

## Due Diligence Report for Social Safeguards

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### DUE DILIGENCE REPORT ON SOCIAL, LAND ACQUISITION AND RESETTLEMENT IMPACTS FOR POTI KINDERGARTEN

The Due Diligence Report for Social Safeguards is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

## **ABBREVIATIONS**

|          |   |
|----------|---|
| ADB      | Asian Development Bank                      |
| AP       | Affected Person                             |
| DDR      | Due Diligence Report                        |
| EA       | Executing Agency                            |
| GoG      | Government of Georgia                       |
| GRC      | Grievance Redress Committee                 |
| GRM      | Georgia Resident Mission                    |
| IEE      | Initial Environmental Examination           |
| IUAP     | Integrated Urban Action Plans               |
| LAR      | Land Acquisition and Resettlement           |
| LARF     | Land Acquisition and Resettlement Framework |
| LCIP     | Livable Cities Investment Program           |
| MDFG     | Municipal Development Fund of Georgia       |
| MFF      | Multitranchise Financing Facility           |
| SDDR     | Social Due Diligence Report                 |
| SPS      | Safeguard Policy Statement                  |
| SPS 2009 | Safeguard Policy Statement 2009             |

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## A. Introduction

### ***Background***

1. Since November 2016, Asian Development Bank (ADB) has supported the Government of Georgia (GoG) to mainstream an integrated and participatory approach to urban development by improving strategic planning of selected urban area clusters to achieve a more balanced regional development by preparing Integrated Urban Action Plans (IUAPs). Building on this, the government has prioritized crucial urban investments for ADB to take forward through feasibility studies and safeguards due diligence. These include integrated solutions that bring co-benefits to the citizens in the development of the urban clusters including water supply, sewerage and sanitation (including off-network solutions), urban transport and mobility (including non-motorized and public transport), solid waste management, economic corridors, cultural and historical heritage conservation, flood control and drainage, urban safety and resilience, among others.
2. To expedite balanced regional development, support for basic urban services and transport have been prioritized, particularly in small towns and regional cities that are potential hubs for tourism, agribusiness, and regional trade as key drivers of economic growth. Governance and capacity building will need to be integrated into the ensuing projects to achieve more robust results and ensure operational and financial sustainability of infrastructure projects.
3. The government has proposed to process the Livable Cities Investment Program (LCIP) to improve urban and tourism infrastructure and services across Georgia. LCIP will help improve the livability of the urban area clusters through interlinked outputs: (i) improved adequacy and efficiency of urban infrastructure and services, (ii) improved accessibility, connectivity and attractiveness of regional tourism clusters, and (iii) enhanced institutional capacity for implementing and managing urban infrastructure and services, (iv) improved access to quality pre-school infrastructure, improved environment: new playgrounds increasing gross motor skills of children, safe building - considering fire alarm and safety systems, clean and updated sanitary infrastructure including water closet and kitchen; (v) improved planning of the kindergarten building; increased space per child and per teacher; energy efficient kindergarten buildings; (vi) improvement of educational and working conditions for children and teachers in kindergarten; (vii) Improved access to inclusive child-friendly quality education; (viii) Social impact – increased income of population during the implementation (employment of workers), and after the construction;
4. Construction of Poti kindergarten is one of the projects implemented under the Livable Cities Investment Program. The project area is located in the City of Poti (Cadastral code: 04.02.12.857).
5. The selected area is free of building and private ownership. The total land plot allocated for the project is 4,279.00 m<sup>2</sup> and the development area of the new building is 980.52 m<sup>2</sup>. The project includes arranging of kindergarten for 4 groups - 100 children in the City of Poti, with the total area of 1,612.9 m<sup>2</sup>. The kindergarten building will include setting up of bedrooms, playing rooms, cloakrooms, canteen, storing rooms, hall, administration rooms, washing rooms, kitchen, alleviator, evacuation stairs, boiler. The project also envisages arranging garden, benches, sheds, playgrounds, waste bins and water fountains on the rest of the area allocated by the Local Government (4,279.00 m<sup>2</sup>).

