by the AYGM upon Financial Close), are summarised below:

⁶ The infrastructure works by other contractors have been progressing at Section 3a, Section 3b, Section 4a, and Section 4d at the time this data was compiled (December 2020). Official data reflecting the latest status of physical works was not available to the Contractor at the time of compilation of this report. Thus, the level of physical works is at a more advanced level as of May 2021. Based on the analysis of satellite image and the site observations of the Contractor, it is estimated that the land disturbance has taken place at a level of around 80% in Section 3a. Further verification of Employer is required for the identification of current progress levels at each Project subsection.

Table 2-5. Remaining Expropriation Works as per the Current Expropriation Data

Section	Location	KM Chainage	Status of Expropriation Works
Section 1	Ankara-Konya HSR Connection Line	7+800; 0+000-6+683.120	Expropriation plans will be prepared once design works for this part proceeds.
	Bayat Relocation in Bayat town (Yuregil and Merkez villages)	108+740-120+520	Expropriation plans will be reconsidered/ repared (if required) due to route relocation, once the route modification is approved by the related authorities.
Section 2	Hatipler Relocation in Banaz town (Dumenler, Alaba, and Hatipler villages in Banaz town)	267+156.053-278+632.464	Expropriation plans will be repared due to route relocation once the route modification is approved by the related authorities.
Section 3	Koyunbeli Yavi	311+678-313+159 313+061-314+395	Legal procedures as per the Expropriation Law (Law No: 2942, 1983) are ongoing.
Section 4	Salihli-Manisa (4b)		Legal procedures as per the Expropriation Law (Law No: 2942, 1983) are ongoing.
	Asagicobanisa	491+597.42-494+893.46	
	Karaoglanli	490+331.80-491+600.00	
	Yukaricobanisa	494+200-501+056.27	
	<u>Manisa North Passage (4c)</u>		Expropriation plans have been prepared but expropriation works have not started.
	Yukaricobanisa	494+200-501+056.27	
	Sehitler	KM 506+331-507+916	
	2. Anafartalar	507+916-508+170	
	Kuslubahce	508+170-508+624	
	Horozkoy	508+624-514+607	
	<u>Manisa-Menemen (4d)</u>		(*) Expropriation works have been ceased by the authorities.
	<u>Uzunburun (*)</u>	<u>530+162-531+517</u>	
	<u>Samar(**)</u>	<u>531+517-533+200</u>	
	<u>Telekler(**)</u>	<u>533+200-536+200</u>	
	<u>Suleymanli(**)</u>	<u>536+200-539+100</u>	
	<u>Degirmendere (*)</u>	<u>539+100-542+091</u>	(**) Expropriation plans have not been prepared to date.

Further land acquisition might be required for potential route changes and/or additional connection lines (if any), construction camp sites, quarries, energy transmission lines (ETLs), excavated material storage sites, alternative quarries, etc. should they be located partially or fully outside the boundaries of the expropriation corridor. As of May 2021, the Contractor is at the stage of evaluating and selecting those Project facilities to be used during the construction phase. For parcels that will need to be expropriated, the EPs and structure identifications reports will be prepared under the coordination of the Employer.

Accelerated expropriation decisions were taken for the immovable properties located on the HSR route of the Project and published on Official Gazette for the immovable properties located between:

- Polatli and Afyonkarahisar (Council of Ministers' Decision No: 2012/3142);
- Afyonkarahisar and Usak (Banaz), between Usak (Banaz) and Esme and on Afyonkarahisar Passage (Council of Ministers' Decision No: 2016/8504);
- Esme and Salihli (Council of Ministers' Decision No: 2018/11288);
- Salihli and Manisa (Council of Ministers' Decision No: 2016/9085);
- Manisa North Railway Passage (Council of Ministers' Decision No: 2016/9084), and
- Manisa and Menemen (Council of Ministers' Decision No: 2013/4708).

The documentation related to expropriation of the assets within the scope of the Project is kept by the related regional directorates of the TCDD (e.g. Expropriation Plans, Structure Identification Reports, Valuation Reports, documentation related to agreement and court cases, etc.). The Contractor has engaged with the 3rd and 7th regional directorates to provide input to the RAP studies (in February and May 2021) and requested information/documentation on the court cases (ongoing/completed) opened by the right holders against the expropriation value determined as per the Expropriation Law (Law. No. 2942, 1983).

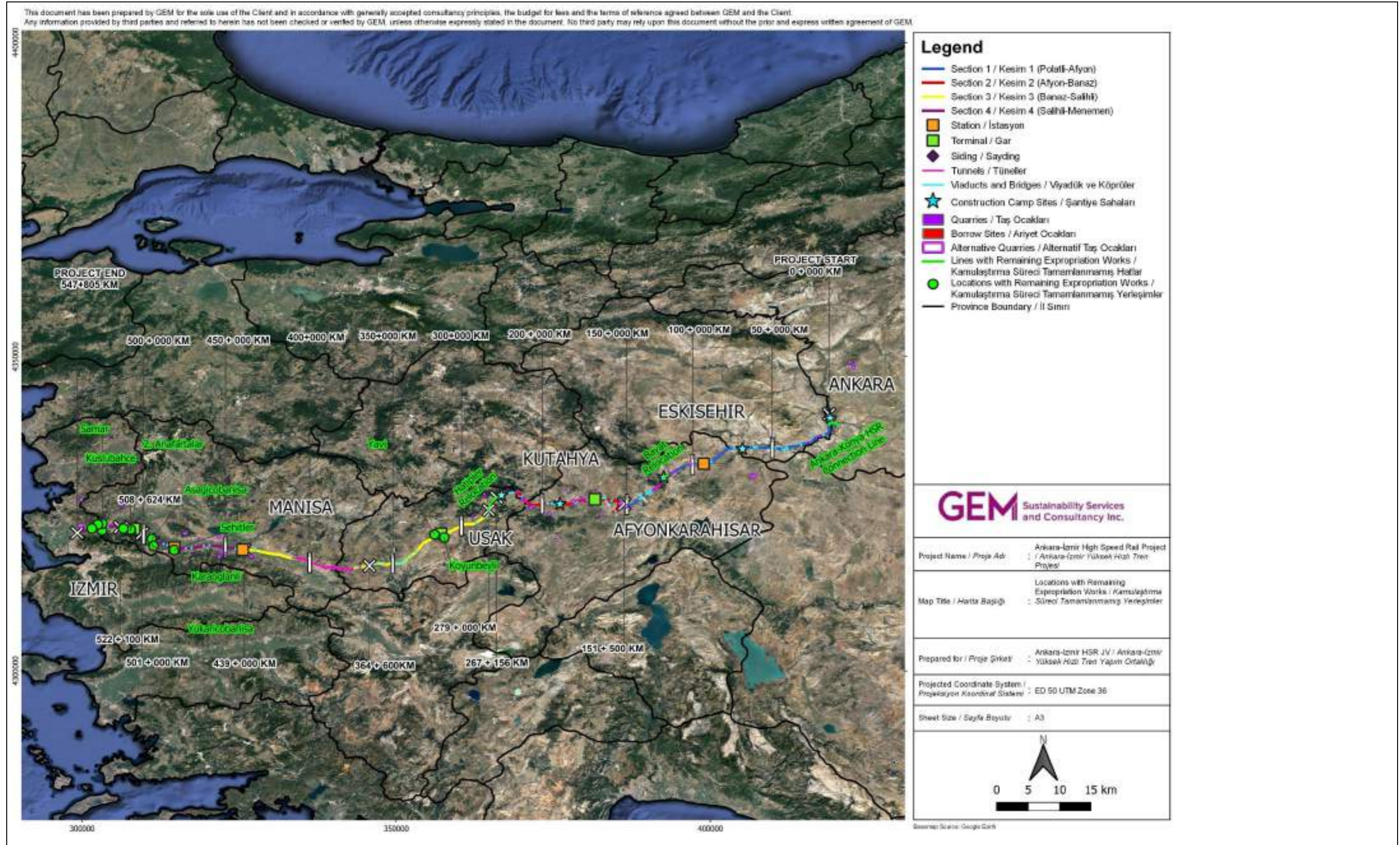


Figure 2-7. Remaining Expropriation Works as per the Current Expropriation Data

The 3rd and 7th directorates do not have digital database for maintaining expropriation related data pertaining to TCDD projects. As of June 2021, the data from 7th Regional Directorate is in the process of preparation as the authority does not have a digital archive and the data is to be sorted manually. The 3rd Regional Directorate of TCDD has provided the summarised in Table 2-6 for Section 3 and Section 4 of the Project.

Table 2-6. Summary of Agreement and Court Cases for Section 3 and Section 4

Information Type	Total number for Section 3 (Banaz-Salihli) and Section 4 (Salihli-Menemen)
Number of owners/shareholders who signed the compensation agreements <i>Anlaşma tutanağına imza atan malik sayısı</i>	5,320 (out of a total number of owners/shareholders of 6,765)
Number of parcels acquired through agreement <i>Anlaşma ile alınan parsel sayısı</i>	1,330 (out of a total number of parcels of 5,622)
Number of court cases opened as per Article 10 of the Expropriation Law (*) <i>Açılmış 10. Madde dava sayısı</i>	1,538
Number of court cases completed as per Article 10 of the Expropriation Law (*) <i>10. Madde kapsamında tamamlanmış dava sayısı</i>	153
Number of court cases ongoing as per Article 10 of the Expropriation Law (*) <i>10. madde kapsamında devam eden dava sayısı</i>	1,385
Parcels for which registration process have been completed <i>Tescil işlemi tamamlanmış parsel sayısı</i>	2,121
Number of owners/shareholders whose lands have been expropriated as per Article 27 <i>27. Madde uygulanarak arazisi kamulaştırılan hak sahibi sayısı</i>	2,040 parcels (out of a total number of parcels of 5,622)
Number of parcels for which no proceeding has taken place	45

(*) Including the number of Article 10 court cases opened as a procedural requirement for the execution of Article 27 (Accelerated Expropriation).

2.6. Project Workforce

At the peak construction phase, the total number of personnel to be employed by the Contractor is estimated as 14,778. The breakdown of workforce requirement per Project section is depicted below. The General Project Management will be based in the existing Sinanpasa Camp Site located at KM 190+000 (Afyonkarahisar, Sinanpasa, Ayvalı). The workforce is estimated to be composed of non-qualified (67%), semi-qualified (8%) and qualified (25%) personnel. Daily and monthly working hours of the workforce during the construction phase will be regulated in line with the Turkish Labour Law (Law No. 4857, 2003).

Other contractors with ongoing infrastructure works in Section 3a, Section 3b, Section 4a, and Section 4d employ direct and contracted personnel required to complete the works in accordance with their existing contracts with the TCDD.

Detailed planning of the operation and maintenance workforce (direct and contracted) requirements of the Project will be done by the AYGM and TCDD in due course.

2.7. Project Schedule

The Construction Contract for the Project has been executed between the Contractor and the AYGM on 23 November 2020. The Construction Contract will be effective after the date of Financial Close. The Loan Period for the Project continues for circa 14 years following issue of the Taking Over Certificate by the Employer.

The completion dates for the infrastructure, superstructure, electrification and signalisation works to be conducted by the Contractor as per the Construction Contract executed with the Employer are as below:

- Section 1 (Polatli-Afyon): November 2023 – in 30 months (900 days) following the Financial Close date
- Section 2 (Afyon Banaz): November 2023 – in 30 months (900 days) following the Financial Close date
- Section 3 (Banaz-Salihli): November 2024 – in 42 months (1,260 days) following the Financial Close date
- Section 4 (Salihli-Menemen): November 2023 – in 30 months (900 days) following the Financial Close date

The liability of the Contractor extends until 2 years (defects liability period) after provisional acceptance of the Project by the Employer.

Once commissioned, the HSR with all relevant components and infrastructure will be transferred by the AYGM (Employer) to the TCDD (Operator) for operation.

The Employer has information on the schedule of the ongoing infrastructure works by other contractors.

Detailed construction schedule for the Project is presented in Table 2-7.

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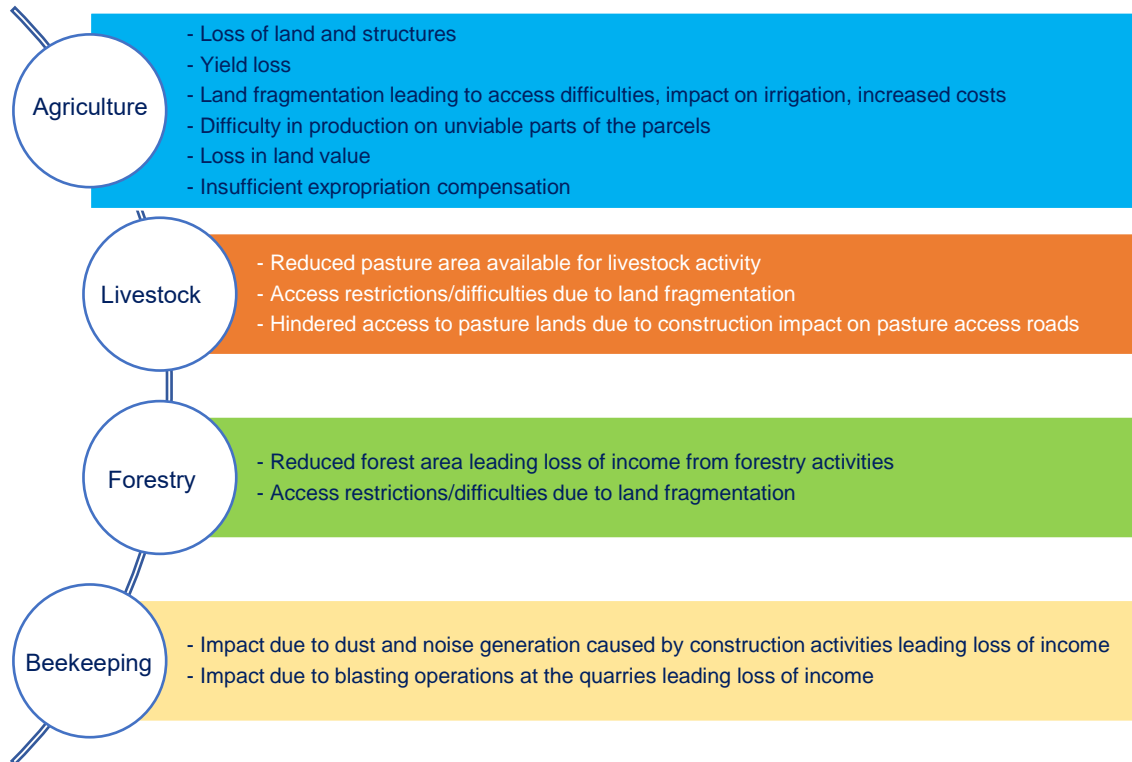
3. Project Impacts

The settlements with remaining expropriation works have been previously listed in Section 2.5.

Based on the expropriation plans prepared for the Project and approved by the TCDD for the full Project alignment, the land use/ownership characteristics of the parcels affected/to be affected within the expropriation corridor⁷ are classified as below. The parcels to be affected from future land acquisition works will potentially include parcels from each category:

- Privately owned lands (i.e. agricultural lands)
- Treasury lands
- Lands owned by legal entities
- State-owned pasture lands
- State-owned forest lands

The loss of lands and access restrictions to be caused by the Project-related land acquisition that will take place in future may result in the following economic displacement impacts to be addressed in future RAPs:



There will potentially be buildings and structures (residential and non-residential) on the parcels to be expropriated within the scope of future land acquisition works.

The potential future land acquisition impacts of the Project on residential buildings would result in physical displacement. The potential future land acquisition impacts of the Project on buildings and structures used for commercial purposes (e.g. greenhouses, dairies, etc.) would result in economic displacement.

⁷ The expropriation corridor for the HSR has a minimum width of 30 meters along the HSR alignment. The width of the expropriation is extended up to 100 m based on the design of excavation and fill areas, footprint of the stations, etc.

Project Alternatives

Proximity to settlements causing impact on residential areas/houses (physical displacement) and agricultural lands are among the most important criteria considered by the related authorities during the route selection process in order to avoid/minimise the socio-economic impacts on local communities and minimise the expropriation costs of the Project. These criteria will be applicable to future Project-related land acquisition processes.

Engineering structures such as tunnels and viaducts as well as overpasses, underpasses, bridges, and culverts are included in the design to allow crossing of the railway route. Besides providing engineering solutions to topographical and geotechnical challenges, the tunnels and viaducts allow the Project to minimise impacts on land use and impacts due to fragmentation of lands. These engineering structures will be included in the design of the Project as appropriate/needed that will be subject of future Project-related land acquisition processes.

During the implementation phase, the Employer and the Contractor will further consider local modifications and micro-siting measures at the sites where previous infrastructure works have not been conducted to minimise Project's impacts on parcels used for livelihood activities of the local communities.

4. Legal Framework

4.1. National Legislation

4.1.1. Constitution of the Republic of Turkey

The Constitution of the Republic of Turkey is the fundamental legal document governing the expropriation of land. In this regard, Article 46 of the Constitution establishes the framework of the expropriation process by setting out that the State and public corporations shall be entitled, where the public interest requires, to expropriate privately owned real estate wholly or in part and impose administrative servitude on it, in accordance with the principles and procedures prescribed by law, provided that the actual compensation is paid in advance.

As such, immovable properties cannot be confiscated unless its expropriation compensation is paid to the owner/s in advance and in cash.

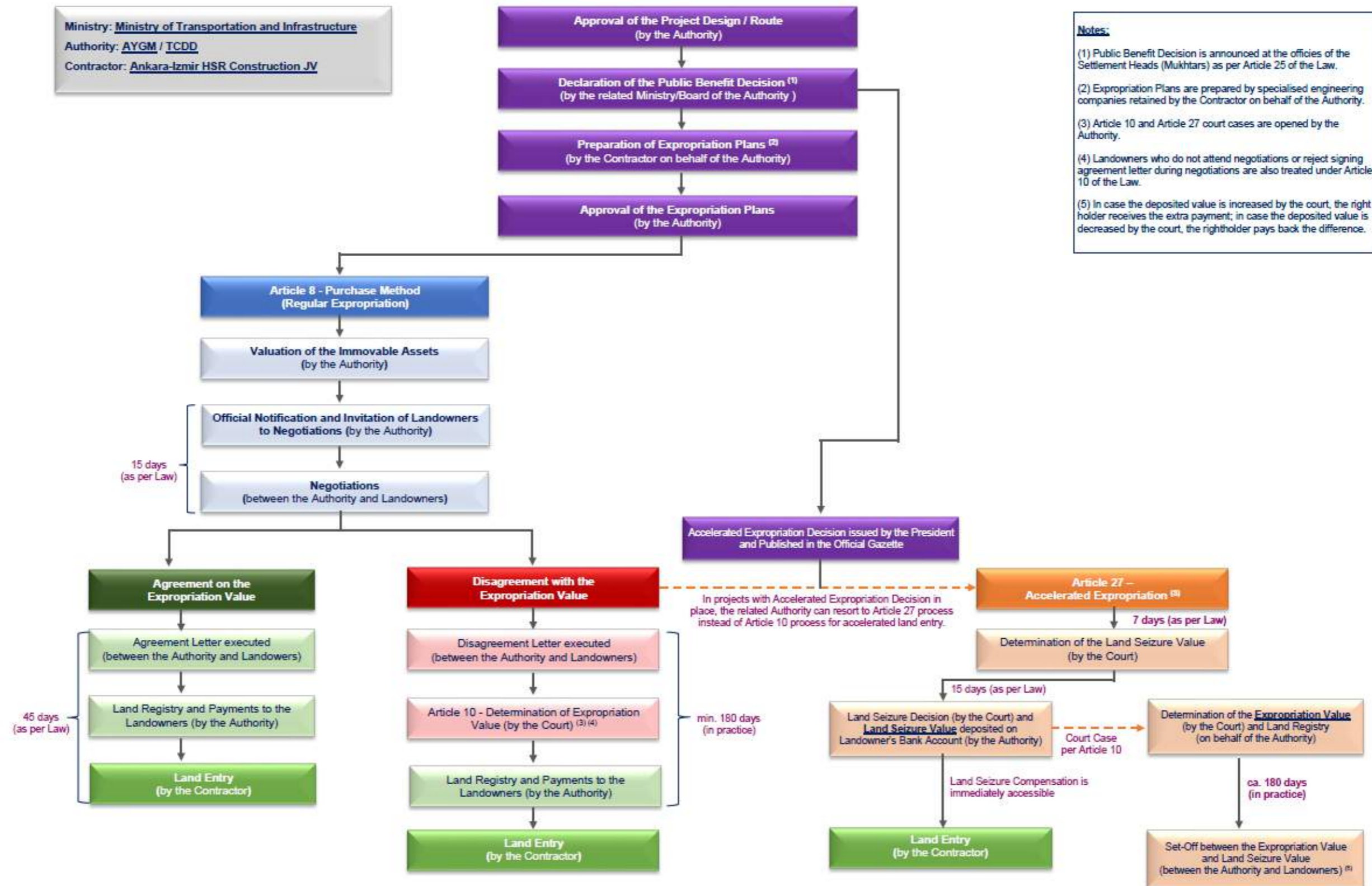
4.1.2. Expropriation Law (Law No. 2942, 1983)

The expropriation process in Turkey is undertaken as per the requirements of the Expropriation Law (Law No. 2942, 1983). A summary of the expropriation process to be implemented by the government as per the Expropriation Law of Turkey (No. 2942, 1983) is presented in Figure 4-1.