### ***Scope and Objective of Social Due Diligence Report***

6. The main objective of this Social Due Diligence Report (SDDR) is to analyze the proposed Poti Kindergarten construction activities, carry out due assessment with regard to social due diligence and early detecting of any land acquisition and resettlement (LAR) impacts of the

activities proposed under the Project with respect to the requirements of the ADB Safeguard Policy Statement (2009).

7. The SDDR describes the screening activities carried out under the proposed project aiming to determine scope of project impact, identify presence and/or absence of potential social and/or economic impacts and determine appropriate mitigation measures and responsibilities of the project stakeholders during planning, implementation and operation phase.

## **B. Social Due Diligence Process and Findings**

### ***Methodology Adopted for the Due Diligence***

8. The objectives of the due diligence for social safeguards were to: (i) review the proposed scope of the project and assess social safeguard risks associated with the anticipated project activities; (ii) evaluate all possible alternatives to avoid LAR issues, if resettlement impacts have been identified; (iii) propose mitigation measures to ease or minimize LAR concerns, if LAR impacts cannot be avoided; (iv) confirm the absence of LAR impacts, if no resettlement impacts have been identified with proper supporting documentation; and (iv) develop recommendations for the EA and project implementation partners to help the project adequately manage LAR risks as per ADB SPS 2009 throughout the project implementation period.
9. Due to the circumstances occurring throughout the world related to the virus outbreak (COVID 19) and forced social distancing, no field visits were possible during the preparation stage of the SDD. Thus, in order to achieve the DDR objective, the team conducted online consultations with the representatives of Poti Municipality for obtaining relevant information and carried out desk survey. Representatives of city hall of Poti municipality visited the project site, took pictures reflecting the existing situation, that were provided along the additional information. Namely, the team of consultants reviewed the project background documents, analyzed the relevant legal laws and technical standards, and undertook online meetings with people who possessed the information, additional to the received document, required for sound analyses of the situation and drafting of the document. The methodology to undertake and complete a due diligence included a combination of methods and data collection tools. In particular, the DDR was prepared based on the results of: (a) review of background documents and information available on public domain; (b) online meetings with representatives Poti Municipality, consultants, design Institute and other stakeholders; (c) review of technical standards and norms; (d) analysis of the grievance redress mechanisms used in other projects to assess an effectiveness of different approaches and institutional arrangements used.

## **C. Key Findings of Social Due Diligence**

### ***Project scope of works***

10. The project covers construction of kindergarten in the City of Poti. Poti is situated in Western Georgia and is 324 km away from Tbilisi via motor- road. Cadastral code of the Land allocated is 04.02.12.857 Total area of the territory is 4,279.00 m<sup>2</sup>. The development area is 980.52 m<sup>2</sup>. The project includes arranging of kindergarten for 4 groups - 100 children in Poti. The kindergarten building will include setting up of bedrooms, playing rooms, cloakrooms, canteen, storing rooms, hall, administration rooms, washing rooms, kitchen, alleviator, evacuation stairs, boiler (with the total area of 1,612.9 m<sup>2</sup> ). The project also envisages arranging garden, benches, sheds, playgrounds, waste bins and water fountains on the rest of the area allocated by the Local Government ( 4,279.00 m<sup>2</sup>) (See Annex 1).
11. Land acquisition and involuntary resettlement are not expected within the scope of the project.
12. The project area, with existing boundaries, will have temporary fence during the construction period and permanent 2.2 meter high metal fence after the construction is completed. No utility

relocation activities and/or rehabilitation access roads are envisaged under the project and associated screening.