As stated in Article 1, this Law sets the procedures to be followed during expropriation, if and when it is required for public interest;

- the expropriation of immovable owned by real persons or legal identities subject to special laws,
- the calculation of the expropriation fee,
- registration of the immovable asset and its appurtenances in the name of the expropriation,
- administration,
- reclamation of the unused immovable assets, and
- mutual rights and obligations as well as the procedures and methods for the settlement of the conflicts pertaining to them.

The relevant articles of the Law that will be referred to during the Project's land acquisition activities are summarised in Appendix A.1.



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Figure 4-1. Expropriation Process as per the Expropriation Law of Turkey (No. 2942, 1983)

4.1.3. Resettlement Law (Law No. 5543, 2006)

Resettlement activities are regulated by Resettlement Law (Law No. 5543, 2006), providing for government-assisted resettlement in the rural and urban areas, and the Regulation for the Execution of Resettlement Law.

Resettlement Law deals with the families applying to related governmental agencies in the project region and requesting government assisted resettlement. Resettlement assistance of the government is provided for entitled families while expropriation compensation payments are paid to all individuals possessing immovable properties in the project area. According to the Article 3 of the Law, three types of resettlement can be applied as for that the choices and requests of affected families.

The relevant articles of the Law that will be referred to during the Project's land acquisition activities are summarised in Appendix A.2.

4.1.4. Supplementary Laws and Regulations Pertaining to Land Acquisition

4.1.4.1. Forest Law (Law No. 6831, 1956)

In accordance with the Forest Law, the Project must obtain permission from the Ministry of Forestry and Water Affairs to perform activities in forests or lands classified as forest and is required to indemnify damages to public forests resulting from the construction of the railway.

The use of state-owned lands (pastureland, forestry land, treasury land) by citizens is rule-bound. Citizens can rent pastureland after receiving the required permissions from the relevant Pastureland Commission which is a sub-unit of the Ministry of Agriculture and Forestry (former Ministry of Food, Agriculture and Livestock – MoFAL). Citizens can also rent treasury lands for agricultural, commercial, sports and social activities.

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

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

The amendment made in the Forest Law in 2004 (Official Gazette dated 3 July 2004, number 25511) states that “in case of public interest or exigency concerning the location or construction of defence, transportation, energy, communication, water supply, wastewater, petroleum, natural gas, infrastructure facilities and solid waste disposal sites; sanatoriums, dams, ponds and cemeteries; governmental health, education and sports facilities and related places in governmental forest areas, real and legal persons can be licensed by the Ministry of Forestry and Water Affairs in return for a determined value.

In addition to the Law itself, the regulation on “Permits to be Given on Land Considered Forest Areas” (Official Gazette dated 22.03.2007 numbered 26470) settles the methods and principles of the approvals, permits and easement rights to be given according to the 16, 17, 18 and 115th articles of the Forest Law as well as defining their costs for works and transactions that will be realized.

Section 10 of this regulation defines the terms on which other state authorities are provided with permission to establish roads, buildings and other facilities. Article 42 depicts that in cases of public interest, permission to utilize forest lands can be given to other state authorities for the establishment of facilities used in fields such as petroleum, natural gas, solid waste, infrastructure etc.

Another regulation recently published in the Official Gazette numbered 28976 and dated April 18, 2014 stipulates the implementation of Article 17/3 and 18 of the Forest Law. Article 9 of this regulation redefines the fees and the calculation of the fees to be collected from other authorities utilizing forest land.

4.1.4.2. Pasture Law (Law No. 4342)

According to this Law based on the views of the Pastureland Commission (comprising of the manager of the district management of Ministry of Food, Agriculture and Livestock, an agricultural engineer from the Ministry itself, a jurist, a representative of the National Property Directorate, a technician from the Title Deed Registry and Cadaster

Directorate and a representative of the Chamber of Agriculture) the Governors in Project affected provinces have the authority to give permission for altering the classification of pasturelands.

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

4.1.4.3. Cadastral Law (Law No. 3402)

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

In accordance with the Project, section 4 (principles for the determination of ownership rights), 6 (financial provisions) and 9 (transitions and final provisions) of the Law will need to be referenced.

4.1.4.4. Land Registry Law (Law No. 2644, 1934)

In Turkey, cadastral works are conducted primarily based on the Land Registration Law. The Law regulates the procedures and principles on the title deed transactions for real estate. This law specifies the authority that governs the registration of immovable properties.

4.1.4.5. Law on Soil Conservation and Land Use (Law No. 5403, 2005)

This Law sets forth the rules and principles for determining land and soil resources and their classification, preparing land utilization plans, preventing non-purpose utilisation, and defining the tasks and obligations to ensure land and soil preservation. Soil Preservation Boards are established in each province to examine, assess and monitor the activities related to the preservation, development and productive utilization of lands. The Law specifies the requirements and procedures regarding the use of agricultural lands for non-agricultural purposes.

4.1.4.6. Agricultural Reform Law on Land Arrangement in Irrigated Areas (Law No. 3083)

The Agricultural Reform Law regulates several issues for lands that are irrigated and that have been determined by the Council of Ministers. The Law covers matters regarding land consolidation and allocation of land for other purposes rather than agriculture in case of need. It is stipulated in the Law that in areas where agricultural production has no longer economic viability due to fragmentation, land consolidation works will be realized to prevent fragmentation that will result in having an effect both on the livelihood and the work force of any family. The articles referencing land consolidation issues and that will be considered by the Project are Articles 6 and 13.

In addition to the Law, the regulation on "Implementation of the Agricultural Reform Law for Land Arrangement in Irrigated Areas" deals with the provisions pertaining to the implementation of the Law 3083. Articles 5 states that ownership of land belonging to real persons or public corporate entities cannot be transferred, conveyed, mortgaged and sold within 5 years after the decision of Council of Ministers has been announced in the Official Gazette. All restraints will be annotated to the land registry soon as this decision is officially announced.

4.1.4.7. The Notification Law (Law No. 7201)

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

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

4.1.4.8. Land Registry Code (Official Gazette No. 28738, 2013)

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

4.1.5. Engagement/Consultation Requirements relevant to Land Acquisition under National Legislation

The engagement and consultation requirements of the national legislation relevant to land acquisition are summarised in Table 4-1.

Table 4-1. Engagement/Consultation Requirements Specified by the Relevant National Legislation

Legislation	Engagement/Consultation Requirement
Expropriation Law	<p>The Expropriation Law focuses primarily on the provision of information to the affected owners of immovable assets.</p> <p>The Article 8 of the Expropriation Law sets out the procedures for negotiations to be conducted with the property owners/shareholders of the parcels affected from expropriation including the provisions with regard to notification, information and relevant engagement procedures:</p> <ul style="list-style-type: none"> Land purchase based on negotiation shall be the preferential method for acquisition of registered immovable assets. Following the issuance of the expropriation decision, the administration responsible from expropriation assigns a Valuation Commission for the determination of the estimated value of the immovable and a Reconciliation Commission for the execution of negotiations over the price estimated by the Valuation Commission. In case of a necessity, Valuation Commission obtains information from Chamber of Industry and Commerce, real estate agencies and other specialised individual or institutional authorities. Administration notifies the property owner about the immovable to be expropriated through an official certified letter declaring administration's will to acquire the immovable property (without disclosing the expropriation value determined for the immovable) through negotiated settlement or barter with (<i>trampa</i>) another immovable property belonging to the administration, with payments made in cash, or based on conditions specified in the Law in case of instalments. The property owner or the authorised representative of the property owner applies to the administration within 15 days of receipt of administration's notification with the request of selling the immovable subject to expropriation through negotiated settlement or barter (<i>trampa</i>) of the immovable. Accordingly, a negotiation meeting is held on the date determined by the Commission. In case of agreement on the expropriation value (the value estimated by the Commission cannot be exceeded), the agreement is recorded on official minutes (as per the content specified in the Law) prepared and signed by the property owner or the authorised representative of the property owner and the Commission members. <p>For those owners with whom agreement cannot be reached by negotiation or for owners with unidentified addresses, absentee owners, or for immovable properties over which there are ownership disputes; a lawsuit is filed with the relevant court of first instance for valuation and registration, pursuant to Article 10 of the Expropriation Law (Law No. 2942, 1983), and the expropriation compensation set by the court in the course of the lawsuit is deposited into a bank account to be paid to the owner of the expropriated property. The expropriation compensation for immovable properties with unidentified owner is deposited into a time account with 3-month maturity terms (A minimum two months is required for notification and negotiations before invoking of the Article 10 of the Expropriation Law (Law No. 2942, 1983). The actual time increases in proportion with the number of owners and land parcels).</p> <p>The Law requires the expropriation agency to work together with all relevant local institutions, including branches of the Ministry of Agriculture and Forestry, other government departments and real estate firms, as well as with the affected populations.</p>

Legislation	Engagement/Consultation Requirement
Resettlement Law	The Resettlement Law incorporates a level of consultation with affected persons and communities that goes beyond mere information provision. These concern the choice of resettlement sites rather than on encompassing broader aspects of the resettlement process, such as house design, community layout, etc. Consultation with the affected people is essential in the framework of Government assisted resettlement since the compensation payments for residential structures, together with other immovable assets on them, are kept by the resettlement agency to finance the new resettlement arrangements. Because the resettlement homes are often more costly than the traditional homes the affected people reside prior to the project, the difference between the value of affected assets and the actual costs of new residential units are paid by the affected people over a period of time. Thus, the concept of replacement cost that is privileged by the IFC, is not used in Government assisted resettlement arrangements. As a result, owners of affected assets often reject Government assisted resettlement; only those families that use (but not own) the Project affected homes consider participation in such arrangements.
Execution of Resettlement Law	Disclosure shall be held by written notification and be posted for 30 days at an apparent place (such as schools, mosques, cooperative buildings etc.).
Cadastral Law	The regions to be surveyed shall be notified via the Official Gazette, radio, television and local newspapers and other traditional ways, 30 days prior the beginning of cadastral works. At least 15 days prior to the cadastral surveys, the Cadastral Manager shall notify the village to be surveyed and the adjacent village and municipalities by traditional ways. The Cadastral Technicians shall inform the villagers by the traditional ways, about the place to be surveyed, seven days before they start the cadastral survey.

4.2. International Standards

The Policy on E&S Sustainability describes IFC's commitments, roles, and responsibilities related to E&S sustainability. It comprises eight Performance Standards (PSs) directed towards clients, providing guidance on how to identify risks and impacts, and are designed to help avoid, mitigate, and manage risks and impacts as a way of doing business in a sustainable way, including stakeholder engagement and disclosure obligations of the client in relation to project-level activities. All investment and advisory clients whose projects go through IFC's initial credit review process are expected to meet these standards. The PSs are also applicable for other financial institutions willing to apply them.

International best practice for private sector sustainable development is guided by the IFC's Performance Standards on Social and Environmental Sustainability. The Performance Standards were revised in 2012 and provide guidance on how to identify risks and impacts, and are designed to help avoid, mitigate, and manage risks and impacts as a way of doing business in a sustainable way, including stakeholder engagement and disclosure obligations of the Company in relation to Project-level activities.

There are eight (8) Performance Standards of IFC, directed towards clients, providing guidance on how to identify risks and impacts, and are designed to help avoid, mitigate, and manage risks and impacts as a way of doing business in a sustainable way, including stakeholder engagement and disclosure obligations of the client in relation to project-level activities.

Each of the following IFC Performance Standards set out subject-specific requirements on stakeholder engagement and/or information:

- Performance Standard 1: Assessment and Management of Environmental and Social Risks and Impacts
- Performance Standard 2: Labour and Working Conditions
- Performance Standard 3: Resource Efficiency and Pollution Prevention
- Performance Standard 4: Community Health, Safety and Security
- Performance Standard 5: Land Acquisition and Involuntary Resettlement

- Performance Standard 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources
- Performance Standard 7: Indigenous Peoples
- Performance Standard 8: Cultural Heritage.

IFC PS1 and PS5 are particularly relevant to the management of displacement impacts stemming from Project-related land acquisition process.

The Handbook for Preparing a Resettlement Action Plan (2002) published by IFC provides guidance for the preparation and implementation of RAP.

PS 1 – Assessment and Management of Environmental and Social Risks and Impacts

PS1 establishes the importance of (i) integrated assessment to identify the environmental and social impacts, risks, and opportunities of projects; (ii) effective community engagement through disclosure of project-related information and consultation with local communities on matters that directly affect them; and (iii) the client's management of environmental and social performance throughout the life of the project.

For the purposes of PS1, the term “project” refers to a defined set of business activities, including those where specific physical elements, aspects, and facilities likely to generate risks and impacts, have yet to be identified. Where applicable, this could include aspects from the early developmental stages through the entire life cycle (design, construction, commissioning, operation, decommissioning, closure or, where applicable, post-closure) of a physical asset. After taking over the AIHSR project, JV prepared ESIA and examined the environmental and social impacts of the Project.

PS 5: Land Acquisition and Involuntary Resettlement

PS5 recognises that Project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons that use this land. Involuntary resettlement refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or other means of livelihood) as a result of project-related land acquisition and/or restrictions on land use. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in physical or economic displacement.

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

IFC PS5 applies to physical and/or economic displacement resulting from the following types of land-related transactions:

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

Private Sector Responsibilities Under Government - Managed Resettlement

Where land acquisition and resettlement are the responsibility of the government, the client will collaborate with the responsible government agency, to the extent permitted by the agency, to achieve outcomes that are consistent with PS5. In addition, where government capacity is limited, the client will play an active role during resettlement planning, implementation, and monitoring, as described below.

In the case of acquisition of land rights or access to land through compulsory means or negotiated settlements involving physical displacement, the client will identify and describe government resettlement measures. If these measures do not meet the relevant requirements of PS5, the client will prepare a Supplemental Resettlement Plan that, together with the documents prepared by the responsible government agency, will address the relevant requirements of PS5 (the General Requirements and requirements for Physical Displacement and Economic Displacement above). The client will need to include in its Supplemental Resettlement Plan, at a minimum (i) identification of affected people and impacts; (ii) a description of regulated activities, including the entitlements of displaced persons provided under applicable national laws and regulations; (iii) the supplemental measures to achieve the requirements of PS5 as described in paragraphs 19–29 in a way that is permitted by the responsible agency and implementation time schedule; and (iv) the financial and implementation responsibilities of the client in the execution of its Supplemental Resettlement Plan.

4.3. Gap Analysis between National Legislation and International Standards

Table 4-2. Main Gaps between the Turkish Legislation and IFC PS5 with regard to Management of Land Acquisition Impacts

Gap Subject	IFC PS5 Requirement	Requirement in Turkish Legislation	Gaps	Actions to Bridge the Gaps
Avoidance and Minimisation	IFC PS5 – para. 8: The client will consider feasible alternative project designs to avoid or minimize physical and/or economic displacement, while balancing environmental, social, and financial costs and benefits, paying particular attention to impacts on the poor and vulnerable.	There is no provision in the Expropriation Law of Turkey, regarding avoiding and minimisation of resettlement	Even though the Expropriation Law of Turkey does not include explicit provisions, the authorities responsibility from the expropriation works in line with the Law consider the displacement impacts of projects during site/route selection to the extent feasible in order to avoid/minimise the socio-economic impacts on local communities and minimise the expropriation costs of the projects.	<p>The Project Owner has avoided impact on economic and physical displacement to the extent possible during the route selection process in order to both mitigate socio-economic impacts of the Project and reduce expropriation related costs of the Project.</p> <p>In Section 2, a route change has been incorporated to the design in Hattipler Passage (KM 267+156.000-278+632.464) in order to avoid impact on buildings/structures including greenhouses overlapping with the previous route.</p> <p>In Section 4c (Manisa North Passage), the expropriation works have not started within the formerly identified expropriation corridor, which overlaps with 34 present buildings (may be residential or non-residential) in Horozkoy neighbourhood of Manisa province. The status of buildings anticipated to be affected in this part according to the current design will be clarified upon preparation and approval of respective EPs by the Employer. Based on the evaluation and decision of the Employer, avoidance/</p>

Gap Subject	IFC PS5 Requirement	Requirement in Turkish Legislation	Gaps	Actions to Bridge the Gaps
				<p>minimisation of physical/economic displacement impacts will be aimed to be minimised, where feasible.</p> <p>During the implementation phase, the Employer and the Contractor will further consider local modifications and micro-siting measures at the sites where previous infrastructure works have not been conducted to avoid structures including the residential and non-residential buildings for the minimisation of Project-related displacement impacts.</p>
Compensation and Benefits for Displaced Persons	<p>IFC PS5 – para. 9: When displacement cannot be avoided, the client will offer displaced communities and persons compensation for loss of assets at full replacement cost and other assistance to help them improve or restore their standards of living or livelihoods, as provided in PS5. Compensation standards will be transparent and applied consistently to all communities and persons affected by the displacement.</p> <p>Where livelihoods of displaced persons are land-based, or where land is collectively owned, the client will, where feasible, offer the displaced land-based compensation.</p> <p>The client will take possession of acquired land and related assets only after compensation has been made available and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons in addition</p>	<p>Valuation of agricultural land depends on capitalisation of annual net income calculated by taking market prices into account.</p> <p>Buildings are compensated by use of their cost of construction and market value. However, depreciation is deducted from market value.</p> <p>According to Expropriation Law, compensation shall be deposited into titleholders account prior to land take.</p> <p>As per the Expropriation Law, title deed fees, and other expenses as stipulated by the Law are paid by the administration responsible from the execution the expropriation.</p>	<p>Buildings are not compensated at full replacement cost.</p> <p>Compensation in kind/land for land approach is not an option as per the national Expropriation Law. In-kind compensation is not offered except for state led resettlement according to Resettlement Law (Law No. 5543).</p>	<p>Future RAPs will be prepared to document the compensation approach adopted by the authorities in the previous Project-related land acquisitions and describe the approach to be adopted in the compensation of lands and assets at full replacement cost in future land acquisitions.</p> <p>The RAPs will be implemented to ensure that compensation to be provided to PAPs for loss of assets is at full replacement cost and assistance is provided to PAPs to help them improve and restore their standards of living or livelihoods.</p>

Gap Subject	IFC PS5 Requirement	Requirement in Turkish Legislation	Gaps	Actions to Bridge the Gaps
	to compensation. The client will also provide opportunities to displaced communities and persons to derive appropriate development benefits from the project.			
Community Engagement	IFC PS5 – para. 10: The client will engage with Affected Communities, including host communities, through the process of stakeholder engagement described in PS 1. Decision-making processes related to resettlement and livelihood restoration should include options and alternatives, where applicable. Disclosure of relevant information and participation of Affected Communities and persons will continue during the planning, implementation, monitoring, and evaluation of compensation payments, livelihood restoration activities, and resettlement to achieve outcomes that are consistent with the objectives of the Performance Standard.	See Section 4.1.4.8 for the legislative engagement/consultation requirements relevant to land acquisition	There is no provision for a structured and systematic community engagement through disclosure of land acquisition related information in the planning and implementation stages of projects.	The Project has developed and will implement a SEP, including External Grievance Mechanism, in line with IFC PS1 (see Chapter 14).
Grievance Mechanism	IFC PS5 – para. 11: The client will establish a grievance mechanism consistent with PS 1 as early as possible in the project development phase. This will allow the client to receive and address specific concerns about compensation and relocation raised by displaced persons or members of host communities in a timely fashion, including a recourse mechanism designed to resolve disputes in an impartial manner.	<p>The Expropriation Law recognizes the right to object of the PAPs. As per the Expropriation Law (Law No. 2942, 1983), the state agency responsible from execution of expropriation process manages the requests and disagreements as per the relevant provisions of the Law. Objections are recorded and responded in writing.</p> <p>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,</p>	Turkish legislation does not require a Project-level grievance mechanism to be established and implemented to address land acquisition related grievances and requests.	<p>The Project has developed and will implement a SEP, including External Grievance Mechanism, in line with IFC PS1 (see Chapter 14). The Contractor will assist and collaborate with the Employer to ensure effective implementation of the applicable sections of the SEP (as further defined in each plan)</p> <p>During the construction phase, the Contractor, will record any grievance or feedback raised by the stakeholders regarding the expropriation/land acquisition process led by the Employer/Operator and convey these</p>

Gap Subject	IFC PS5 Requirement	Requirement in Turkish Legislation	Gaps	Actions to Bridge the Gaps
		<p>Expropriation Law (Law No. 2942, 1983) 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.</p> <p>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."</p>		<p>in writing to the Employer (AYGM) for management.</p> <p>Besides the Project Grievance Mechanism, Presidency's Communications Centre (CIMER) and the communication channels of other public authorities will provide means to the stakeholders for conveying Project-related feedback and grievances to the related authorities and parties (see Chapter 14).</p>
Resettlement and Livelihood Restoration Planning and Implementation – Census	IFC PS5 – para. 12: Where involuntary resettlement is unavoidable, either as a result of a negotiated settlement or expropriation, a census will be carried out to collect appropriate socio-economic baseline data to identify the persons who will be displaced by the project, determine who will be eligible for compensation and assistance, and discourage ineligible persons, such as opportunistic settlers, from claiming benefits.	<p>Turkish Law requires preparation of inventory of assets.</p> <p>Land acquisition through expropriation requires the preparation of a census (full count) of affected immovable assets, and a full list of their owners.</p>	<p>National requirement is limited to census of immovable assets and legal titleholders.</p> <p>Census of all Project affected persons as defined by IFC PS5, including tenants, users of communal land, land holders/occupants without legal or customary title are not required and collection of socio-economic data on</p>	Census of immovable assets within the Project expropriation corridor and legal titleholders of the affected assets is conducted by the authority responsible from expropriation – TCDD as per the national Expropriation Law of Turkey (No. 2942, 1983). The census data for future expropriations will be compiled by the AYGM/TCDD within the expropriation plans and structure identification reports.