13. Implementation of this project will help improve the livability of the Poti urban area through improved access to quality pre-school infrastructure, improved environment: new playgrounds increasing gross motor skills of children, safe building - considering fire alarm and safety systems, clean and updated sanitary infrastructure including water closet and kitchen, improved planning of the kindergarten building; increased space per child and per teacher; energy efficient kindergarten buildings; improvement of educational and working conditions for children and teachers in kindergarten; Improved access to inclusive child-friendly quality education.
14. The potential beneficiaries of the project will be about 200 families from Poti per year that will be able to accommodate their children in kindergarten.

### ***Land Acquisition and Resettlement Impacts***

15. Land acquisition and/or resettlement are not expected under the project. The land plot (4,279 m<sup>2</sup>) intended for the kindergarten is a property of Poti Municipal, the title document is attached in Annex 1. The land plot is not used, either formally or informally (e.g. grazing, agricultural squatters, etc.). Please see relevant photos and scheme of location in the Picture 1 and Picture 2 below:

Picture 1: Scheme of the Project Area <sup>1</sup>



<sup>1</sup> The specific construction lines will be identified by the construction company, what can be said at this point is that the area will be 980.52 m<sup>2</sup>, within the total plot area of 4,279.00 m<sup>2</sup>

Picture 2: Photos of the Project Area <sup>2</sup>



Picture 3: Preliminary Design Render (standard render for 100 children size kindergarten)



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<sup>2</sup> The trees on the picture are located on the land owned by the Municipality. The project does not envisage any impacts on annual/perennial plants. In case there are the necessity of cutting any trees, the contractor will be guided by IEE prepared within the project.

### ***Categorization of the Project***

16. Based on the due diligence findings, in accordance with ADB's 2009 Safeguard Policy Statement and Operation Manual F1, the subproject is expected to be categorized as "C" for Involuntary Resettlement safeguards<sup>3</sup>.

### ***Impact and Outcome of the Project***

17. Despite the fact that the planned activities/ construction works won't have any impact on the areas adjacent to the project site the available best practice will be applied at the project planned/ implementation stages. For this purpose, the relevant mitigation measures will be carried out by Construction Company.
18. The Project is expected to have long-term positive impact on the population of Poti, especially young people and working parents of the City area, where the Kindergarten is located, who will get access to well planned, high quality service.

### ***Preventive and Mitigation Measures Required During the Construction Activities***

19. Construction and Supervision Company will develop safety measures to ensure compliance of all the safety measures for workers and possible passersby population. Construction and Supervision Company HSE specialist will permanently supervise all demolishment (if any) and construction activities.
20. Concerning impacts related to spoil disposal areas and construction camps should be mentioned that the project is implemented on the municipality owned territory and not private one. There is no need of private owned land usage for this purpose. Spoil disposal and waste management issues will be managed and regulated according to IEE document.
21. During construction, all necessary measures will be taken to avoid temporary impacts such as loss of access leading to livelihoods or any other types.

## **D. Public consultations and Information Disclosure**

22. Information about the project was disseminated by the Poti City Hall as well as MDFG.
23. As confirmed by social due diligence findings, there are no LAR impacts identified and subsequently the current subproject has no APs. The main stakeholders are local resident(s) living near the project site and Poti local government. All these stakeholders have been contacted using distant communication channels (via personal computer, mobile phone).
24. The first consultation was carried out on July 8th, 2020 by technical and safeguards team. Meeting was held with the representatives of Poti Municipality and local residents. Due to the COVID 19 outbreaks and related restrictions, public consultation meeting was conducted through the social network (via Facebook). Main purpose of the meeting was keeping stakeholders abreast of the sub-project related planned activities, the expected negative impacts on the natural and social environment and the ways and means of preventing them. The participants were provided with contacts of designated focal persons from MDF and local government in case of any additional detail information request about the project as well as about GRM: Mr. Irakli Japaridze Communication Consultants (MDF) 593 16 55 77 and Poti Mayor's office: (0 493) 22 12 95.

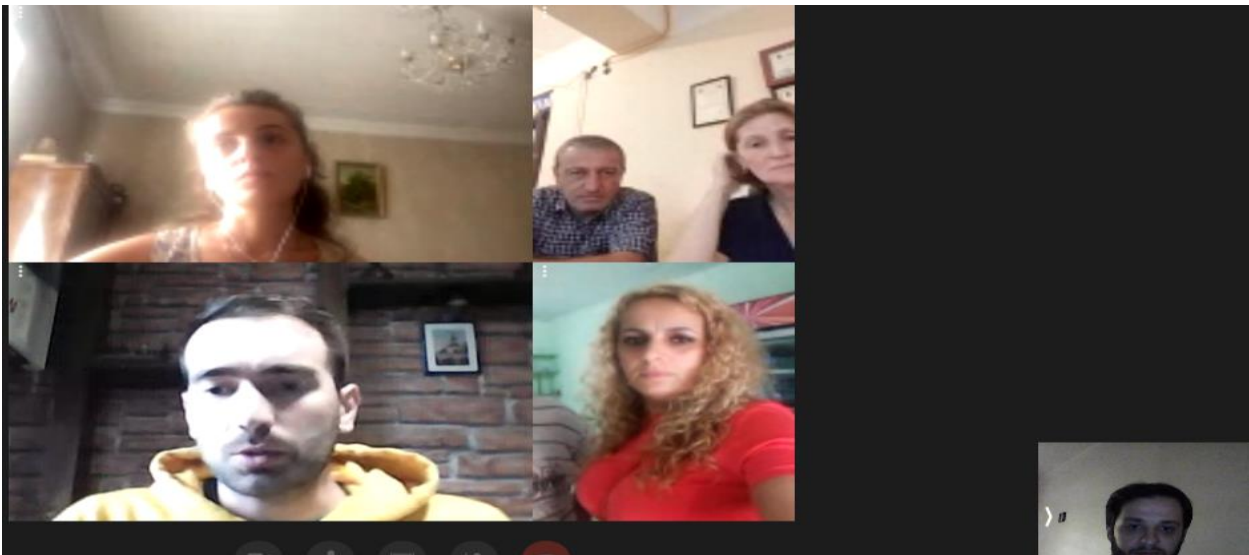
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<sup>3</sup> Under LCIP there is no involuntary resettlement.



25. Prior to the meeting, representatives of City Hall and local residents were informed through announcements, disseminated in Poti Municipality Building and at public places (e.g. bus stations, drug stores, shops) 1 week in advance (see Annex 3). 4 Stakeholders (2 women and 2 man) owning property and living in the adjacent areas to the project have been identified. The identified Key Stakeholders have been personally contacted and informed by phone about the planned online meeting by the MDF's Communication Consultant – Irakli Japaridze 1 week and reminded 3 days in advance.
26. In total 5 Stakeholders - 4 community members (2 women and 2 men) and one person from Poti Municipality (1 man) attended the consultation meeting. The main issues raised during the meeting were: information on GRM; details of the project, as well as with specifics of works to be carried out; detailed information related to measures to be taken as per Due Diligence Report and IEE prepared for the project. After the presentation, the audience was given a possibility to express their opinions and/or participate in Q&A session. For more details on the consultation process see Annex 2.

Picture 4 Photos of the online Public Consultations





## E. Consultation and Participation Plan

27. Due to circumstances formed throughout the world related to the virus outbreak (COVID 19), social distancing has been applied amongst the population and public consultations in the course of infrastructural projects implementation may become the source of virus spreading. Therefore, it is essential the alternative sources of communication with the stakeholders to be found out in order the recommendations issued by the World Health Organization (WHO) and the Government of Georgia (GoG) not to be violated. It is of high importance also the public and direct consultations with all stakeholders to be held in order the stakeholders and other locals, residing at the Municipality to be thoroughly informed of current and planned infrastructural projects and social and environmental matters related to the referenced projects. Applying of that method will enable them to not only receive the information by means of various sources, but also to participate directly in discussions, ask the questions and be involved in ongoing processes. Due to general development of internet network and its availability in many resided areas throughout Georgia, people have access to many social networks and apply them successfully in their everyday lives. Hence, it is possible that future the public consultations to be held in the remote mode by applying of available internet social networks and various communication applications. It will depend also on network and internet applications, being used by local residents. Traditional face-to-face public consultations will be held prior the construction works if the situation and regulations related to the COVID19 will be normalized by that time.
28. This SDDR will be disclosed on MDF and ADB websites and will be made available to Project stakeholders upon approval.