Gap Subject	IFC PS5 Requirement	Requirement in Turkish Legislation	Gaps	Actions to Bridge the Gaps
			the affected communities is not stipulated.	<p>Displacement impacts due to ongoing/future land acquisition processes will be subject of future RAPs to be prepared in line with this RPF.</p> <p>The Contractor, through the CLOs and RAP team, will establish and keep an updated database of all persons affected from the Project-related land acquisition as part of the implementation of future RAPs.</p>
Resettlement and Livelihood Restoration Planning and Implementation – Cut-off Date	<p>IFC PS5 – para. 12: In the absence of host government procedures, the client will establish a cut-off date for eligibility.</p> <p>Information regarding the cut-off date will be well documented and disseminated throughout the project area.</p>	<p>There is no provisioning for cut off dates for PAPs that use public/private lands.</p> <p>Compensation for expropriation is provided to legal titleholders according to Expropriation Law. In order to avoid newcomers 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 cadastral and population registry system that depends on current address of persons is used to prevent fraudulent claims.</p>	<p>IFC requires a census study for establishing a cut-off date (the date of completion of the census and assets inventory as per IFC Guidance Note on PS 5) whereas Turkish resettlement law includes a three-year residency time limit for eligibility for non-owner PAPs. Asset inventory and PAPs notifications studies are conducted by the responsible governmental agencies in line with national standards. Prevention of fraudulent claims is broadly in line with IFC PS5.</p>	<p>In line with the definition of IFC, the cut-off date for the Ankara-Izmir HSR Project is the date of publishing the public interest and accelerated expropriation decisions.</p> <p>In February-March 2021, the Employer has sent letters to the heads of the settlements affected from Project-related land acquisition to request the evacuation of parcels that have been previously expropriated.</p> <p>During the interviews conducted with the muhtars (full census) in the project area covered by the RAP, it was learned that there is no newly built structure in the expropriated areas. The census data to be compiled by the Employer in line with the Expropriation Law for future land acquisition requirements will be the cut-off date</p>

Gap Subject	IFC PS5 Requirement	Requirement in Turkish Legislation	Gaps	Actions to Bridge the Gaps
				for the eligibility within the scope of Project RAP.
Resettlement and Livelihood Restoration Planning and Implementation – Monitoring and Evaluation	IFC PS5 – para. 14: The client will establish procedures to monitor and evaluate the implementation of a Resettlement Action Plan or Livelihood Restoration Plan and take corrective action as necessary. The extent of monitoring activities will be commensurate with the project's risks and impacts. For projects with significant involuntary resettlement risks, the client will retain competent resettlement professionals to provide advice on compliance with the Performance Standard and to verify the client's monitoring information. Affected persons will be consulted during the monitoring process.	No provision.	Turkish legislation does not have provisions for monitoring the implementation or impacts of expropriation or resettlement.	This RPF describes the monitoring and reporting provisions to be followed in the Project (see Chapter 15).
Displacement – Classification of Displaced Persons	IFC PS5 – para. 17: Displaced persons may be classified as persons (i) who have formal legal rights to the land or assets they occupy or use; (ii) who do not have formal legal rights to land or assets but have a claim to land that is recognized or recognizable under national law; or (iii) who have no recognizable legal right or claim to the land or assets they occupy or use. The census will establish the status of the displaced persons.	As per the Turkish legislation, the legal owners of the buildings/lands are eligible for compensation. Customary users' rights on public and private property are recognized only for Treasury land, and compensation is provided for crops/trees and structures but not for land.	Tenants, informal users and persons without recognisable claims are not entitled to expropriation compensation.	The Project has prepared and will implement the RFP in line with IFC PS5 requirements. The future RAPs will identify and describe entitlements for the formal/informal users of the buildings.
Physical Displacement	IFC PS5 – para. 19: In the case of physical displacement, the client will develop a Resettlement Action Plan that covers, at a minimum, the applicable requirements of the Performance Standard regardless of the number of people affected. This will include compensation at full replacement cost for land and other assets lost. The Plan will be designed to mitigate the negative impacts of displacement; identify development opportunities; develop a resettlement	Turkish legislation does not require preparation and implementation of RAP for the management of physical displacement impacts of projects.	Resettlement planning is a key gap, since resettlement related documentation only includes cadastral information, asset list and compensations for owners.	The Project has prepared and will implement the RFP (covering both the physical and economic displacement impacts) in line with IFC PS5 requirements. The physical displacement aspects of the Project (people and assets) are addressed in the Entitlement Matrix to

Gap Subject	IFC PS5 Requirement	Requirement in Turkish Legislation	Gaps	Actions to Bridge the Gaps
	<p>budget and schedule; and establish the entitlements of all categories of affected persons (including host communities). Particular attention will be paid to the needs of the poor and the vulnerable. The client will document all transactions to acquire land rights, as well as compensation measures and relocation activities.</p> <p>The client is not required to compensate or assist those who encroach on the project area after the cut-off date for eligibility, provided the cut-off date has been clearly established and made public. Compensation in kind should be considered in lieu of cash. Cash compensation levels should be sufficient to replace the lost and other assets at full replacement cost in local markets.</p>			be produced as part of the future RAPs.
Economic Displacement	<p>IFC PS5 – para. 25: In the case of projects involving economic displacement only, the client will develop an RAP to compensate affected persons and/or communities and offer other assistance that meet the objectives of PS5. The RAP will establish the entitlements of affected persons and/or communities and will ensure that these are provided in a transparent, consistent, and equitable manner. The mitigation of economic displacement will be considered complete when affected persons or communities have received compensation and other assistance according to the requirements of the RAP and PS5, and are deemed to have been provided with adequate opportunity to reestablish their livelihoods.</p> <p>In addition to compensation for lost assets, if any, as required under paragraph 27, economically</p>	Turkish legislation does not require preparation and implementation of RAP for the management of economic displacement impacts of projects.	<p>Resettlement planning is a key gap, since resettlement related documentation only includes cadastral information, asset list and compensations for owners. There is no provision for restoration of livelihoods of the affected persons including owners and formal/informal users of lands.</p>	<p>The Project has prepared and will implement the RFP (covering both the physical and economic displacement impacts) in line with IFC PS5 requirements.</p> <p>The economic displacement aspects of the Project (people and assets) are addressed in the Entitlement Matrix to be produced as part of the future RAPs.</p>

Gap Subject	IFC PS5 Requirement	Requirement in Turkish Legislation	Gaps	Actions to Bridge the Gaps
	<p>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.</p> <p>Transitional support should be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living.</p>			
Vulnerable Persons	<p>IFC PS5 – para. 19: Particular attention will be paid to the needs of the poor and the vulnerable (including persons with gender-based vulnerabilities).</p>	<p>Expropriation Law does not specify vulnerable groups. However, under the Turkish Constitution, the State guarantees its citizens to continue their lives in peace and security, also socioeconomically encourage them to reach a high standard of living. In this context, the State applies several rules and measures to protect and to support its needy, weak, helpless, and homeless citizens.</p>	<p>Land acquisition does not address vulnerability. Even though the process considers social issues such as tensions and neighbourhood relations, it does not specify approach for vulnerability and does not identify a strategy to ease the transition of vulnerable groups.</p>	<p>The Project has prepared and will implement the RFP in line with IFC PS5 requirements. This RFP identifies the potential vulnerability categories and PAPs categories to be potentially affected from the future Project-related land acquisition</p> <p>The future RAPs will describe the entitlements in consideration of the vulnerability statuses based on the surveys to be conducted.</p>

5. People and Assets to be Affected

Based on the SIRs and EPs, the structures to be affected by the future land acquisition processes of the Project are categorised as below:

- Residential buildings
- Commercial buildings
- Non-residential structures
- Commonly used assets

The RAPs to be prepared based on this RPF for future land acquisition works will address the management of physical and economic displacement impacts and definition of entitlements for the owners and/or users (formal/informal) of affected parcels and buildings/structures.

5.1. Methodology of the Future RAP Studies

Qualitative and quantitative research methods will be used together for the purposes of the social surveys as part of the RAP studies to be developed in line with this RPF.

Primary data sources to be used in the study may include;

- Structured interviews (survey) with the representatives (mukhtars⁸) of the PASs,
- Structured interviews (survey) with the PAPs living in the PASs, and/or
- Semi-structured interviews (deep interview) with vulnerable persons and women.

The target groups and the contents of the questionnaires to be used are summarised in Table 5-1.

Secondary data sources of studies to be used in the future RAP studies will include the following:

- Expropriation Plans
- Structure Identification/Valuation Reports
- Turkey Statistical Institute (TUIK)
- Address Based Population Registration System (ABPRS) indicators
- Official information from Institutions and Organisations

Even though the physical displacement requirement in each settlement is anticipated to be limited, the following key aspects will be taken into consideration in the assessment and management of potential impacts in case physical resettlement entails PAPs moving to a host community:

- Host community impact assessment will be conducted in a timely manner as part of the future RAP studies.
- Early engagement will be carried out with the potential host communities. Transparent and regular information sharing with the host communities will be secured throughout the process
- Establishment of a host community committee will be considered. Potential adverse and positive impacts of the resettlement (e.g. social coherence in consideration of cultural, ethnical, religious, political similarities and differences, additional load on existing infrastructure, additional infrastructural needs, etc.) and potential resettlement sites for the resettlers will be assessed together with the host community members.
- Opportunities for facilitating coordination and interaction between the host communities and resettlers will be evaluated and integrated to the resettlement and community development planning and implementation.

⁸ Turkey is a centralised unitary system, and the provinces are subordinated to the centre. The largest administrative units are the provinces, and under them are districts, towns (semi-rural) and settlements. There are two type of settlements: (1) villages (rural life) and (2) neighbourhoods (urban life). There are elected heads (mukhtars) of both the villages and the neighbourhoods.

Table 5-1. Data Collection Tools for Specific Target Groups

Data Collection Tool	Target Group	Content of the Tool
Community Level Questionnaires (CLQ)	Mukhtars of the PASs	<ul style="list-style-type: none"> - Demographic characteristics of settlements (including vulnerable persons) - Socio-economic data about settlements - Infrastructural characteristics of settlements - Lands, assets and PAPs affected by land acquisition
Household Questionnaires (HHQ)	Land (parcel) based affected PAPs (owners/shareholders and users of the affected parcels)	<ul style="list-style-type: none"> - Demographic characteristics of household members - Income sources and socio-economic conditions of household - Land ownership, agriculture and animal husbandry - House ownership - Past experiences with the land acquisition process - Affected assets and houses - Project impacts on the use of public lands - Vulnerabilities of the members of the economically displaced households
	Owners/shareholders and users of the affected buildings with residential use	<ul style="list-style-type: none"> - Demographic characteristics of household members - Income sources and socio-economic conditions of household - Status of houses (demolished/present (undemolished)) - Status of actual users (owners/shareholder, formal or informal user, tenant, etc.) - Type of use (permanent or seasonal) - Number of rooms - Residential building area - Construction materials - Vulnerabilities of the members of the physically displaced households
Business and Employee Interviews (in case of affected businesses)	Business owners/operators and employees	<ul style="list-style-type: none"> - Affected commercial structures and facilities - Affected population - Economic indicators
Deep Interview Form for vulnerable persons and women	Vulnerable PAPs and women who live in PASs	<ul style="list-style-type: none"> - Impacts of land acquisition on vulnerable groups - The means to support implementation of the Grievance Mechanism - Impact of/potential for income loss

5.2. General Socio-economic Profile

The socio-economic profile of the settlements affected from the Project-related economic displacement impacts has been characterised based on the socio-economic surveys conducted in February 2021 and May 2021. Findings of the surveys of February and May 2021 have been compiled in the RAP prepared for the Project and are summarised in Appendix B. Summary of the general livelihood patterns of the districts crossed by the Project is presented in Appendix B.2.

In line with this RPF, socio-economic surveys (CLQs and HHQs) will be conducted in the settlements to be affected from future Project-related land acquisition processes in line with the methodology described in Section 5.1.

With regard to general demographic conditions in the wider Project Area, according to TurkStat data (2020), total population of the PASs is 290,473. According to CLQs, the permanent and temporary population⁹ and number of households of the PASs covered within the social surveys of February and May 2021 are presented in Appendix B.1.

According to TurkStat (2020), the population and population growth rates of the districts in the social study area are presented in Table 5-2. Information on the average household size of the provinces crossed by the Project is also presented in the last column of the table.

⁹ In some of the settlements, the permanent population declared by the head of the settlements is significantly different than the most recent official population of the settlement published by the TurkStat (TurkStat, December 2020), possibly due to unregistered population residing in the settlements (e.g. university students residing in Erenler neighbourhood of Ayfonkarahisar).

Table 5-2. Population Growth Rate in Districts Crossed by the Project and Average Household Sizes of the Provinces

Province	District	Population	Population Growth in thousand (2019-2020)	Average Household Size (TurkStat, 2020)
Ankara	Polatli	126,623	+1.24	3.0
Eskisehir	Gunyuzu	5,455	-3.81	2.7
	Sivrihisar	20,140	-0.93	
Afyonkarahisar	Emirdag	39,518	+5.77	3.4
	Bayat	7,573	-1.30	
	Iscehisar	25,043	+1.46	
	Merkez	313,063	+2.01	
	Sinanpasa	39,432	-0.76	
Kutahya	Dumlupinar	2,945	+0.03	2.9
Usak	Banaz	35,647	-0.37	2.9
	Merkez	256,050	-0.24	
	Ulubey	12,350	-2.36	
	Esme	34,991	+0.30	
Manisa	Kula	44,035	+0.08	3.0
	Alasehir	105,145	+0.50	
	Salihli	164,371	+0.97	
	Ahmetli	16,614	+0.54	
	Turgutlu	169,882	+2.08	
	Sehzadeler	168,110	-1.77	
	Yunusemre	251,905	+2.22	
Izmir	Menemen	186,182	+3.50	2.9
Total		2,025,074	Turkey average: +5.50	3.3

Source: TurkStat, ABPRS, 2020.

The average household size of the affected settlements is provided at district-level in Table 5-3. The household sizes have been calculated based on permanent population data and households numbers declared by the head of the settlements as part of the CLQs to provide indicative data on the average household sizes.

Table 5-3. Average Household Size of the Affected Districts based on CLQs

Province	District	Average Permanent Household Size
Ankara	Polatli	5.0
Eskisehir	Gunyuzu	8.3
	Sivrihisar	4.0
Afyonkarahisar	Emirdag	1.6
	Bayat	3.3
	Iscehisar	3.1
	Merkez	3.3
	Sinanpasa	4.3
Kutahya	Dumlupinar	4.7
Usak	Banaz	3.4
	Merkez	2.9
Manisa	Kula	3.8
	Alasehir	4.3
	Salihli	2.8
	Ahmetli	1.7
	Turgutlu	3.0
	Sehzadeler	4.6
Total		3.2
Turkey Average Household Size (for 2020)		3.3

Source: ESIA and RAP Surveys, CLQ, February 2021.

Source: TurkStat, ABPRS, 2020.

According to TurkStat (2020), the population and population growth rates of the districts in the social study area are presented in Table 5-4.

Table 5-4. Population Growth Rate in Districts Crossed by the Project (2020)

Province	District	Population	Population Growth in thousand (2019-2020)
Ankara	Polatli	126,623	+1.24
Eskisehir	Gunyuzu	5,455	-3.81
	Sivrihisar	20,140	-0.93
Afyonkarahisar	Emirdag	39,518	+5.77
	Bayat	7,573	-1.30
	Iscehisar	25,043	+1.46
	Merkez	313,063	+2.01
	Sinanpasa	39,432	-0.76
Kutahya	Dumlupinar	2,945	+0.03
Usak	Banaz	35,647	-0.37
	Merkez	256,050	-0.24
	Ulubey	12,350	-2.36
	Esme	34,991	+0.30
Manisa	Kula	44,035	+0.08
	Alasehir	105,145	+0.50
	Salihli	164,371	+0.97
	Ahmetli	16,614	+0.54
	Turgutlu	169,882	+2.08
	Sehzadeler	168,110	-1.77
	Yunusemre	251,905	+2.22
Izmir	Menemen	186,182	+3.50
Total		2,025,074	Turkey Average: +5.50

Source: TurkStat, ABPRS, 2020.

Based on the social surveys of February and May 2021, the main income sources of the settlements to be affected from future Project-related land acquisition processes would include the following:

- Agriculture
- Retirement pension
- Wage/salary
- Animal husbandry
- Earnings from self-employment
- Rental income
- Social aid
- Seasonal income (e.g. agriculture)
- Income from bank interest, etc.

Based on the social surveys of February and May 2021, the main agricultural products that may be produced in the settlements to be affected from future Project-related land acquisition processes would include the following:

- Wheat
- Barley
- Corn
- Sugar beet
- Feed crops
- Poppy
- Grape
- Potato, onion
- Tomate, cucumber
- Sunflower
- Other grains
- Other fruits

Based on the social surveys of February and May 2021, the main work/employment types in the settlements to be affected from future Project-related land acquisition processes would include the following:

- Farmers
- Wage-earners
- Self-employed persons
- Shepherds

Based on the social surveys of February and May 2021, the working status of the population in the settlements to be affected from future Project-related land acquisition processes would include the following:

- Working population
- Housewives
- Students
- Retired
- Unemployed

Summary of the general livelihood patterns of the districts crossed by the Project is presented in Appendix B.2.

5.3. Vulnerable People

According to IFC's definition "Vulnerable groups or at risk groups are people who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by displacement than others, and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits. Vulnerable groups in the context of displacement also include people living below poverty line, the landless, the elderly, women and children headed households, ethnic minorities, natural resource-dependent communities, or other displaced persons who may not be protected through national land compensation and land titling registrations"¹⁰.

¹⁰ https://www.ifc.org/wps/wcm/connect/dbd20f31-8eba-474b-bed9-b992cd3e0b5a/Draft_Resettlement+Handbook_Glossary.pdf?MOD=AJPERES&CVID=mBUKCnF

Based on the social surveys conducted in February and May 2021, the following vulnerability categories are likely to be considered in the future RAP surveys:

- Elderly (Over 65) Living Alone
- Carer of ill who is house bound
- People with mental and/or physical disabilities
- People with health conditions (illness, cancer, cardiac patient, diabetic patient, chronic illness, etc.)
- Gender-based vulnerabilities (e.g. Female-headed households, widowed woman without children, girls who are at school age but not going to school)
- Poor living on social benefit
- Illiterate people
- Households with children having special education needs
- Foreigner who cannot speak/understand Turkish (not Syrian)
- Unemployed persons and persons without social security
- Shepherds who do not own any animals
- Persons/households who do not own land
- Seasonal workers

Depending on the representation of the vulnerable groups within the household questionnaire samples, separate vulnerable group meetings (through semi-structured/deep interview methods) with vulnerable persons will be planned based on the outcomes of the CLQs to be conducted with the heads of the settlements.

Based on the outcomes of the surveys to be conducted targeting vulnerable groups/persons, special support/assistance measures will be developed for households with vulnerable members. Such measures will include case-specific in-kind assistance/measures in addition to other applicable measures that may include but not limited to the following (needs to be determined through direct engagement with the affected households):

- Specific attention during consultation/information, negotiation and post-relocation monitoring
- Assistance in accessing legal resources, governmental institutions, etc. when needed and relevant to management of Project-related displacement impacts (e.g. logistical support, communication assistance)
- Assisting illiterate, elderly and other persons in need in reviewing/processing official documents relevant to expropriation/relocation
- Providing transportation/moving support to households with physically disabled members and households in need during relocation and other physical displacement related processes
- Assistance to follow-up/access compensation payments as part of RAP implementation management of Project-related impacts
- Priority for job opportunities during the construction phase of the Project
- Assistance in accessing/applying to local institutions providing existing support programs to persons with vulnerabilities
- Transitional in-kind assistance (e.g. food aid, health support, etc.)

6. Key Compensation and Assistance Principles

As per the Constitution of the Republic of Turkey and the national Expropriation Law (Law No. 2942, 1983), expropriation works are undertaken by the responsible governmental authorities (responsibilities for future expropriation works will be clarified between AYGM and TCDD).. As part of the Ankara-Izmir HSR, TCDD is the authority, which has been responsible from the Project-related expropriation works.

For the parcels to be acquired as part of future land acquisition processes, the expropriation plans, structure identification and valuation reports will be prepared by appointed engineering firms and approved by the Employer. The official notification of the PAPs to be affected from future expropriation works will be conducted by the authority responsible from expropriation.

Following this process, pre-resettlement socio-economic baseline surveys will be conducted in settlements to be affected (see Section 5.1 for the methodology of surveys) and future RAPs will be developed and implemented to address the potential displacement impacts of future land acquisition processes. The land acquisition, resettlement and livelihood restoration process is presented in the flow chart given in Figure 6-1.

The key compensation and assistance principles to be adopted and implemented in the future RAPs are summarised below.

Avoidance/Minimisation of Displacement

The residential areas and potential physical displacement impacts of the Project are among the most important criteria considered by the related authorities during the route selection process in order to avoid the socio-economic impacts on local communities and minimise the expropriation costs of the Project. Accordingly, for future land acquisition processes, the Project will adopt the principle of avoidance, and when avoidance is not possible, minimisation of Project-related physical displacement impacts.

During the implementation phase, the Employer and the Contractor will further consider local modifications and micro-siting measures at the sites where previous infrastructure works have not been conducted to avoid/minimise physical and economic displacement impacts of the Project.

As stated, further land acquisition might be required for potential route changes and/or additional connection lines (if any), construction camp sites, quarries, energy transmission lines (ETLs), excavated material storage sites, alternative quarries, etc. should they be located partially or fully outside the boundaries of the expropriation corridor. As of Q2 2021, the Contractor is at the stage of evaluating and selecting the Project facilities to be used during the construction phase. For parcels that will need to be expropriated, the EPs and structure identifications reports will be prepared under the coordination of the Employer. Where feasible, the following criteria will be considered in the selection of sites that will be located out of the expropriation corridor:

- Parcels that are not overlapping with residential and non-residential buildings/structures (with sufficient distance for the management of E&S impacts maintained on a case-by-case basis) and not being used for agricultural or grazing purposes will be prioritised.
- Parcels that are not suitable for future agricultural purposes (e.g., parcels with high slope, stony parcels) will be prioritised.

Prioritisation of Purchase Method in Expropriation

In line with Article 8 (amended on 24 April 2001), the Expropriation Law of Turkey (Law No. 2942, 1983) stipulates that the purchasing method shall have priority in the expropriation of the registered immovable assets by the related authorities. Thus, purchasing of the land through the negotiation process as provisioned by the Expropriation Law of Turkey has been the priority of the TCDD in the Project-related expropriation processes. The right to apply accelerated expropriation decision has been and will be executed only for the cases, when the efforts of the authorities for negotiated settlement have failed/fail.

In line with the fundamental requirements of the Expropriation Law of Turkey (Law No. 2942, 1983), the authority which will be responsible from the remaining expropriation works (see Section 2.5) will adopt the principle of purchasing of the lands and assets required for the Project based on negotiated settlement.

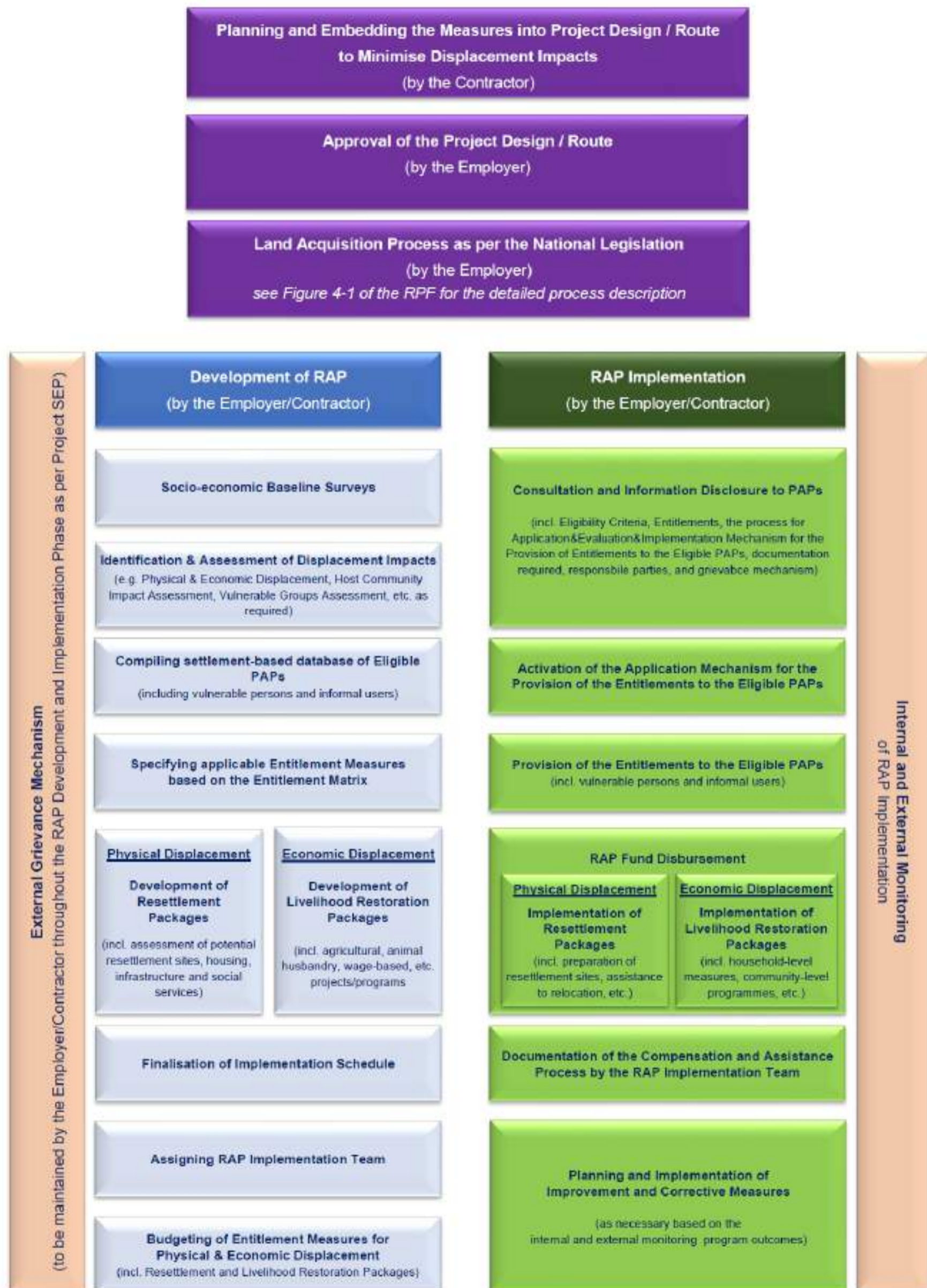


Figure 6-1. Land Acquisition, Resettlement and Livelihood Restoration Process Flow Chart

Evacuation of Acquired Parcels and Land Entry

In case of use of privately-owned parcels for sites/facilities located outside the expropriation corridor⁸, land entry will take place only after mutual agreements are executed with the legal owners/right holders. The RAPs will be implemented to ensure that compensation to be provided to PAPs for loss of assets is at full replacement cost and assistance is provided to PAPs to help them improve and restore their standards of living or livelihoods.

In accordance with the provisions of Article 20, evacuation of cultivated lands will be done at the end of the harvesting period. In cases when it is not possible to delay evacuation until the harvesting period, the owner of the crops will be compensated prior to land entry.

Compensation of and Assistance for PAPs

During the implementation of the future RAPs to be developed and implemented in line with this RPF, qualified Project representatives will engage with each PAP individually, identify the PAP-specific conditions, review and confirm land acquisition related documentation where necessary, and provide the compensation and assistance measures to each PAP consistent with the Entitlement Matrices to be developed as part of the future RAPs

For the compensation of informal users, the Project will comply with the requirements of IFC PS5. Special assistance will be provided to vulnerable persons/households with vulnerable members as to be provisioned in the Entitlement Matrices to be developed as part of the future RAPs.

7. Eligibility

Start of land acquisition works in the scope of the Project date back to 2012. Majority of the land acquisition within the Project expropriation corridor has been conducted by the State Railways of the Republic of Turkey (TCDD) in line with the Expropriation Law (Law No. 2942, 1983) between 2012 and 2018, with expropriation works that continued to date in the sections that are still under construction by other contractors.

For the expropriation decision to be taken, EPs identifying the legal owners/shareholders of all affected parcels, are prepared by the contractors/consultants (engineering firms) commissioned by the authority responsible from expropriation. The EPs include the following information:

- Name-surname of the landowners/shareholders
- Information on affected parcels (lot/parcel no, total parcel area, expropriated parcel area)
- Land use type of the affected parcels (e.g. agricultural, pasture, etc.)
- Affected buildings and structures on affected parcels.

Following the completion of the expropriation plans, structure identification and valuation reports, including the census information, are prepared for all affected assets within the expropriation corridor. For the future land acquisition processes of the Ankara-Izmir HSR Project, this documentation will be prepared by the AYGM/TCDD.

7.1. Cut-off Date

The IFC¹¹ defines cut-off (moratorium) as the date after which any new structures, trees, crops, and other immovable assets will no longer be counted or measured for compensation purposes. According to IFC, the date of publication of a declaration of public interest (or similar eminent domain-related act) as required by local legislation will become the cut-off date.

As per the Turkish legal context (summarised in Figure 4-1), the public benefit decisions for projects are declared by the Ministry of Transportation and Infrastructure¹². In projects with public benefit decisions in place, accelerated expropriation decisions are issued by the President and published in the Official Gazette of Turkey.

The Expropriation Law of Turkey (No. 2942, 1983) also includes specific provisions on cut-off date. The Article 25 of the Law defines the Limitation (Cut-off) of Rights and Transfer of Ownership to the Administration as below. As per the national legislation, following the issuance of the relevant decisions governing the expropriation works and

¹¹ https://www.ifc.org/wps/wcm/connect/dbd20f31-8eba-474b-bed9-b992cd3e0b5a/Draft_Resettlement+Handbook_Glossary.pdf?MOD=AJPERES&CVID=mBUKcNf

¹² The institution was organised as the Ministry of Transportation, Maritime and Communication until 9 July 2018.

the valuation process conducted by the valuation commissions, which identify the affected assets and structures (inventory of assets and structures), the legal owners/shareholders of the affected parcels and assets are officially notified about the expropriation individually by the authorities responsible from the expropriation through official notification letters and negotiation meetings, as per the provisions of the Expropriation Law (Law No. 2942, 1983). During the negotiations done in line with the Expropriation Law, legal owners/shareholders are individually notified about the expropriation process as well. The agreement and non-agreement conditions as well as non-attendance situations are documented by the authorities. The relevant regional directorates of the TCDD keeps the registry of such documentation for the Ankara-Izmir HSR Project. Throughout this process, the PAPs are well informed about the limitation of rights within the context of cut-off date.

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

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

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

(Additional Clause: 12 July 2013- 6495/27th article) For large projects such as dams, irrigation networks and pipelines, highways, railways, harbours and airports, the decision for the public interest is announced in the mukhtar's office of the neighbourhood and/or village where the immovable to be expropriated are located. After the last day of the announcement (public interest), the cost of the fixed installations on the immovable and the trees planted are not taken into account in the identification of the expropriation fee.

In line with the definition of IFC and consistent with the provisions of the Expropriation Law of Turkey, the cut-off date for the Ankara-Izmir HSR Project for future land acquisition processes will be the date of publishing the public interest and accelerated expropriation decisions for the settlements/parcels to be affected.

The cut-off date for future expropriation works will be disclosed by the Employer/authority responsible from the future expropriation works in line with the provisions of the Expropriation Law (No: 2942, 1983). The Project CLOs will also collaborate with the related provincial and district governorates, municipalities and settlement heads to inform the PAPs about the cut-off date for future expropriation works and entitlements offered within the scope of the RAP, as necessary.

7.2. Eligibility

In line with the IFC PS5, those who encroach on the project area after the cut-off date are not eligible for compensation or assistance to be provided through the implementation of the future RAPs.

The potential categories of PAPs to be covered in the Entitlement Matrices would potentially cover the following (see Table 7-1):

Table 7-1. Potential PAP Categories

Physical Displacement	Economic Displacement
A. Formal owners	A. Owners/ shareholders of the affected private lands
B. Users of houses owned by family/relatives with no formal usage agreement	B. Users of the affected private lands for agricultural purposes
C. Tenants	C. Formal/informal users of the affected public lands (e.g. Treasury) for agricultural purposes
D. Informal users	D. Beneficiaries of the common properties - pasture lands
E. Vulnerable persons (these persons will be the members of the households covered in the above categories)	E. Beneficiaries of the common properties - forest lands
	F. Users of the services, infrastructures, common assets
	G. Right holders of the privately-owned parcels to be used (purchased or rented) temporarily during the construction phase
	H. Owners/users of the parcels adjacent to the expropriation corridor and the construction sites
	I. PAPs engaged with beekeeping activities as livelihood sources
	J. Livestock and animal owners affected from construction activities
	K. Owners and employees of Affected Businesses
	L. Employees of the Affected Businesses
	M. Vulnerable persons

The framework of the entitlements to be provided to eligible PAPs is presented in Chapter 8.

As identified in the Entitlements Matrix, besides the legal owners/shareholders of the affected houses and parcels, the following PAP categories will be eligible for the entitlements defined in the Entitlement Matrix:

- Informal Users (without any recognisable legal rights or claims) of the affected houses and parcels
- Tenants of the affected houses and parcels
- Users of houses and parcels owned by family/relatives with no formal usage agreement

In accordance with the Expropriation Law of Turkey (Law No. 2942, 1983), the cash compensation for the parcels/assets expropriated as per the Law is/will be paid by the Government. The additional compensation and assistance to be provided to the eligible PAPs through the implementation of the RAPs will be covered from the **RAP Fund** to be allocated within the scope of the Project.

8. Entitlements Matrix

The Entitlements Matrices will be developed for the physical and economic displacement impacts of the Project as part of future RAPs.

For each PAP category, the entitlements that would be included in the Entitlement Matrices may include, but not limited to the following (see Table 8-1.):

Table 8-1. Entitlements for Physical and Economic Displacement

Physical Displacement	Economic Displacement
(0) Cash compensation for buildings by Government as mandated by the Expropriation Law of Turkey (after deducting the depreciation cost)	(0) Cash compensation for land by Government as mandated by the Expropriation Law of Turkey
(1) Cash allowance on top of mandatory cash compensation	(1) Support/assistance for browsing/purchasing replacement land
(2) Allowance to cover transaction costs	(2) In-kind or cash compensation support to replace the affected non-residential structures required for income generation from the affected land
(3) Support in salvaging materials from affected house	(3) Technical Guidance and Support for Expropriation of Unviable Lands
(4) Moving and discomfort allowance	(4) Livelihood Restoration Measures (Household-based Agricultural and Livestock)
(5) Priority for employment opportunities for family members of affected households	(5) Allowance to cover transaction costs in case of new land purchases
(6) Providing transition allowance	(6) Transitional Livelihood Support
(7) Transitional rent/accommodation allowance for households that have to go on rent after expropriation	(7) Cash compensation for standing crops
(8) Cash compensation for full replacement value for the structures built/improvements done on the affected houses by the informal users	(8) Community-level Pasture Management Projects
(9) Support/assistance for finding/relocation to replacement house	(9) Priority for employment opportunities
(10) Livelihoods support	(10) Construction of engineering structures providing adequate crossing between fragmented lands
(11) Special support/assistance to vulnerable persons:	(11) Construction-related measures
	(12) Cash compensation for land to be acquired and used temporarily and reinstatement prior to hand over
	(13) Special support/assistance to vulnerable persons

The Project will establish a transparent and well-communicated application mechanism for the provision of entitlements to the eligible PAPs, as detailed in Chapter 13.

Beneficiaries of the Livelihood Restoration Support for Agricultural and Livestock Activities to be provided as part of the Entitlements Matrix for Economic Displacement will be the households whose land taken will constitute more than 20 percent of the total productive area of the respective household. Settlement-specific agricultural and livelihood support projects will be decided by the Employer with input from the Contractor's RAP team based on the engagement to be initiated and conducted in the post Financial Close period.

Compensation and assistance to be provided to the affected residential and commercial building owners/users as part of the Retrospective Compensation Package will be discussed between the Employer and the Contractor and decided by the Employer with the objective of providing a case-by-case basis compensation/assistance (this may include in-kind or cash compensation and/or assistance).

9. Livelihood Restoration Plan

The Project-related land acquisition will cause economic displacement affecting the livelihoods¹³ of the PAPs. To this end, livelihood restoration is required as per IFC PS5 and the RAPs to be developed for the Project will include a Livelihood Restoration Plan in line with the objectives of this RPF.

In line with IFC PS5, the main objective of the Livelihood Restoration Plan to be developed within the scope of the future RAPs is to provide the framework of the detailed compensation and/or assistance measures to be developed and offered the PAPs for enabling them to restore/improve their livelihoods in the post land acquisition period. This will cover the eligible PAPs (including vulnerable persons, formal/informal users of public lands) who will be affected from the remaining expropriation works and those who have been affected by Project-related economic displacement impacts (retrospective) due to previous expropriation and construction processes.

The livelihood restoration/improvement and assistance measures will aim to ensure preferentially an improved or at least equal standard of living and sustainable livelihoods for the persons affected from Project-related land acquisition.

The detailed livelihood restoration/improvement and assistance measures will be designed on a case-by-case basis in consideration of the impact status of the settlements (e.g. settlements with affected pasture parcels) and the households in consultation and cooperation with all affected communities.

The Livelihood Restoration component of the future RAPs to be developed will;

- Outline the framework of the livelihoods restoration/improvement and assistance to be considered in the design and implementation of detailed measures, in the potential areas of agriculture, animal husbandry, beekeeping, wage-based livelihoods, etc., on a case-by-case basis in consideration of the impact status of the settlements (e.g. settlements with affected pasture parcels) and the households in consultation and cooperation with all affected communities
- Link the PAPs (particularly vulnerable persons) with the livelihood process
- Identify potential parties for collaboration to development and implement specific livelihood restoration/improvement and assistance measures
- Include a livelihood restoration schedule
- Provide a transitional support mechanism

¹³ As per IFC PS5, the term "livelihood" refers to the full range of means that individuals, families, and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering.

10. Compensation and Assistance

The valuation and compensation principles of the authorities responsible from the execution of land acquisition works in Turkey is based on the Expropriation Law (Law No: 2942, 1983). The Department of Real Estate of the TCDD, which has been the responsible authority for the expropriation works in the scope of the Project, has published a Technical Specifications for the Valuation of Immovables and Engineering Services Performed (TCDD Technical Specifications) as per the Expropriation Law (issued by the Real Estate Department in 2019). The Employer (AYGM) also has a land acquisition procedure consistent with the provisions of the national legislation.

Based on this RPF, the future RAPs will define the compensation and assistance measures to be provided by the Project to the PAPs in order to ensure that the Project-related land acquisition process is conducted in line with the objectives and requirements of IFC PS5 with a focus on affected communities and households, livelihood assets, and community infrastructure and houses.

TCDD receives valuation services from expert companies during the process of acquisition of lands required for its investments. The qualifications and legal basis of this service are included in the TCDD Technical Specifications. According to the Specifications, gross production value of the land, production costs, average annual net income, average purchase-sale values and capitalisation rates are calculated according to primary and secondary data analysis collected on the basis of parcels in each project area, along with the types and topographic characteristics of the land. In addition, purchase-sale values of land at local levels are also investigated. These values are used in valuation process within the framework of legislative regulations. In the process of cost fixation, all fixed and changing costs are taken into account.

In this procedure, the physical and monetary data pertain to adequate amount of parcels, the existence of extreme values and their reasons if any, are investigated. Evaluation on the basis of average data is carried out. Average values for the project area can be reached by using simple-average for data on each feature and scales to be determined according to the share of land types for the evaluation to be carried out concerning the project area.