## **F. Grievance Redress Mechanism**

29. **Grievance Redress Mechanism** - In projects implemented by MDFG, grievance resolution is viewed as a two-stage process. The first stage involves locally available means, such as discussing the concern with Contractor, on site focal point from Supervision Consultant / Contractor, or/and writing to local municipality for resolution of grievances on the spot. The second stage comprises grievance to be discussed and resolved by Grievance Redress Commission (GRC) established within the MDFG. Both written and verbal complaints shall be documented in official logbook. Stakeholders were informed about the GRM procedures through information disseminated in Poti Municipality Building and at public places (e.g. bus stations, drug stores, shops). Through these announcements they were provided with Grievance Form (see Annex 3) and contacts of designated focal persons from MDF and local government in case of any additional detail information request about the GRM: Mr. Irakli Japaridze Communication Consultants (MDFG) 593 16 55 77 and Poti Mayor's office: 595250309 or (0 493) 22 12 95.
30. **Grievance Resolution Process** - Grievance redress procedures of Stage 1 are an informal tool of dispute resolution allowing the complainant and the project implementation team to resolve the disagreement without any formal procedures, procrastination and impediments (i.e. without using the procedures specified in the Administrative Code or litigation). This mechanism enables unimpeded implementation of the Project and timely satisfaction of complaints – the allowed timing for the procedure is 10 business days. Stage 1 GRM is already in place and is functional. If the complainant is not satisfied, the grievance redress mechanism should assist them in lodging an official complaint in accordance with the procedures of Stage 2 (the plaintiff should be informed of his/her rights and obligations, rules and procedures of making a complaint, format of complaint, terms of complaint submission, etc.) (see Annex 4). Stage 2 – review of complainant's complaint. Within MDFG has already established Grievance Redress Commission (GRC) for the whole period of the project implementation. GRC shall review the written complaints of complainants, which were not satisfied at Stage 1. At stage 2 the complainant complaint will be resolved. The above mentioned GRM procedures does not deprive the plaintiff the right to sue in the court directly. The maximum time allowed for the procedure is 8 months. For more information on GRM, including timelines for each stage, please refer to Annex 5.

## **G. Institutional Arrangements**

### ***MDFG – Municipal Development Fund of Georgia***

31. The Municipal Development Fund of Georgia (MDFG) is the executing agency (EA). MDFG is responsible for managing construction/rehabilitation activities. MDFG has the overall responsibility of design, construction, construction monitoring and supervision of the Project, as well as cross-agency coordination. Social Safeguards/Resettlement Specialists are hired and a Social/Gender Specialist has been hired and engaged for ADB financed projects. The staff have received professional on-the-job trainings. For each separate project, including the present one, MDFG will use its staff member to assist in implementation of its duties.

### ***Ministry of Environmental and Natural Resources Protection***

32. The Ministry of Environmental and Natural Resources Protection (MoENRP) is responsible for environmental issues.

### ***Ministry of Justice***

33. The Ministry of Justice is responsible for legal matters regarding land ownership, and National Agency of Public Registry (NAPR) within the Ministry of Justice is in charge of the registration of ownership.

### ***Local Municipality***

34. Poti City Hall is the executive branch of self-government headed by Mayor. Local government is responsible for legalization and registration of land parcels. Confirms the ownership rights at local level.