Valuation approach and calculation methods to be applied as per the Expropriation Law of Turkey for the below components is presented in Appendix C:

- Calculation of Capitalisation Rates
- Calculation of Net Income and Sales Values of the Land
- Land, Product, Tree and Asset Value
- Research on Local Land Market and Market Prices
- Structure Valuation

11. Organisational Arrangements

The Project will be executed under a Conditions of Contract for Construction (FIDIC Red Book 1999 1st Edition) + Finance model (the "Construction Contract") where the Republic of Turkey – Ministry of Treasury and Finance is the Borrower and the Directorate General of Infrastructure Investments (AYGM) of the Ministry of Transport and Infrastructure is the Employer and the Project Owner. The State Railways of the Republic of Turkey (TCDD) is the authority that has been responsible for the previous expropriation works conducted in line with the Expropriation Law (Law No. 2942, 1983) and will be the Operator of the Project after the commissioning and transfer of the HSR with all relevant components and infrastructure by the AYGM. The departments and sections responsible from the execution of expropriation works in projects implemented by AYGM and TCDD and their key expropriation related responsibilities are summarised in Table 11-1.

The Contractor of the Project is the Ankara-Izmir HSR Construction Joint Venture.

Project-related expropriation works will be conducted/finalised by the governmental authority responsible from Project-related expropriation works in line with the Expropriation Law (Law No. 2942, 1983) including execution of compensation payments to the right holders as per the Law (responsibilities for future expropriation works will be clarified between AYGM and TCDD).

The implementation of the RAPs to be developed in line with this RPF during the construction phase, as applicable during the operation phase of the Project will be under the responsibility of the Employer (the responsibility for the operation phase may be delegated to the Operator depending on the internal agreement and procedures between the Employer and Operator).

Consistent with the Construction Contract, costs associated with the RAP implementation shall be borne by the Employer. The Contractor, through the Environmental and Social Management System (ESMS) team, will assist and collaborate with the Employer to implement the RAP, as well as the SEP which will be instrumental in supporting the implementation of the RAP, throughout the construction phase of the Project. The future RAPs will define the specific roles and responsibilities of the Project ESMS Team of the Contractor for the construction phase.

Table 11-1. Expropriation Related Institutional Structure of AYGM and TCDD

Institution	Related Department	Sections under the Related Department	Key Expropriation-related Responsibilities of the Related Section
AYGM https://aygm.uab.gov.tr/emlak-ve-kamulastirma-dairesi-baskanligi	Department of Real Estate and Expropriation	<p>As per the Institutional Guidance on the Definition of the Roles and Responsibilities of the Directorate General of Infrastructure Investments, the expropriation works and the transactions relevant to the ownership of the immovable assets required for the implementation of the projects are executed by the following sections on behalf of the Treasury:</p> <ul style="list-style-type: none"> - Expropriation Section - Survey and Geographical Information Systems Section - Real Estate Allocation and Transactions Surveillance Section 	<p><u>Expropriation Section:</u></p> <ul style="list-style-type: none"> - In consideration of the Ministry's Investment Program, monitoring the works envisaged for expropriation, taking actions to avoid delays and interruptions, and preparing the budget and programs related to expropriation in coordination with other departments and sections. - Taking all necessary measures to ensure that all activities and works related to expropriation are conducted in unity and coherence in compliance with the provisions of the applicable legislation. - Identifying the title deed registry, ownership, possession and lawful heirs of the immovables to be expropriated or acquired through constitution of servitude (easement rights), determination of the address information, tax declarations and conducting the surveys required for determination of the estimated value of the immovables in consideration of the equipment and fixtures. - Determination of the estimated value of the immovables subject to expropriation and establishing the Valuation and Negotiation Commissions that will conduct the negotiations with the owners/shareholders of the immovable assets. - Without disclosing the estimated value determined by the Valuation Commission, conducting the processes required for the notification of the owners/shareholders of the immovable assets regarding the will of the authority for purchasing the immovable assets and resources or acquiring the easement rights of those assets. - For the immovable assets for which agreement has been reached with the owners/shareholders, conducting the formal processes at the registry offices and concluding the payment of the expropriation value; for the immovable assets for which agreement has not been reached, ensuring the filing of required court cases and proceeding processes in line with the court decisions.

Institution	Related Department	Sections under the Related Department	Key Expropriation-related Responsibilities of the Related Section
			<ul style="list-style-type: none"> - Reviewing all types of grievances stemming from the execution of expropriation works and informing the related parties and responsible authorities accordingly. - Executing the regulatory procedures required for the allocation of state forests, national parks, lands registered as pasture, treasury lands and the sites required for extraction of building and construction raw materials
TCDD https://www.tcdd.gov.tr/kurumsal/emlak-dairesi-baskanligi-sube-gorevleri	Department of Real Estate	<ul style="list-style-type: none"> - Zoning Section - Expropriation Section - Real Estate Valuation Section - Sales and Rental Section - Real Estate Maintenance Section - Historical Buildings Section - Planning and Coordination Section 	<p>Expropriation Section:</p> <ul style="list-style-type: none"> -Expropriation of immovable assets required to be expropriated by the institution - Having the following works/studies conducted: <ul style="list-style-type: none"> o Expropriation plans o Surveys and technical controls o Valuation o Court files o Land registry processes - Making the permitting applications to related institutions for material borrow sites required to be used in new railway projects

12. Time Frame

The completion dates for the infrastructure, superstructure, electrification and signalisation works to be conducted by the Contractor as per the Construction Contract executed with the Employer are as below:

- Section 1 (Polatlı-Afyon): November 2023 – in 30 months (900 days) following the Financial Close date
- Section 2 (Afyon Banaz): November 2023 – in 30 months (900 days) following the Financial Close date
- Section 3 (Banaz-Salihli): November 2024 – in 42 months (1,260 days) following the Financial Close date
- Section 4 (Salihli-Menemen): November 2023 – in 30 months (900 days) following the Financial Close date

Settlement-based notifications will be done during Project implementation and settlements/affected households will be notified (through settlement heads and appropriate channels) about the nature and schedule of the construction activities at least 3 months in advance of land entry.

The indicative time schedule for the development and implementation of future RAPs in line with this RPF is summarised in Table 12-1.

Table 12-1. Indicative Time Schedule for the Preparation and Implementation of future RAPs

No.	Action	Timetable
A.	Preparation of detailed schedule for land entry at each site and completion of the Expropriation Plans/Structure Identification/Valuation Reports by the appointed engineering firms (to be approved by the AYGM/TCDD) based on the approved Project design/route	After Financial Close
B.	Completion of RAP field surveys for future Project-related land acquisition works	Within 2 months after the completion of Expropriation Plans/Structure Identification/Valuation Reports by the appointed engineering firms for respective parcels and the PAPs are officially notified/informed about the expropriation works by the authorities as per the Expropriation Law
C.	Completion of future RAPs	Within 2 months after the completion of RAP field surveys
D.	Establishing the database of all households/persons affected from the Project-related land acquisition (by the Contractor CLOs and RAP team)	Within 3 months after the finalisation of future RAPs
E.	Finalisation of detailed Livelihood Restoration/Improvement and Assistance Measures	Within 6 months after the finalisation of future RAPs
F.	RAP Implementation (including Livelihood Restoration/Improvement and Assistance Measures) and Monitoring&Evaluation	Implementation (including Livelihood Restoration/Improvement and Assistance Measures) throughout the construction period (42 months) Bi-annual monitoring throughout the implementation
G.	Post-implementation Monitoring&Evaluation	Up to 2 years following the completion of RAP implementation (in each settlement)
H.	External Completion Audit as per IFC PS5	Once all mitigation measures have been substantially completed consistent with the Lenders-approved RAP (after the completion of agreed RAP monitoring period).

13. Disclosure of Information and Consultations

The RAPs will be prepared through a consultative process involving all relevant stakeholder groups, particularly the PAPs from the affected communities including the vulnerable groups/persons and women.

As part of the expropriation process in line with the Expropriation Law of Turkey (No. 2942, 1983), written official notifications will be made (including information on the procedure to be followed in case of agreement or disagreement on the expropriation value to be offered within the scope of Project-related expropriation process) to the PAPs and face to face negotiation meetings will be held by the AYGM/TCDD with the owners/shareholders of the affected parcels.

The methods to be used for the involvement of PAPs in the development of the future RAPs are described in Section 5.1. The owners/shareholders and users of the affected assets, including women and vulnerable persons/households with vulnerable members, will be covered in the surveys to be conducted to ensure direct involvement of the PAPs in the process.

The detailed livelihood restoration/improvement and assistance measures will be designed in consultation and cooperation with all affected communities, related authorities (e.g. related ministries, governorates, district governorates, provincial and district municipalities) and other third-parties (e.g. universities, NGOs, etc.) as necessary (as described in Chapter 9).

The Project will establish a transparent and well-communicated application mechanism for the provision of entitlements to the eligible PAPs. The Employer and the Contractor will collaborate with the heads of the affected settlements for the establishment of this mechanism and disclosure of relevant information to the PAPs in an efficient and timely manner – in alignment with the schedule of the settlement-based advance land entry notifications, as described in Chapter 12. This information will cover, inter alia, the following information:

- Application mechanism and timeframe,
- Eligibility criteria,
- Responsible parties for the collection and evaluation of application,
- Documentation to be required from the PAPs as evidence of eligibility (e.g. documentation on the total productive area owned/used by the PAP, documentation of purchase of replacement land, documentation of affected non-residential structures, documentation relevant to transaction costs, etc.),
- Timeframes and responsibilities for evaluation and implementation of RAP measures, and
- External grievance and feedback mechanism that will be operational throughout the RAP implementation.

The SEP prepared for the Project sets out the framework for the information disclosure and consultations activities to be conducted throughout the Project. As part of SEP implementation and in line with the IFC PS5, disclosure of relevant information and participation of Affected Communities and persons will continue during the planning, implementation, monitoring, and evaluation of compensation payments, livelihood restoration activities, and resettlement.

Upon finalisation and approval by the Lenders, a concise, clear and simple non-technical summary of the RAPs, including key will be prepared and disclosed to the PAPs in Turkish (at the Project website and/or through other appropriate methods). The questions, feedback and suggestions received from the PAPs and other stakeholders will be reflected in the documents to be updated in due course.

14. Grievance and Feedback Mechanism

The external grievance and feedback mechanism has been developed for the Project as part of the SEP based on Contractor's (through ERG Construction as one of the JV companies) established mechanisms being implemented within the scope of another large-scale motorway project in Turkey. The mechanism provides a management tool designed to help address stakeholder concerns related to the Project implementation phase and facilitate a trustworthy and constructive relationship between the parties.

The key principles of the external grievance and feedback mechanism will be to:

- Ensure impartiality, confidentiality, and free of coercion or intimidation.
- Ensure resolution of concerns within the time frames specified in the Project SEP.
- Provide an understandable and transparent consultative process that is culturally appropriate and readily accessible.
- Provide the option of submitting grievances and feedback anonymously.
- Provide access at no cost and without retribution to the party that originated the issue of concern.
- Not impede access to judicial and administrative remedies.

Consistent with the Construction Contract, implementation of the SEP including the grievance and feedback mechanism during the construction and, as applicable, during the operation phases of the Project will be under the Employer's/Operator's responsibility. This said, the Contractor will assist and collaborate with the Employer to implement the external grievance and feedback mechanisms throughout the construction phase of the Project. The implementation of the external grievance and feedback mechanisms throughout the operation phase of the Project will be under the responsibility of the Employer/Operator.

The related government agency is responsible for the execution of the Project-related expropriation process as per the applicable legislative requirements and making all the expropriation payments to the right holders. The grievances and objections with respect to the expropriation/land acquisition process to be executed by the Employer/Operator had been/will be inherently directed to and managed by the Employer/Operator as per the applicable legislation. During the construction phase, the Contractor, will record any grievance or feedback raised by the stakeholders regarding the expropriation/land acquisition process led by the Employer/Operator and convey these in writing to the Employer for management within 7 days of receipt of the respective grievance by the Contractor. Where necessary, follow-up meetings will be held between the Contractor and Employer on a case-by-case basis to ensure management of grievances in line with the Project SEP. To this end, the Expropriation Manager of the Contractor, with support from the Contractor Senior Management, HSE Manager, Social Manager and Project CLOs (throughout the RAP Project CLOs terminology refers to Contractor CLOs that will be under the Contractor's organisational structure) as required, will act as the interface between the Contractor and the Expropriation Sections of the AYGM and/or TCDD. The structure (e.g. appointed personnel from the Expropriation Sections of the AYGM and/or TCDD or a committee composed of personnel from AYGM and TCDD – central or regional directorates) that will manage the grievances under the body of the AYGM will be decided by the Employer. Additionally, land-acquisition related grievances will be incorporated to periodical (monthly) Project progress reports to be submitted by the Contractor to the Employer throughout the construction phase. As per the Expropriation Law (Law No. 2942, 1983), the state agency responsible from execution of expropriation process manages the requests and disagreements as per the relevant provisions of the Law.

The external grievance and feedback collection channels to be used during the construction phase are described in Table 14-1. The Operator will review and adapt these channels, as appropriate and consistent with their internal/institutional procedures and mechanisms, within the SEP to be updated prior to start of operation phase and implemented throughout the operation phase.

Table 14-1. External Grievance and Feedback Collection Channels for Construction Phase

Grievance and Feedback Collection Channels	Explanation
Project website	<ul style="list-style-type: none"> Project website (ankaraizmiryht.com)
E-mail	<ul style="list-style-type: none"> TBD
Mail	<ul style="list-style-type: none"> TBD
Phone	<ul style="list-style-type: none"> TBD
Grievance boxes and forms	<ul style="list-style-type: none"> Grievance and feedback boxes and forms will be placed and maintained by the Contractor CLOs in all settlements affected from Project-related land acquisition process and at relevant work sites. The boxes and form will be placed at one or more of the locations, as appropriate: <ul style="list-style-type: none"> Offices of village/neighbourhood Village/neighbourhood mosques Locations where local women gather together/women would feel comfortable to visit Construction camp sites of the Contractor and subcontractors Concrete plants Grievance and feedback forms will also be available at the mobile Project vehicles (e.g. vehicles used by CLOs, HSE chiefs, other community-facing managers/directors working at Project sites etc.)
Contractor CLOs (Site)	<ul style="list-style-type: none"> CLOs will collect grievances and feedback (verbal or written) during public and individual meetings, through phone calls, e-mails, etc. and manage them as per Project SEP. Where required, CLOs will guide stakeholders on how to fill in grievance and feedback forms.
Other community-facing Project representatives, directors, managers, etc. of the Contractor and subcontractors	<ul style="list-style-type: none"> CLOs will establish systems and engage with relevant subcontractors on a daily basis to ensure that grievances and feedback collected by other Contractor and subcontractor personnel (verbal and written) are conveyed to themselves/Contractor, registered and managed as per Project SEP. CLOs will train other community-facing Project representatives, directors, managers of the Contractor and subcontractors on implementation of Project SEP.
Personal visits by stakeholders to construction camp sites and other work sites of the Contractor and subcontractors	<ul style="list-style-type: none"> The CLOs will guide the visitors of the Project camp and work sites to fill in grievance and feedback forms to convey their feedback and grievance, where possible. In case of receipt of verbal feedback and/or grievances during stakeholder visits, the CLOs will ensure that such feedback and grievances are registered and managed as per Project SEP.
Through Project Owner and other public authorities	<ul style="list-style-type: none"> Stakeholders may convey their grievances and feedback about the Project directly to the Project Owner and/or other public authorities such as governorates, district governorates, municipalities, and elected village heads. Such grievances and feedback collected by the authorities and conveyed to the Contractor will be registered in the Project grievance and feedback database and managed as per Project SEP, as relevant.

Grievance and Feedback Collection Channels	Explanation
Through Presidency's Communications Centre (CIMER)	<ul style="list-style-type: none"> The Presidency's Communication Centre (CIMER) has been providing a centralised complaint system for Turkish citizens, legal persons and foreigners. CIMER will be available to Project stakeholders as an alternative and well-known channel for conveying their Project-related grievances and feedback directly to state authorities. <ul style="list-style-type: none"> www.cimer.gov.tr Call Centre: 150 Phone number: +90 312 525 55 55 Fax number: +90 0312 473 64 94 Mail addressed to Republic of Turkey, Directorate of Communications Individual applications at the community relations desks at governorates, ministries and district governorates <p>Any grievance and feedback lodged/conveyed through CIMER and conveyed to the Project will be registered in the Project grievance and feedback database and managed as per Project SEP, as relevant, by observing the requirements stipulated by the Law on the Protection of Personal Data (Law No. 6698, 2016).</p>

The main steps of the Project external grievance and feedback mechanism will include the following:

- Step 1 – Receive and register
- Step 2 – Acknowledge
- Step 3 – Assess and assign
- Step 4 – Dialogue and investigate
- Step 5 – Respond
- Step 6 – Action (6.a. Resolve Successfully and 6.b. Appeal)
- Step 7 – Follow-up and Close

Details of the mechanism are included in the SEP and will be provided in the future RAPs. Each step will involve consultation with and/or information of the grievance holder. The Operator will review and adapt the mechanism, as appropriate and consistent with their internal/institutional procedures and mechanisms, within the SEP to be updated prior to start of operation phase and implemented throughout the operation phase.

Contractor CLOs will be responsible for coordination of stakeholder engagement activities and the management of the grievance and feedback mechanism throughout the construction phase. Following the commencement of the Construction Contract upon reaching Financial Close, the Project grievance and feedback mechanism will be activated by the Contractor on behalf of the Employer

For monitoring the ESMS performance during the construction phase, the Contractor, through the Project ESMS team, will carry out periodical internal E&S monitoring activities (on behalf of the Employer). As part of the internal E&S monitoring works, the PAPs (or their legitimate representatives) will be consulted on their experiences and suggestions on the Project grievance and feedback mechanism in order to incorporate their feedback and refine the process continuously.

15. Monitoring, Evaluation and Reporting

In line with this RPF, the RAP will define the monitoring and evaluation (M&E) framework for the internal and external monitoring activities to be conducted as part of the RAP implementation as a component of the overarching Project ESMS.

The M&E as part of the RAP implementation will have the following specific objectives:

- Monitor the progress of RAP implementation
- Identify the achievements and problems hindering the implementation from meeting the objectives of the RAP
- Develop improvements and corrective measures for implementation

The following methods will be used for M&E of the RAP implementation:

- Desk-based review of expropriation data of the authorities (review of expropriation status/progress data/reports kept by the governmental authority responsible from the Project-related land acquisition providing information on settlement-based status of expropriation, the number and area affected parcels expropriated/to be expropriated through regular and accelerated expropriation processes, number of buildings demolished/present, - evacuated/non-evacuated, court cases opened by right holders against the valuation, etc.)
- Quantitative surveys with the settlement heads and affected households (survey designs will be in alignment with the ESIA/RAP surveys)
- Qualitative surveys with the settlement heads, focus groups including women and vulnerable persons around the experienced impacts and changes in opinions, perceptions, and expectations as the RAP implementation progresses
- Desk-based review of the grievance and feedback registers/trends relevant to Project-related land-acquisition (based on the registers kept by the Employer and the Contractor).

Based on the outcomes of the internal and external RAP M&E activities, the RAPs will be reviewed and updated as necessary.

An external Completion Audit of the RAP will be conducted by an independent third party to assess whether the objectives of the RAP have been met. The Completion Audit will be undertaken once all mitigation measures have been substantially (after the completion of agreed RAP monitoring period) completed and once displaced persons are deemed to have been provided adequate opportunity and assistance to sustainably restore their livelihoods.

The M&E and Reporting Framework to be included in the RAP will provide the following details for internal and external monitoring activities as well as the Completion Audit to be conducted by an independent external party:

- Responsible parties
- Description of the M&E activities
- Key performance indicators (KPIs) (for progress monitoring, performance monitoring and impact evaluation)
- Monitoring frequency
- Reporting frequency

16. Implementation Costs

In accordance with the Expropriation Law (Law No. 2942, 1983), expropriation works, including the execution of expropriation payments to the right holders, are conducted by the governmental authority responsible from Project-related expropriation works in line with the Expropriation Law (Law No. 2942, 1983). The TCDD is the authority which has been responsible from the expropriation works in the Project. Responsibilities for future expropriation works will be clarified between the AYGM (Employer) and the TCDD (Operator).

An indicative budget covering all expenditures associated with the RAP implementation – on top of the mandatory cash compensation to be provided to the PAPs by the government in line with the Expropriation Law of Turkey (No. 2942, 1983) – to address displacement and resettlement process, will be provided in the RAPs. This will include costs for the RAP monitoring and Completion Audit, as well as a contingency budget.

The following sources, inter alia, will be taken into consideration in the indicative budget calculations:

- The Approximate Unit Structure Costs published by the Ministry of Environment and Urbanization annually will be used in the indicative RAP budget calculations for buildings.
- Communique on the Tax Values that are the Basis of the Immovable Property Tax (for depreciation ratios to be applied for buildings and structures)
- Valuation Reports to be prepared for the assets to be expropriated
- The unit cost/rates of crops, products, or trees at different stages of maturity and land prices as determined by the authority responsible from expropriation (i.e. TCDD and/or AYGM), in coordination with the District Directorates of Agriculture and Forestry (for crops, products and trees) and municipalities, land registry authorities and real estate offices (for the land based on market prices)

The future RAPs will be implemented by the Employer (AYGM). Consistent with the Construction Contract, costs associated with the RAP implementation shall be borne by the Employer. The Contractor will assist and collaborate with the Employer to implement the future RAPs consistent with the objectives of IFC PS5.

AYGM will allocate some 10% of the funding to a Project contingency budget. Among other aspects, the compensation payments in arrears to the historical PAPs will be from this Project contingency budget. The payment procedure will be as follows:

- The Contractor's RAP team in consultation, collaboration and coordination with the Employer will establish a database of the eligible persons affected from the Project-related land acquisition (PAPs) who will be entitled to receive the top-up payments and assistance/measures as described and budgeted in the RAP, which will be in addition to the mandatory cash compensation to be provided by the AYGM in line with the Expropriation Law.
- An Independent RAP Consultant will identify additional payment requirements in line with the Project documentation (IFC PS5) in consultation, collaboration and coordination with the Employer and the Contractor. The Contractor will disburse the top-up payments and provide the RAP assistance and measures to the eligible PAPs .
- Upon disbursement of the additional payments and provision of the RAP assistance and measures to the eligible PAPs, consistent with the Construction Contract (Contract), the Contractor will request the AYGM to provide compensation in arrears from the Project contingency budget in the amount corresponding to the payments disbursed to the eligible PAPs within the scope of RAP implementation in line with the requirements of the IFC PS5.
- The Contractor will document all the payments and assistances/measures to be provided to the eligible PAPs in addition to the mandatory cash compensation as part of RAP implementation and copies of the relevant documentation will be submitted to the AYGM.

Appendix A – Relevant Articles of the Land Acquisition Related Law of the Turkey

A.1 Relevant Articles of the Expropriation Law of Turkey

Article	Definition
Article 3 - Requirements for Expropriation	For the implementation of large projects that concern issues such as energy, irrigation and afforestation etc., administrations may expropriate by paying the fee for the immovables, resources and their easement rights in cash or as down payment in equal instalments, as required for the conduct of public services or interventions they are obliged to provide according to laws.
Article 4 – Constitution of Servitude (Easement Rights)	<p>Instead of expropriating the ownership of the immovables, easement right can be established by expropriation on a certain section, height, depth or source of the immovable if it is sufficient for the purpose.</p> <p>However, provided that the use of the property right of the owners is not hindered and necessary measures are taken in terms of safety of life and property, transportation lines such as cable cars and all kinds of bridges can be built on the immovable, subway and similar rail transport systems and tunnels can be built under the immovables based on the public interest.</p> <p>In case the use of the right of ownership of the immovables is not prevented, no expropriation of the immovables shall be made. No value increase fee can be collected from the owners of the real estate due to the investment made.</p>
Article 5 –Authorities that Decide on Public Interest	This article specifies the competent authorities that can take the public interest decision. In case of the Project, this decision is taken by TCDD and approved by the Ministry of Council of Ministers. The public interest decisions were taken between 2012 – 2016 for different parts of the Project.
Article 7 – Initial Procedures to be Performed for Expropriation and Administrative Annotation	<p>The administration that is to perform the expropriation prepares or commissions a scaled plan indicating the borders, surface area and type of the immovable assets of resources on which expropriation is to be constituted or appurtenances is to be constituted by way of expropriation, enables that the owners of the expropriated immovable asset, the ownerships if no title deed registrations are present and their addresses by binding them to documents through an inquiry it would conduct on the land registry, tax and population registry records as well as additional inquiries.</p> <p>After the administration takes the decision on expropriation, the related annotation of the expropriation in the title deed is notified to the title deed administration where the mentioned immovable asset is registered. If the owner changes after the notification date, the title deed administration is obliged to notify the administration of any changes to occur in the ownership or in the rights in kind that are separate from the ownership.</p> <p>If the document to be obtained from the court indicating that a request for the identification of the expropriation fee and the registration in the name of the administration as per the Article 10 is not submitted to the title deed administration within six months starting on the annotation date, this annotation is ex officio deleted from the title deed records.</p>
Article 8 – Procurement Procedure	<p>As part of the expropriation of the registered immovable assets undertaken by the related authorities in line with the Expropriation Law of Turkey, purchasing method shall have priority in implementation.</p> <p>After the expropriation decision is made, the administration will appoint one or more valuation commissions (consisting of at least 3 people) to identify the value of immovables. Additionally, one or more negotiation commissions (again consisting of at least 3 people) will be assigned for negotiations.</p> <p>After the administration has notified the owner of its intent to take over the immovable, shall the owner or its representative apply to the administration (within 15 days after notification) with the intent of selling the immovable, negotiation meetings are held on the date identified by the commission and if an agreement is reached on an amount that is not more than the estimated value, an official report is signed.</p> <p>The administration prepares the amount stated in the report within forty days and asks the</p>

Article	Definition
	owner to transfer the ownership rights in the name of the administration on the date specified in the title deed. The expropriate fee is paid as soon as the transfer of rights is realized. In cases where an agreement is not reached or transfer is not realized, action is taken as per the Article 10 of this Law.
Article 10 – Identification of the Expropriation Fee by Court and Registration of Immovable in the Name of the Administration	<p>If the expropriation cannot be realised through procurement, the administration applies to the court of first instance in the locale of the immovable and requests that the expropriation fee for the immovable asset be identified and decision be made for its registration in the name of the administration in return for the payment of this fee.</p> <p>Within 30 days of the application of the administration, the Court notifies the owner of the immovables through an annotated invitation on the date of hearing. To those whose addresses could not be found after inquiries an announcement is made according to Notification Law (Law No. 7201) inviting them to attend the hearing. The Court also publishes information on the expropriation at least once in a local newspaper (if there is any) issued in the location of the immovable and in one of the newspapers circulated across Turkey.</p> <p>On the day of the hearing, the judge invites the parties to reach an agreement on the value of the immovable. If an agreement is reached, the judge considers this fee to be the expropriation fee. In cases where an agreement is not reached, the judge schedules an expedition (within ten days) to identify the value of the immovable asset and a date for the second hearing (within thirty days after the expedition). On the second hearing, if the parties fail to agree on the value once again, the judge will assign a new expert committee for the valuation within fifteen days and then identifies a fair and equitable expropriation fee by referencing both the reports and statements of the parties and experts. The identified fee is the expropriation fee of the immovable, resource or its easement rights. The Court grants fifteen days to the administration for the fee to be deposited in a bank on behalf of the owner. In cases where the right holder could not be identified, the court decides on the registration of the immovable in the name of the administration under the circumstances that the bank receipt indicating the amount was blocked to be given to the right holder to be revealed in the future and that this decision is notified to the title deed department and the bank where the fee was deposited. The provision on registration is definitive and the parties reserve their rights for appeal pertaining to the fee.</p>
Article 11 – Principles for the Identification of the Expropriation Fee	<p>The expert committee to be formed as per Article 15 will go to the location of the immovable or resource to be expropriated with the court delegation, hear the statements of related parties present and drafts a justified report that identifies the expropriation fee.</p> <p>The identification of the value of the immovable does not take into account any value increase caused by the public works and services realized through expropriation as well as any profit that would be caused by future uses.</p> <p>As part of the constitution of servitude (easement rights), any decrease in the value of the immovable or the resource due to expropriation will be justified in the valuation. This decrease in value is the expropriation cost.</p>
Article 12 – Partial Expropriation	<p>The value of the partially expropriated immovable is defined in this Article, whereas it also states that if the part of the immovable excluded from expropriation is suitable for utilization under the public works legislation, the expenses and cost required for the restoration of any installations to a usable status will be calculated and added to the expropriation fee.</p> <p>The value of the immovable property that is partially expropriated shall be estimated as follows:</p> <ol style="list-style-type: none"> Provided that there does not exist any change in the value of the non-affected part of the immovable property, the value of the partially expropriated immovable property shall be equivalent to the proportion to be expropriated at the amount determined for that immovable property according to the provisions of the Article 11. If there is a decrease in the value of the non-affected part, the value of the partially expropriated immovable property will consist of the expropriation fee determined for the affected part of the immovable property in compliance with the paragraph (a) plus the amount corresponding to the decrease of value of the non-affected part. <p>Shall the remaining part of a partially expropriated immovable is not suitable for utilization, this</p>

Article	Definition
	<p>part also has to be expropriated upon the written application made by the legal owner within thirty days of the notification of the expropriation decision in cases where no lawsuits were filed in the administrative court against the expropriation procedure.</p> <p>If an immovable asset subject to joint ownership that was partly expropriated was divided among stakeholders and left to the possession and utilization of one or more stakeholders, and if the partial expropriation performed involves the whole or a part of this land, any procedures related to the expropriation will then be conducted only in relation to this stakeholder(s) and the expropriation fee is paid to them in proportion with their stakes. The stakeholder(s) has/have the right to file a lawsuit only for this part. They have no remaining rights on the part of the immovable that was not expropriated, and their names are removed from the list of stakeholders. The expropriated areas are registered in the land registry in the name of the administration. Any conflicts arising out of the enforcement of this article are resolved by the judicial courts.</p>
Article 14 – Right to a Lawsuit	<p>A lawsuit for cancellation of land acquisition decision in the administrative court or for correction of the material errors may be filed against the expropriation procedure within thirty days as of the date of notification issued by the court as per the Article 10 -the date of notification is replaced by the date of announcement in the newspaper by the court for those who could not be notified- by the owner of the immovable asset subjected to expropriation.</p>
Article 18 – Dispute on the Ownership	<p>The administration identifies whether there are any disputes on the immovable to be expropriated by performing an inquiry at the title deed administration, land survey directorate and civil courts in the location of the immovable. Shall the inquiries indicate that there is a dispute on its ownership or that it was subject to a lawsuit, the entirety of documents prepared as per the Article 10 are submitted to the civil court of first instance of the location of the immovable and is requested that the expropriation fee of the immovable is determined as well as its registration is made in the name of the administration in return for the payment to be made to the right holder as soon as they have been determined.</p> <p>The initial and consequent instalments of the expropriation fee identified by the court are deposited in the time deposit accounts with quarterly terms each at the bank designated by the court.</p> <p>The process to be followed in order to resolve the disputes on ownership will be in line with the procedures defined in the relevant legislation.</p>
Article 19 – Registration of Immovable Assets not Registered in the Land Registry and Ownership Rights	<p>The administration initially identifies whether the immovable not registered in the land registry is one of the public assets listed in Article 16 of the Cadastral Law (Law No. 3402). If the immovable is not one of the public assets listed in this article, and that the ownership for the immovable is present and a claim for acquisition is made on the basis of ownership, the administration conducts an investigation at the location of the immovable by means of the experts selected as per the Article 9, collects the evidence and specifies the state of affairs in a record.</p> <p>The entirety of the documents prepared by the administration and collected according to the Article 10 of the Expropriation Law is submitted to the civil court of first instance at the location of the immovable.</p> <p>The court identifies the expropriation fee for the immovable asset as per the procedure and duration specified in Article 10. If the court deems it sufficient to declare the immovable asset to be within the scope of the Turkish Civil Law on the expropriation date and to have been acquired through ownership, it conveys the expert report on the identification of the expropriation fee to the administration and this report along with the other documents given by the administration to the owner.</p> <p>The status of the immovable is communicated to the highest public official in charge of assets in that area while it is also announced at least once in a local newspaper issued in the location of the immovable and a newspaper circulated across Turkey.</p> <p>If no objections are raised by the Treasury or any third parties within thirty days as of the last announcement, a period of fifteen days is granted to the administration for the expropriation fee to be deposited in the bank stated in the announcement as down payment and in cash or</p>

Article	Definition
	<p>as the first instalment in the name of the owner. Upon the submission of the payment receipt, the Court decides on the registration of the immovable asset in the name of the administration and the payment of the expropriation fee to the owner. Whereas, this decision is communicated to the land registry office and the bank where the money is deposited.</p> <p>If an objection is raised within this period by the Treasury or third parties, the court decides on the registration of the immovable asset in the name of the administration after the identified expropriation fee is deposited in a deposit account opened in the bank to be paid in the future to the person who would prove their rightful ownership.</p>
Article 20 – Evacuation of the Immovable Asset	<p>As per this Law, evacuation of the immovable asset, registered by the land registry office under the name of the authority to whom's benefit expropriation is conducted, is demanded from enforcement officer. The enforcement officer notifies the residents of the corresponding immovable asset about its evacuation within the following 15 days. If the immovable asset is not evacuated within the notified time, judicial evacuation takes place. Objection of grievance do not halt the evacuation and the court shall not issue an interim injunction.</p> <p>Neither the owner nor the administration shall be held responsible due to the evacuation of the immovable asset.</p> <p>Evacuation of cultivated lands shall be done at the end of the harvesting period. In cases when it is not possible to delay evacuation until the harvesting period, the owner of the crops shall be compensated prior to land entry. The authority responsible from the expropriation is permitted to request the evacuation of the parcel on condition that the price of the crops to be determined by the court shall be compensated. If the price of the crops has already been taken into consideration in the valuation done as per the Article 11 and 12 of the Law, there is not requirement for revaluation and repayment of the crop price.</p>
Article 25 – Limitation of Rights and Transfer of Ownership to the Administration	<p>The expropriation procedure is initiated through the notification conveyed by the Court as per the Article 10, with regard to exercising of rights and fulfilment of obligations. The transfer of ownership to the administration is realized based on the decision for registration taken by the Court.</p> <p>The owner of the immovable loses his/her rights to engage in activities such as construction or cultivation or to make fundamental changes in the current structure of the immovable after the date of the registration decision taken by the Court. The value of activities performed after this date is not taken into account.</p> <p>An additional paragraph added in 2013 states that for large projects such as dams, irrigation networks and pipelines, highways, railways, harbours and airports, the decision for the public interest is announced in the mukhtar's office of the neighbourhood and/or village where the immovable to be expropriated are located. After the last day of the announcement (public interest), the cost of the fixed installations on the immovable and the trees planted are not taken into account in the identification of the expropriation fee. This limitation for the immovable may not be more than five years after the announcement has been made.</p>
Article 27 – Accelerated Expropriation	<p>The immovable property subject to expropriation may be seized through accelerated expropriation under three circumstances; (i) in situations for which President takes decision regarding the need for national defense in the scope of the implementation of the Law on National Defense Obligations (Law No: 3634); (ii) in situations of emergency determined by the Presidential decision, or (iii) in extraordinary situations as envisaged by special laws.</p> <p>In such cases/situations, upon the request of the relevant administration, a court may decide on the seizure of the immovable property under the principles set forth in Article 10 on condition that the procedures other than valuation shall be completed afterwards.</p> <p>In this process, upon request of the related administration, compensation amount for the immovable property shall be appraised by the court within 7 days through the experts assigned as per Article 10 and 15 of the Expropriation Law. Seizure shall only be made following the invitation to be done in accordance with Article 10 and the amount is deposited to the bank specified in the announcement. The related Directorate of Land Registry is notified about the seizure decision to be made by the Court. The provision related to the prohibition of the transfer or alienation of the immovable asset is annotated to the land register. The asset is</p>

Article	Definition
	<p>evacuated as per Article 20 following the issuance seizure decision.</p> <p>Article 27 of the Law enables land entry earlier through an accelerated process when compared to the regular expropriation processes conducted under Article 10 of the Law. This said, Article 27 does not limit the rights and claims of the owners on valuation of land and fixed assets. The valuation process is done by the court or court nominated experts as per the Expropriation Law. In this process, land valuation performed by experts appointed by the court is only a determination and is not decisive. After this price is determined and deposited by the Administration into the account number as determined by the court, actions stipulated in Articles 8, 9 and 10 shall apply.</p> <p>It is necessary to receive a "public interest" decision from the relevant institutions for accelerated expropriation. After this decision is received, approved and published in the Official Gazette, accelerated expropriation process starts. Differently from ordinary expropriation, accelerated expropriation is the method of seizing an immovable property in line with prescribed procedure and method on the condition that actions other than valuation are completed later on. Accelerated expropriation will be handled in the form of a lawsuit. Public institutions will apply to the court in order to get valuation done and receive an expropriation decision.</p> <p>The court only acts as a determination authority in this case. If the court determines the existence of public interest and the value of the immovable property as determined by the Valuation Commission is blocked in the bank account of the owner thereof, the lawsuit is admitted. Admission of the lawsuit will not result in the replacement of the owner in the title deed. The admission of this lawsuit can only enable the administration to perform the action considered to have public interest. However, actions will not be complete. Actions will be performed just as in normal expropriation process. The Administration will primarily try to purchase the property from its owner through negotiated settlement. If agreement is reached as a result of this procedure, the relevant price will be paid and expropriation procedure will be complete. However, if no agreement is reached, the administration will also file a lawsuit on "the Determination and Registration of Expropriation Price"</p>
Article 29 – Payment of the Expenses	<p>The per diem allowances of the court panel as per Article 10 and appraised costs by the Court for the experts arranged by the Court as per Article 15 and the fees of the settlement heads consulted during reconnaissance, and title deed fees, and other expenses as stipulated by this Law are paid by the administration responsible from the execution the expropriation.</p>
Article 30 – Transfer of an Immovable Owned by an Administration to Another Administration	<p>This article articulates that immovable, resources and easement rights owned by public legal persons and agencies may not be expropriated by another public legal person or agency. The administration that requires the immovable, resource or easement rights identifies the fee according to the Article 8 of Expropriation Law. It lodges a written application at the administration owning the asset by stating the amount it would pay on the basis of this fee. If the owner of the asset fails to abide by the transfer and respond within sixty days, the conflict is settled via an affirmed decision within two months after being inspected by the relevant administrative office of the Council of State upon application by the receiving administration. If the parties fail to reach an agreement on the price, the receiving administration lodges an application at the court according to the procedure written in the Article 10 within thirty days as of the notification date of the Council of State decision asking for the expropriation fee to be identified. In the adjuration process to be conducted in this case, the court does not enforce the provisions of the Law dated 9/6/1938 and number 3533.</p> <p>A period of fifteen days is granted to the receiving administration for the fee identified as the expropriation fee as per the procedure envisaged in the Article 10 to be deposited in the bank specified by the administration in order to be given to the asset-owning administration and the receipt of the fee deposited to be submitted. This period may be extended as necessary for only once by the court. The court decides on the registration of the immovable asset in the name of the administration and the expropriation fee to be paid to the asset-owning administration upon the submission of the receipt indicating that the expropriation fee was deposited by the receiving administration in the bank in the name of the asset-owning</p>

Article	Definition
	<p>administration and this decision is notified to the title deed department and the bank where the money was deposited. The provision on registration is definitive and the parties reserve their rights for appeal in relation to the fee.</p> <p>The immovable, resource and the easement rights thus taken over is deemed to have been received via expropriation and it cannot be used for transfer purposes or for any public purposes other than those allowed by the transferring administration. Otherwise, the transferring administration may receive the immovable back as per the Article 23. This matter is annotated in the field of declarations in the title deed log.</p>

A.2 Relevant Articles of the Resettlement Law of Turkey

Article	Definition
Clause 1 of Article 3 – Definitions	<p>a) <u>Agricultural resettlement</u>: Agricultural resettlement is implemented through providing a family with the following: agricultural land at the amount of envisaged in special resettlement project prepared by Ministry of Environment and Urbanization (MoEU), house, management building, animal, agricultural devices and tools, workbench and credits one or more.</p> <p>b) <u>Non – agricultural resettlement</u>: This type of resettlement is implemented through providing a family with the following: building plot at the amount provisioned in special resettlement project, house, devices, tools, workbench and loans one or more.</p> <p>c) <u>Physical settlement</u>: This type of resettlement is implemented through providing construction credit support to a family within the amount of loan determined by the Ministry (MOEU) for the aim of re-building (moving) of villages because of unsuitability of a village centers or consolidating of villages because of dispersed settlement or villages which are fragmented as a result of disasters; after selling land (house plot) from village development areas to people in need.</p>
Article 12 - Eligibility criteria	<p>Article 12 of the Law refers to the resettlement of persons whose immovable assets are expropriated, and specifies eligibility criteria for government assisted resettlement as follows:</p> <p>(1) Due to the construction of a dam, an area adjacent to the dam, an area under protection, airport, highway, railway, plant and other facilities related to national economy and defense will be erected by public institutions and organizations; and due to the implementation of special laws and in order to protect historical and natural valuables;</p> <p>a) The families who have to leave their locations/places as a result of partial or full expropriation of their immovable properties,</p> <p>b) The families who do not own any immovable property, but who reside in the expropriation area at least for three years before the beginning of the calendar year, in which the resettlement planning studies were commenced, will be resettled to the locations/places indicated by the Ministry (MoEU) according to the provisions of this Law, provided that they request.</p> <p>(2) However, the families who own immovable properties to be expropriated but left their places before the commencement date of resettlement planning studies shall not be resettled. Within the last three years as of this date, the families who sold their immovable properties without any compulsory situation and did not purchase immovable property with the equal or higher value shall not be resettled even if they did not leave their places. The compulsory situations mentioned above shall be determined by the regulations.</p> <p>(3) Among the families residing in the expropriation area, those who are affected from the expropriation implemented by the public institutions and organizations, can be resettled by the Ministry to a location indicated within their village boundaries upon their written application if they do not want to be resettled by the government in any other place, provided that the suggestion of relevant Governorate and the approval of the Ministry of Interior are obtained.</p> <p>(4) Among the families included in the scope of this article, and requested to be resettled by the Government;</p> <ul style="list-style-type: none"> the families who do not apply within the ninety-day following the ending date of the announcement of resettlement, and the families who do not commit to deposit the amount determined by the Ministry (MoEU) from their expropriation compensation they received or will receive, or their full expropriation compensation and additional increase awarded by court in the case that the amount of expropriation compensation is lower than the amount (determined by the Ministry) into the account of the Central Account Unit of the Ministry, shall not be resettled. <p>This article states that the affected family (entitled to expropriation compensation) requesting government assisted resettlement has to commit to deposit a certain amount of this compensation to the Ministry of Environment and Urbanization. The Regulations/Instructions for implementation of Resettlement Law defines this amount as 120 times of the gross monthly (30 days) minimum wage of any worker who is older than 16 years. If the affected household requesting government assisted resettlement is not entitled to expropriation compensation, then they are not required to pay down</p>

Article	Definition
	<p>payment (as deposit) to the Ministry. Upon the completion of resettlement construction process the cost of resettlement shall be paid by the household to the Ministry within 15 years after a 5-year grace period and without interest. Naturally, the amount of down payment shall be taken into account (deducted). The amount of down payment is updated as of this netting date. Furthermore, according to regulations of the Law, if there are workers or persons with pension from any social security organization in the family, total annual amount of their wage/pension should be less than 18 times of monthly minimum gross wage.</p>
Article 9 - Resettlement assistance	<p>Article 9 of Resettlement Law explains the resettlement assistance (which is similar to IFC Standards) as follows:</p> <p>“At first, house and its’ house - plot (for building),</p> <ol style="list-style-type: none"> For craftsmen, artisans and tradesmen: workplace and its’ building plot and operation credit to enable them providing for their livelihood, For farmers, land, necessary agricultural inputs, agricultural structures or plot of structure, and in kind and in cash operation and equipment credits as envisaged in agricultural resettlement project (specific), In case of the request of the right holder families (entitled to resettlement), resettlement credits can be given to the families collectively or individually, if the house, workplace and agricultural land are found by themselves and their suggestions are approved by MoEU. <p>Other assistances can be summarized as follows;</p> <p>“Transportation (moving) of those entitled families to the resettlement areas (sites) shall be provided free of charge by the government according to the “Transportation (moving) Project” to be prepared (specifically) by the Ministry,”</p> <p>In sum, landless families, renters of houses and/or workplaces, tenant users of the land, formal/informal users of treasury or forest areas and artisans including itinerant peddlers without immovable property but living in that area can be entitled to government assisted resettlement for which they might be eligible.</p> <p>The Resettlement Law and Regulation for the Execution of Resettlement Law provides for government-assisted resettlement in the rural and urban areas. Two households that will be subject to physical resettlement have been identified in the project area.</p>

Appendix B – Detailed Findings of the Socio-economic Surveys of February 2021

B.1 Population and Number of Households in the Settlements Covered in CLQs

Section	Sub-section	Province	District	Neighbourhood/Village	Permenant Population			Temporary Population			Official Population (TurkStat, December 2020) (**)
					Number of Households (*)	Population (*)	Average Household Size	Number of Households (*)	Population (*)	Average Household Size	
Section 1	(-)	Ankara	Polatli	Yenice	40	150	3.75	105	300	2.86	129
				Gumusyaka	30	100	3.33	5	20	4.00	91
				Beskopru	35	135	3.86	NI	NI	N/A	124
				Kabakkoy	30	300	10.00	NI	NI	N/A	172
		Eskisehir	Gunyuzu	Ayvali	250	6,000	24.00	5	50	10.00	375
				Gumuskonak	200	1300	6.50	NI	NI	N/A	822
				Cakmak	50	35	0.70	50	100	2.00	89
				Kayakent	500	1,000	2.00	NI	NI	N/A	858
			Sivrihisar	Ilyaspasa	35	110	3.14	20	60	3.00	86
				Yenidogan	110	300	2.73	40	100	2.50	198
				Goktepe	100	550	5.50	60	250	4.17	289
				Ahiler	60	175	2.92	10	25	2.50	171
				Kurtseyh	50	200	4.00	10	30	3.00	186
				Buhara	50	150	3.00	10	50	5.00	103
				Sigircik	105	500	4.76	100	500	5.00	290
				Buzluca	45	250	5.56	NI	NI	N/A	152
		Afyonkarahisar	Emirdag	Ciftlikkoy	200	400	2.00	20	60	3.00	423
				Eskiakoren	30	70	2.33	15	30	2.00	78
				Kiliclar	35	50	1.43	40	200	5.00	38
				Karayatak	40	80	2.00	20	60	3.00	66
				Adayazi	70	300	4.29	NI	NI	N/A	692
				Ekizce	240	350	1.46	300	1,000	3.33	346
				Suvermez	220	70	0.32	60	300	5.00	284
				Dagilgan	20	35	1.75	20	70	3.50	83

Section	Sub-section	Province	District	Neighbourhood/Village	Permenant Population			Temporary Population			Official Population (TurkStat, December 2020) (**)
					Number of Households (*)	Population (*)	Average Household Size	Number of Households (*)	Population (*)	Average Household Size	
				Turkmenakoren	90	200	2.22	200	600	3.00	292
				Elhan	100	300	3.00	150	500	3.33	299
				Karaagac	35	156	4.46	NI	NI	N/A	150
				Yenikoy	50	150	3.00	200	400	2.00	453
				İncili	3,600	4,500	1.25	3,000	45,000	15.00	4,869
				Tabaklar	100	400	4.00	200	1,000	5.00	288
				Emirinkoyu	50	250	5.00	70	300	4.29	121
				Yuregil	220	622	2.83	80	400	5.00	678
			Bayat	Merkez town municipality, Buyuk	300	600	2.00	NI	NI	N/A	866
				Merkez town municipality, Cumhuriyet	370	1,477	3.99	50	150	3.00	1,556
				Merkez town municipality, Yeni	200	560	2.80	NI	NI	N/A	475
				Merkez town municipality, Hurriyet	250	1,000	4.00	NI	NI	N/A	1,199
				Sagirli	50	170	3.40	NI	NI	N/A	164
			Iscehisar	Seydiler town municipality, Cumhuriyet	180	800	4.44	NI	NI	N/A	955
				Seydiler town municipality, Hasan Basri	500	1,300	2.60	NI	NI	N/A	1,210
			Merkez	Gebeceler town municipality, Fatih	150	460	3.07	NI	NI	N/A	666
				Gebeceler town municipality, Yeni	160	1,000	6.25	NI	NI	N/A	673
				Cavdarli	300	1,400	4.67	NI	NI	N/A	1,193
				Susuz town municipality, Gokhan	60	500	8.33	NI	NI	N/A	704
Section 2	(2a)										

Section	Sub-section	Province	District	Neighbourhood/Village	Permenant Population			Temporary Population			Official Population (TurkStat, December 2020) (**)
					Number of Households (*)	Population (*)	Average Household Size	Number of Households (*)	Population (*)	Average Household Size	
				Susuz town municipality, Osmanli	174	5,000	28.74	NI	NI	N/A	1,039
				Susuz town municipality, Sakarya	700	3,000	4.29	NI	NI	N/A	1,646
				Susuz town municipality, Selcuklu	1,000	5,000	5.00	NI	NI	N/A	1,342
				Akcin	220	1,840	8.36	NI	NI	N/A	1,799
				Erenler	20,000	45,000	2.25	NI	NI	N/A	8,578
				Cayirbag town municipality, Alicetinkaya	200	1,200	6.00	NI	NI	N/A	1,280
				Cayirbag town municipality, Fatih	500	2,000	4.00	NI	NI	N/A	1,473
				Cayirbag town municipality, Huzur	16	60	3.75	7	25	3.57	120
				Cayirbag town municipality, Ugur	500	2,000	4.00	NI	NI	N/A	1,523
				Fethibey town municipality, Fatih	3,000	15,000	5.00	NI	NI	N/A	848
				Fethibey town municipality, Yavuzselim	250	6,000	24.00	NI	NI	N/A	1,133
				Bayaticik	60	350	5.83	5	50	10.00	191
				Sarayduzu	120	1,000	8.33	15	40	2.67	456
				Ismail	100	550	5.50	NI	NI	N/A	491
				Sadikbey	600	2,060	3.43	NI	NI	N/A	2,083
				Inaz (Demircevre)	230	700	3.04	20	60	3.00	540
				Koprulu	150	1,200	8.00	20	50	2.50	1,053
			Sinanpasa	Balmahmut	110	460	4.18	15	50	3.33	503
				Bulca	220	1,000	4.55	5	30	6.00	949
				Ayvali	80	235	2.94	50	300	6.00	175

Section	Sub-section	Province	District	Neighbourhood/Village	Permenant Population			Temporary Population			Official Population (TurkStat, December 2020) (**)
					Number of Households (*)	Population (*)	Average Household Size	Number of Households (*)	Population (*)	Average Household Size	
	(2b)			Akdegirmen	30	150	5.00	5	20	4.00	120
				Duzagac town municipality, Isik	330	700	2.12	60	250	4.17	654
				Duzagac town municipality, Zafer	300	2,200	7.33	NI	NI	N/A	351
				Duzagac town municipality, Cumhuriyet	150	1,000	6.67	50	200	4.00	542
				Duzagac town municipality, Fatih	450	2,000	4.44	NI	NI	N/A	518
				Karacaoren	200	350	1.75	35	60	1.71	342
				Guney	480	2,400	5.00	70	150	2.14	2,082
				Elvanpasa	100	115	1.15	50	200	4.00	315
				Calislar	100	350	3.50	100	150	1.50	222
		Kutahya	Dumlupinar	Kizilca	100	500	5.00	NI	NI	N/A	241
				Turgutozal	250	550	2.20	60	300	5.00	228
				Zafer	100	300	3.00	NI	NI	N/A	322
				Cumhuriyet	3,000	15,000	5.00	NI	NI	N/A	760
		Usak	Banaz	Ciftlik	90	400	4.44	140	600	4.29	364
				Buyukoturak	200	750	3.75	NI	NI	N/A	736
				Halaclar	200	290	1.45	200	1,000	5.00	273
				Duzluce	80	180	2.25	20	50	2.50	152
				Dumenler	70	290	4.14	3	15	5.00	245
				Alaba	300	1,000	3.33	NI	NI	N/A	593
				Hatipler	300	900	3.00	NI	NI	N/A	786
				Banaz	180	250	1.39	NI	NI	N/A	574
				Islam	120	1,200	10.00	NI	NI	N/A	997
				Yavi	65	250	3.85	NI	NI	N/A	234
			Ulubey	Bekdemir	18	120	6.67	NI	NI	N/A	78
Section 3	(3a)										

Section	Sub-section	Province	District	Neighbourhood/Village	Permenant Population			Temporary Population			Official Population (TurkStat, December 2020) (**)	
					Number of Households (*)	Population (*)	Average Household Size	Number of Households (*)	Population (*)	Average Household Size		
Section 4				Koseler	65	300	4.62	NI	NI	N/A	204	
				Inay	300	700	2.33	NI	NI	N/A	666	
	(3b)	Manisa	Kula	Battalmustafa	65	250	3.85	NI	NI	N/A	118	
			Alasehir	Ismaibey	250	1,200	4.80	NI	NI	N/A	135	
		Aydogdu		105	500	4.76	NI	NI	N/A	417		
		Turkmen		93	215	2.31	NI	NI	N/A	199		
		Salihli		Hacili	22	58	2.64	NI	NI	N/A	39	
			Mevlutlu	250	900	3.60	20	50	2.50	658		
			Durasilli	2,000	8,000	4.00	5,000	15,000	3.00	6,809		
			Kirveli	5,000	7,000	1.40	NI	NI	N/A	3,242		
			Beseylul	700	3,000	4.29	NI	NI	N/A	1,999		
			Ataturk	1,000	3,500	3.50	50	4,000	80.00	3,026		
			Zafer	4,000	10,000	2.50	NI	NI	N/A	3,944		
			Keli	800	3,200	4.00	NI	NI	N/A	2,386		
			Yilmaz	2,500	10,000	4.00	NI	NI	N/A	6,243		
			Hasalan	100	350	3.50	20	40	2.00	241		
			Mersindere	700	1,500	2.14	NI	NI	N/A	1,328		
			(4a)	Ahmetli	Yarasli	170	300	1.76	NI	NI	N/A	326
					Seydikoy	75	120	1.60	NI	NI	N/A	111
					Gokkaya	600	1,000	1.67	NI	NI	N/A	1,048
				Turgutlu	Urganli	1,100	4,300	3.91	NI	NI	N/A	4,388
Yenikoy	100	350			3.50	NI	NI	N/A	335			
Derbent	900	2,000			2.22	10	80	8.00	1,800			
Avsar (Partially former 10.Mintika)	900	2,560			2.84	NI	NI	N/A	2,562			
Sehitler (former 4.Mintika)	3,000	9,900			3.30	NI	NI	N/A	9,851			
(4b)												

Section	Sub-section	Province	District	Neighbourhood/Village	Permenant Population			Temporary Population			Official Population (TurkStat, December 2020) (**)
					Number of Households (*)	Population (*)	Average Household Size	Number of Households (*)	Population (*)	Average Household Size	
				Albayrak (former 2. Mintika)	2,000	5,000	2.50	NI	NI	N/A	5,368
				Istasyonalti (former 2.Mintika)	1,000	5,400	5.40	NI	NI	N/A	9,894
				Mustafa Kemal (former 8. Mintika and former 11. Mintika)	4,000	10,000	2.50	NI	NI	N/A	3,049
			Sehzadeler	Asagicobanisa	900	4000	4.44	1000	5000	5.00	3,049
				Yukaricobanisa	145	850	5.86	NI	NI	N/A	443
Total					77,593	249,808		11,870	79,325		135,785

B.2 Livelihood Patterns of the Districts Crossed by the Project

District	Description of Livelihood Patterns in the District
Polatlı	<ul style="list-style-type: none"> Polatlı is the 8th biggest district of Ankara with a population of 126.623. Polatlı's main economic activities are agriculture, services and industry, respectively. 49.59% of the workforce is employed in agriculture, 10.36% in industry and 40.04% in the service sector. The main agricultural production of the district is wheat. Polatlı is the district with the largest grain cultivation area in Turkey and largest irrigated agricultural production of Ankara.¹⁴ The main agricultural products of the district are wheat, barley, onion, sugar beet, melon, and watermelon. According to the statistics of 2010, Polatlı meets 2.1% of wheat and 16.17% of onion production of Turkey. There are 35.618 cattle, 10.920 goat, 159.795 sheep, and 2.900.000 fowl in the district that makes livestock sector the second economic activity of the district.¹⁵ Polatlı also has small and medium scale industrial production. In addition to the food industry factories such as flour factories, integrated seed plant and onion packing factories, there are also some small and medium-sized metal industry enterprises such as agriculture machinery and car-body factories.¹⁶
Gunyuzu	<ul style="list-style-type: none"> Gunyuzu is one of the smallest districts of Eskişehir with a population of 5,671.17 The population of the district has been decreasing for a decade. The economy is based on agriculture and animal husbandry. Sugar beet, barley, wheat, rye, grape, apple, melon, watermelon and onion are the main agricultural products in Gunyuzu where there is no big industrial establishment.¹⁸ 0.061% of the Eskişehir's population locates in Gunyuzu. The main economic activities are agriculture and livestock. According to 2013 data, Gunyuzu realizes 3% of the wheat production and has 1.99% of bovine animals and 6.34% of the ovine animals of Eskişehir.¹⁹ The number of the registered farmers is only 1700.
Sivrihisar	<ul style="list-style-type: none"> Sivrihisar is one of the biggest districts of Eskişehir with a population of 20,330 that is the 2.27% of the city.²⁰ Sivrihisar is the first in the distribution of agricultural areas of Eskişehir. Sivrihisar's economy is based on agriculture and animal husbandry. Almost 80% of the people make their living from agriculture and animal husbandry. The main products produced in Sivrihisar are wheat, barley, rye, chickpea, sugar beet, onion, potato, sunflower and safflower. According to the data of 2013, Sivrihisar realizes 15% of the wheat production, 23% of the barley production and has 8.9% of bovine animals and 31.4% of the ovine animals of Eskişehir.²¹ The number of the registered farmers is 6122.²²
Emirdağ	<ul style="list-style-type: none"> Emirdağ constitutes 5% of the population of Afyonkarahisar city with a population of 39,518. The main sources of income in the region are agriculture, animal husbandry and industry.²³ Food, marble processing, ready-mixed concrete and interlocking paving stone production stand out for industrial activities in Emirdağ. In addition, the small industrial site in the district employs 450 workers. The district exports marble blocks.²⁴ Emirdağ realizes 1.6% of the total agricultural production in Afyonkarahisar district. The main agricultural products of Emirdağ are sugar beet, wheat, barley, sunflower, potato, tomato and corn. The district realizes 53.6% of Afyonkarahisar's sugar beet production and 47% of mushroom production.
Bayat	<ul style="list-style-type: none"> Bayat is a small district with the population 7,573 that is the 1.03% of Afyonkarahisar and the economy of the district is based on agriculture and livestock and dairy farming, relatively.

¹⁴ TurkStat,2020, https://tuikweb.tuik.gov.tr/PrelstatistikTablo.do?istab_id=1590, Retrieved 28 February 2021.

¹⁵ Polatlı Ticaret Odası İlçenin Ekonomik Verileri, 2010, <http://pto.org.tr/wp-content/uploads/2018/02/%C4%B0l%C3%A7enin-Ekonomik-Verileri.pdf>. Retrieved 1 March 2021.

¹⁶ Ankara Büyükşehir Belediyesi <https://www.ankara.bel.tr/files/2713/5056/3051/6-ekonomi.pdf>. Retrieved 1 March 2021.

¹⁷ ibid

¹⁸ Bursa Eskişehir Bilecik Kalkınma Ajansı Günyüzü İlçe Raporu, 2012, https://www.bebka.org.tr/admin/datas/sayfas/198/gunyuzu-ilce-raporu_1568787700.pdf. Retrieved 1 March 2021.

¹⁹ Eskişehir Valiliği İl Tarım ve Hayvancılık Müdürlüğü Faaliyet Raporu,2014, <https://eskisehir.tarimorman.gov.tr/Belgeler/2014%20Faaliyet%20Raporu/2014%20YILI%20BR%C4%B0F%C4%B0NG%20SO N.pdf>. Retrieved 1 March 2021.

²⁰ Eskişehir Yatırım Destek Ofisi Ekonomik Yapı 2017 Raporu, <https://www.investineskisehir.gov.tr/ekonomik-yapi/>. Retrieved 1 March 2021.

²¹ Sivrihisar Kaymaklığı, İlçemizin Durumu, <http://www.sivrihisar.gov.tr/ilcemizin-durumu>. Retrieved 1 March 2021.

²² Eskişehir Valiliği İl Tarım ve Hayvancılık Müdürlüğü Faaliyet Raporu,2014, <https://eskisehir.tarimorman.gov.tr/Belgeler/2014%20Faaliyet%20Raporu/2014%20YILI%20BR%C4%B0F%C4%B0NG%20SO N.pdf>. Retrieved 1 March 2021.

²³ ibid

²⁴ Manisa Yerel Ekonomik Gelişme Programı 2017-2019, Zafer Kalkınma Ajansı, <https://www.kalkinmakutuphanesi.gov.tr/assets/upload/dosyalar/manisa-yegep-tarim-maden-cevre-enerji.pdf>. Retrieved 2 March 2021.

District	Description of Livelihood Patterns in the District
	<ul style="list-style-type: none"> In agricultural lands, cereals are predominant in areas where agricultural crops are cultivated, and wheat barley is the most common. In addition, chickpeas, lentils, sunflower, potatoes are planted in small amounts. In vegetable crops, the production is concentrated on tomato, cucumber, melon, and pepper while small amounts of spinach, beans, and marrows are also planted. The number of bovine animals is 3.926 and of ovine animals is 54.193.²⁵
İscehisar	<ul style="list-style-type: none"> With a population of 25,043, İscehisar hosts 3.40% of the population of Afyonkarahisar and its economy is based on marble mining, agriculture and animal husbandry.²⁶ The marble sector is an important source of income that employs between 5000-5500 people in the district.²⁷ İscehisar has also small and medium sized marble and mineral water factories and an organized industrial zone employing 700 workers. Main agricultural products are wheat, clover, sour cherry, and cucumber. There are also 12,500 cattle and 47,000 ovine animals.²⁸
Merkez	<ul style="list-style-type: none"> The central district of Afyonkarahisar is Merkez which has 42% of the population of the city of Afyonkarahisar with a population of 313,063. The main economic resources of Merkez district are industry, agriculture and animal husbandry. Agricultural production in the city mainly consists of wheat, barley, potato, poppy, sugar beet, apple, corn, cherry, pear, mushroom and tomato. The annual tomato production of Merkez reaches 16,486 tons. There are 73,746 cattle, 106,033 ovine and 7.6 million laying hens in the district. 261 tons of honey, 89,000 tons of milk and 9,400 tons of red meat are produced annually. One organized industrial zone and two industrial zones in the city employ 8,179 workers in total.²⁹ The district also has a concrete and a sugar factory.
Sinanpasa	<ul style="list-style-type: none"> The population of Sinanpasa is 39,432 and it has 5.35% of the population of the city of Afyonkarahisar. The district makes a living from agriculture and animal husbandry. Basic agricultural products are wheat, barley, corn, peas, poppy, potato, sour cherry and cherry. The district produces 98% of all peas produced in Afyonkarahisar. Another source of income in the district is animal husbandry. The county has 44,000 bovine and 41,000 ovine animals for dairy farming and livestock breeding. In addition, the district ranks second in the honey production of Afyonkarahisar.³⁰
Dumlupınar	<ul style="list-style-type: none"> Dumlupınar is a small town with a population of 2945. Its population is 0.53% of the Kutahya city. There are 507 registered farmers in the city, whose main sources of income are agriculture and animal husbandry. The main products involved in the agricultural production of Dumlupınar are wheat, barley, chickpea, oats, vetch, alfalfa, sugar beet and poppy. Most of the agriculture in the city is produced by arid and inefficient agricultural methods.³¹ Stockbreeding is the second important economic activity in Dumlupınar where there are 2,350 cattle and 7,850 ovine animals in the district.³²
Banaz	<ul style="list-style-type: none"> Banaz is a small district of agriculture, animal husbandry and industry. The district has a population of 35,647 that is the 9.65% of Usak. Animal husbandry is mostly carried out in mountain villages, and cattle and ovine are raised. The main agricultural products of the district are wheat, rye, chickpeas, oats and potatoes. Since Banaz is a district rich in underground mines, various mining activities have an important place in the district. There are 1

²⁵ Zafer Kalkınma Ajansı Afyonkarahisar İli Yerel Ekonomik Gelişme Programı 2017-2019, <https://www.investinafyon.gov.tr/assets/upload/dosyalar/afyonkarahisar-yegep-3-tarim-maden-cevre-enerji.pdf>. Retrieved 2 March 2021.

²⁶ Zafer kalkınma ajansı, Afyonkarahisar İlçe kartları 2020,

<https://www.kalkinmakutuphanesi.gov.tr/assets/upload/dosyalar/afyonkarahisar-ilce-kartlari.pdf>. Retrieved 1 March 2021.

²⁷ T.C. İscehisar Kaymakamlığı, Ekonomik Yapı, <http://www.iscehisar.gov.tr/ekonomik-yapi>. Retrieved 1 March 2021.

²⁸ Zafer kalkınma ajansı, Afyonkarahisar İlçe kartları 2020,

<https://www.kalkinmakutuphanesi.gov.tr/assets/upload/dosyalar/afyonkarahisar-ilce-kartlari.pdf>. Retrieved 1 March 2021.

²⁹ Zafer kalkınma ajansı, Afyonkarahisar İlçe kartları 2020,

<https://www.kalkinmakutuphanesi.gov.tr/assets/upload/dosyalar/afyonkarahisar-ilce-kartlari.pdf>. Retrieved 1 March 2021.

³⁰ ibid

³¹ Kutahya İli Yerel Ekonomik Gelişme Programı (Tarım, Maden, Çevre, Enerji) 2017-2019,

<https://www.kalkinmakutuphanesi.gov.tr/assets/upload/dosyalar/kutahya-ilceleri.pdf>. Retrieved: 2 March 2021

³² Zafer Kalkınma Ajansı Afyonkarahisar İli Yerel Ekonomik Gelişme Programı 2017-2019,

<https://www.investinafyon.gov.tr/assets/upload/dosyalar/afyonkarahisar-yegep-3-tarim-maden-cevre-enerji.pdf>. Retrieved 2 March 2021.

District	Description of Livelihood Patterns in the District
	<p>marble quarry, 3 clay quarries, 3 nickel-iron quarries, 1 iron quarry, 1 andesite quarry and 1 quartz quarry in the district.³³</p> <ul style="list-style-type: none"> The Banaz Small Industrial Site employs 375 workers, and as of the end of 2011, there are 1 ceramic factory, 1 meat integrated facility, 1 feed factory, 1 starch factory, 1 wood impregnation facility, 1 cardboard box factory and 2 brick factory in Banaz.³⁴
Salihli	<ul style="list-style-type: none"> 11.33% of Manisa's population lives in Salihli. About the economy of the district, agriculture and agriculture-based trade and industry are dominant. The biggest production activities of Salihli Organized Industrial Zone, which employs 4000 people, are carried out in the fields of food, beverage, conserve and metal processing.³⁵ The agricultural production of the district is of great importance in terms of industry. Major agricultural products are corn, grapes, tomatoes, alfalfa, wheat and olives. The number of registered farmers in the district is 7096.³⁶
Ahmetli	<ul style="list-style-type: none"> The district of Ahmetli has 16.614 inhabitants that is the 1.15% of the city population. Economy of Ahmetli district is based on mechanized agriculture. The main agricultural products in the city, which has 16.614 registered farmers, are grapes, corn, potatoes and pepper.³⁷ The share of animal husbandry and the industry in the economy is very low. In the district center, there is a TEKEL warehouse with a capacity of 12,000 bales, 3 grape plants, 1 olive oil factory, 1 pickle factory, 1 cotton gin factory, 2 dairy farms, 14 poultry businesses, and 1 flour factory.³⁸
Turgutlu	<ul style="list-style-type: none"> The economic structure of Turgutlu is based on agriculture and industry. Agriculture is done in 54% of the district. Seedless grapes, cotton, tobacco, tomatoes, wheat, cherries, peaches, plums and olives are the main products for agriculture.³⁹ The number of the registered farmers of the district is 3.288.⁴⁰ In Turgutlu Organized Industrial Zone, where 3190 people are employed, production activity is predominantly based on the food industry.⁴¹ The sectoral distribution of 40 large companies in the region is concentrated on food as 14, machinery 19, ceramics 2 and 5 others. Soil industry is the largest production area of our country in terms of intensity. The production capacity accounts for approximately 15% of the annual earthenware production across the country.⁴²
Sehzadeler	<ul style="list-style-type: none"> 168,110 people live in Sehzadeler, whose economic activities are mainly based on agriculture, and this population corresponds to 11.59% of the population of Manisa.⁴³ Approximately three-quarters of the land of Şehzadeler district is agricultural land.⁴⁴ There are 3,359 registered farmers in the city, which is engaged in high-yield irrigated agriculture. The most important agricultural products of the district are potatoes, grapes, corn and cherries.⁴⁵

³³ Uşak İli 2014 Yılı Çevre Durum Raporu, 2015, Uşak Valiliği Çevre Ve Şehircilik İl Müdürlüğü, https://webdosya.csb.gov.tr/db/ced/editordosya/Uşak_icdr2014.pdf Retrieved 2 March 2021.

³⁴ Banaz Kaymakamlığı, İlçemiz Ekonomik Durumu, <http://www.banaz.gov.tr/ilcemiz-ekonomik-durumu>. Retrieved 2 March 2021.

³⁵ <https://investinmanisa.gov.tr/yatirim-bolgeleri/salihli-organize-sanayi-bolgesi> . Retrieved 3 March 2021.

³⁶ Manisa İl ve İlçe Bilgi Kartları, Zafer Kalkınma Ajansı, <https://www.kalkinmakutuphanesi.gov.tr/dokuman/manisa-il-ve-ilce-bilgi-kartlari/1564>, Retrieved 2 March 2021.

³⁷ ibid

³⁸ <http://www.ahmetli.bel.tr/ekonomik-durum.aspx>. Retrieved 2 March 2021.

³⁹ <https://www.turgutlu.bel.tr/turgutlu/sosyo-ekonomik-yapi> Retrieved 2 March 2021.

⁴⁰ Manisa İl ve İlçe Bilgi Kartları, Zafer Kalkınma Ajansı, <https://www.kalkinmakutuphanesi.gov.tr/dokuman/manisa-il-ve-ilce-bilgi-kartlari/1564>, Retrieved 2 March 2021.

⁴¹ <https://investinmanisa.gov.tr/yatirim-bolgeleri/manisa-turgutlu-1-organize-sanayi-bolgesi>. Retrieved 2 March 2021.

⁴² <https://www.tutso.org.tr/tr/turgutlu-tanitim/turgutlu-ekonomik-yapi/>. Retrieved 2 March 2021.

⁴³ Manisa İl ve İlçe Bilgi Kartları, Zafer Kalkınma Ajansı, <https://www.kalkinmakutuphanesi.gov.tr/dokuman/manisa-il-ve-ilce-bilgi-kartlari/1564>, Retrieved 2 March 2021.

⁴⁴ Şehzadeler Belediyesi 2020-2024 Stratejik Planı, https://www.sehzadeler.bel.tr/uploads/images/2020-024_STRATEJIK_PLAN_-_19082019.pdf. Retrieved 2 March 2021.

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Appendix C – Valuation Approach as per the Expropriation Law of Turkey

C.1 Calculation of Capitalisation Rates

Capitalisation rate valid at the provincial, district and village levels in every project area is calculated by proportioning the annual average net income to the land purchase-sale values. The concept of income used in the valuation of land refers to the net income of the land, net rent of the land or land rent. With the basic capitalisation formula, the value of immovables is determined, and the capitalisation rate is calculated. Capitalisation rate is found according to market approach by utilising the relationship between the net income and market value ($f = R/D$). The capitalisation rate to be identified by this formula is calculated as an average value. This ratio reflects a specific project itinerary or general characteristics of the province and district. In adjusting the average capitalisation rate to individual lands, experts will take into account the characteristics that may positively or negatively affect the capitalisation rate of the land.

The determination of the average annual net income or rent of the land varies depending on the operation of the agricultural land by the landlord, sharecropper, or tenant. In addition, rent calculation is made separately for types of land or commodity grades (such as dry and irrigated field lands, orchards, forest lands, meadow lands). After capitalisation rates are identified separately according to the types of land and the topography of the land, average capitalisation rate is calculated for the area with weighted average method by taking into account the shares of types of land at issue within the average operation area. In this way, average capitalisation rate to be used in every project area or at provincial, district or village levels is determined.

C.2 Calculation of Net Income and Sales Values of the Land

With the analysis of data collected on the basis of parcels in each project and according to the types of land and its topographic features, gross production values and production costs of the products grown are calculated in accordance with the valuation technique. For this purpose, the physical and monetary values calibrated with the data of public institutions and collected at parcel level by interview and survey method are used. In cases where agricultural lands are used as they are in time, location, and conditions where research is conducted in every project area, collected data are analysed, and evaluated for the determination of gross production values and the production costs of individual agricultural products. These procedures are done based on topographic features of agricultural lands and common agricultural method applied on lands. Yields (main and semi-product yields) used in the calculation of gross production value are ensured to be average yields covering several years as far as possible.

C.3 Land, Product, Tree and Asset Value

With the analysis of data collected based on the parcels in each project and according to the types of land and its topographic features, gross production values and production costs of the products grown are calculated. Average annual net income of the land will be as much as the difference between the average gross production value calculated according to crop alternation systems. The bare land value of the land is calculated by dividing the annual average net income of the land by the adjusted capitalization rate according to the characteristics of the parcel. If available, the values of the complementary parts of the land are added to this value.

The cost of annual products and fruit-bearing and non-fruit-bearing trees on the land is appraised based on the cost or income approach in line with the developmental processes of the plants at issue. Especially in fruit-bearing and non-fruit-bearing trees, the value of trees at each age or in each age group is calculated individually based on income. How this calculation is made is provided in all clarity in the reports.

The unit cost/rates of crops, products, or trees at different stages of maturity and land prices are determined by the authority responsible from expropriation (i.e. TCDD and/or AYGM), in coordination with the District Directorates of Agriculture and Forestry (for crops, products and trees) and municipalities, land registry authorities and real estate offices (for the land based on market prices). The documentation on unit costs/rates considered in the valuation are kept by the authority responsible from expropriation in the land acquisition related database/archives of the institutions.

C.4 Research on Local Land Market and Market Prices

The market values of lands that are bought and sold in the project area is determined by examining the data collected from the registries of institutions such as Provincial/District Land Registry and Cadastre Directorates (TKGM), local real estate offices, Chambers of Agriculture, Chambers of Industry and Commerce. The values in these registries are examined in line with the field research (by interviewing the parties making the purchase and sale about the value of purchase and sale). In addition, the lands that have been sold at the local level with a title deed affiliated to the village or lands with no documentation can be considered as sales value if the mukhtar provides a written declaration and approval. For this purpose, attention is paid to determine the purchase and sale values that are realised and that cover the last five years.

Land valuation is not made by taking into account the amount and prices of products more or earlier than expected that will be obtained due to the procedures and facilities leading to increased production or earliness in immovable (for the greenhouse areas, the valuation will be determined according to the value determined for the areas outside the greenhouse). Therefore, the cost of the greenhouse facilities on the immovable is determined and added to the estimated cost as a structure cost.

Data on the determination of land expropriation; temporary occupation; easement right; and the prices of tree, product, and asset on the basis of provinces, districts, villages and parcels are reported on a per parcel basis.

Primarily, a distinction is made between building plot and land in the valuation of immovables within the framework of legal procedures. In the valuation procedure of building plots, first, all structureless and empty plots that are sold and located near the immovable at issue in the last five years must be identified from the records Directorate of Land Registry. Whether the purchase and sale transactions are made according to official records at the real sales value (low declared sales to avoid deed transfer costs) must be indicated in survey studies. For this purpose, immovables qualified as building plot that have been sold freely by bargaining between the parties are considered as precedent in the valuation process. Sales values arising in cases such as purchase-sale transactions indicated as sales in records, sales with court decision, transfer-sale, purchase-sale transactions between relatives and foreclosure of mortgage must not be considered as precedent.

In the valuation of building plots, valuation is made based on the precedent sales in accordance with the development right and construction conditions. Based on the precedent sales that do not have a specific purpose before the valuation day; properties such as building order (such as detached, adjacent and block), building coverage ratio (BCR) number of floors or building height (Hmax), floor area ratio (FAR) or construction precedent (P), plan function and all other qualities and elements that may affect the values of immovables are compared. During this procedure, according to title deed record, if any, restrictions on the immovable at issue (such as mortgage; foundation annotation; easement right, including administrative easement; natural and archaeological site decision and green area decision) are reflected in value. In order for the precedent comparison to be done properly, it is paid attention that the real estate tax value declarations of the immovable subject to expropriation and precedent are close in value. In addition, although an immovable whose value is determined through expropriation is suggestive in terms of valuation, it cannot be considered as a precedent. The prices paid in the purchase-sale and expropriation procedures done by public institutions in the neighbourhood where the immovable is located, and its surroundings must be examined. These costs must be used as a criterion in evaluating the consistency of the prices appraised for the building plots.

The best precedent is the sale value of the immovable itself, where it can be found. In the case law of the Court of Cassation, it is indicated that if there is no empty or convenient precedent, a deduction of the building value from the purchase-sale value of the built plot can be made to reach the plot value. The increase in the Domestic Producer Prices Index (PPI) is taken as a basis for the declaration of valuation date prices of actual purchase-sale prices of the identified precedents.

The following factors are taken into account in comparing the immovables valued by the precedent sales:

- Parcel surface area (width or area),
- The location of the parcel (such as road, street frontage and parcel corner),
- The form of immovable and the physical structure of the ground, topographic structure,
- Parcel size, frontal (length along the road) and depth,

- The function ascribed to parcel through zoning plan and construction conditions of its surroundings
- Construction conditions and building coverage ratio (BCR) setback distances of the front, side and backyard, floor area ratio (FAR) or construction precedent,
- The road and street width on which the immovable is located,
- Factors restricting the use of immovables (such as green area decision, site decisions, construction prohibition),
- The distance of the immovable to the city centre, social and cultural reinforcement areas,
- The status of the immovable to benefit from means of transportation
- Rights and liabilities on the immovable (such as easement right, annotations, declarations, and rights of mortgage),
- The immovable identified as building plot which is registered as land in the title deed and has not experienced zoning plan implementation (not being subject to any reduction from parcel surface area at the rate of development readjustment share (DRS)) and all factors that may influence the value positively and/or negatively are taken into consideration.

Within the framework of the explanations above, zoning status documents, table, and precedent map of the immovables to be expropriated and subject to precedent are prepared.

Approved zoning status documents belong to the parcels within zoning plan are demanded from relevant municipalities or special administration offices to be procured and arranged. The contractor follows up the transactions.

C.5 Structure Valuation

In the subparagraph (h) of Article 11 of the Expropriation Law, it is decided how to determine the values of the structures on the ground of the expropriated immovable. The Ministry of Environment and Urbanization identifies and announces Announcement on Approximate Building Unit Costs to be used in the calculation of architectural and engineering service fee every year. According to this Announcement, buildings are classified into five separate groups based on construction costs by considering the class of the structure essential for architectural services. In addition, every class is divided into subgroups such as A, B, and C, based on construction costs.

In accordance with subparagraph (b) of the first paragraph of Article 29 of the Real Estate Tax Law No. 319, the Ministries of Finance and Environment and Urbanization identifies and announces a table that shows normal construction costs per square meter of building. According to the Table, buildings are classified based on structural system, material and manufacturing quality and purposes of use.

Both the approximate cost of the structure and the normal square meter cost of the structure subject to real estate tax, structures with different types and qualities are not prepared for valuation and are not sufficient for the specified purpose. However, in valuation procedures for expropriation, it is obliged to use the approximate cost prices of the structure in judicial decisions without seeking unity of implementation. In calculating the costs of structures, firstly, structures remaining in the expropriation area in line with expropriation plans are measured with precision measuring instruments or steel tape measure. In addition, structure costs are calculated based on relevant classes and unit prices published in accordance with the announcement at issue.

The deficient manufacturing cost of the structure is deducted from the calculated value. The calculation is made by taking into consideration the depreciation rates in the Table Showing the Ratios Regarding the Depreciation entered into force with the Official Gazette No. 17886 on 2 December 1982. If the debris remaining from the structure has an economic value and is demanded by the right-holder, the cost of the debris may be deducted after deducting the underproduction rate and depreciation from the value.

In addition, if structures such as garden walls, water wells, porches, concrete fields, which are separate from the building and not taken into consideration while determining the value according to the approximate cost of the structure, are within the expropriation boundary, they must be valued separately and added to the total cost value. The conditions in which condominium or construction servitude is established and founded are identified.

As the entire immovable can be expropriated, it may be subject to expropriation separately for each independent section considered as a separate immovable according to the Condominium Law No. 643. According to Article 46 of Law No. 643, "If the main landed estate is purchased for public use under the right of eminent domain, the expropriation cost of each individual part is calculated by the separate consideration of the land share that it occupies as well as the additional parts and this cost is paid to the apartment owner himself." According to the Judgement, due to the fact that the quality of the building and construction, the interior layout decoration of the independent sections, frontal, the rate of benefitting from common areas may vary according to the independent section, especially inventory data must be provided in the valuation.

In terms of the implementation of valuation, the value of the main real estate is identified in a way that includes the building plot and common areas. In the second phase, total value is distributed to independent sections or the value of every independent section is calculated separately. In this procedure, if there are properties that may affect the value of each independent section and different additions from other sections, these should be also taken into consideration. If there are properties that do not exist in independent sections such as jacuzzi, sauna, cabinet, panel, parquet, ceramic and residential independent boilers in an independent section, net costs of these properties are added to the total cost. However, if such elements are included in all independent sections, as they will be considered in the selection of structure class and the determination of unit cost, adding these elements to the total cost again causes duplication.

The valuation process will be transferred to the expropriation information system, along with the photographs taken from different angles.