### ***Civil Works Contractor (CWC)/Construction Supervision Contractor (CSC)***

35. A Civil Works Contractor/CSC to be appointed by the MDFG to undertake the construction will be responsible for mitigating impacts resulting from the construction activities. The construction activities shall be monitored closely by the MDFG with assistance of Construction Supervision Contractor to ensure compliance to the temporary mitigating measures and overall safeguards compliance throughout the project implementation.

### ***ADB***

36. The Asian Development Bank (ADB) is financing the Project and Supporting MDFG at any stage of project implementation, approves appropriate documentation required by the loan agreement.

## **H. Monitoring and Reporting Requirements**

36. A Civil Works Contractor/CSC will monitor and measure the progress of implementation of the SDDR requirements and activities. The extent of monitoring activities will be commensurate with the project's risks and impacts. The contractors (CWC/CSC) will prepare monthly and quarterly monitoring reports that will describe the progress of the implementation of SDDR activities and any compliance issues and corrective actions. These reports will closely follow the SPS 2009 ADB requirements.
37. There will be semi-annual social monitoring report (SSMR) required for the LCIP project to be prepared by MDFG and submitted to ADB. Safeguard compliance monitoring results will be reported under the SSMR in separate section related to subprojects with no LAR impacts and will contain the following information:
- a. Details of any social incidents;
  - b. Complaints from the public and proactive community relations activities;
  - c. Action plan for corrective measures.
38. The Contractors (CWC/CSC) will have a duty to immediately report to the MDFG if any serious social incident has occurred during construction.
39. ADBs responsibilities in regard to implementation of social safeguards requirements for the project include: undertaking of occasional auditing of the SDDR implementation and due diligence as part of an overall project review mission; and if required, provide advice to MDFG in carrying out its responsibilities to implement the SDDR for the project. Institutional Capacity Building Requirements for MDFG.
40. Within MDFG, is the environmental and social specialist and several monitoring officers are included in the staff. Although day-to-day quality control of works will be outsourced to the

engineering supervisor of works, MDFG has in-house human resources to oversee performance of such technical supervisor and to work out decision to address issues which the supervisor may bring up for MDFG's attention.

## **I. Land Acquisition and Resettlement Framework**

41. Land Acquisition and Resettlement Framework (LARF) has been prepared for the whole project Livable Cities Investment Program, following ADB policy requirements. The LARF specifies the requirements in regard to future LAR screening/planning/implementation in case of any unanticipated impacts on all project subprojects and overall social safeguards. The sample outline of SDDR, as well as requirements of LARP preparation (if any) are provided in the LARF.

## **J. Conclusions and Recommendations**

42. The project will be implemented on the municipality owned property within existing boundaries.. The land plot selected is not used, either formally or informally (e.g. grazing, agricultural squatters, etc.). The social assessment of the proposed project is based on the final detail design and Project location boundaries confirmed complete absence of Land acquisition and/or resettlement impacts.
43. During construction, all necessary measures will be taken to avoid temporary impacts such as loss of access leading to livelihoods or any other types of restrictions mentioned above. The MDFG and Construction Supervision company will closely monitor the implementation phase to ensure compliance with ADB's social safeguard measures, as well as national legislation.
44. If any unforeseen impacts or additional consequences are identified during the course of the project the information will be communicated with MDFG and ADB and will be managed according to Georgian legislation and requirements of ADB SPS 2009 following the provisions set by Project LARF.
45. Information about the project, planned online consultation, as well as GRM was disseminated by the Poti City Hall and MDFG. Poti City Hall and MDFG staff is actively involved in the planning process. Yet, due to the fact situation with the virus outbreak (COVID 19), social distancing has been applied amongst the population and public consultations in the course of infrastructural projects implementation may become the source of virus spreading, therefore online Public Consultations were held with all the stakeholder on the July 07, 2020. It is possible that the alternative sources of communication with the stakeholders will be applied throughout the project implementation .
46. During the implementation of the project, any complaints from the local population is considered through grievance redress mechanism established within the framework of the project and applied to both social and environmental protective measures.

## Annex 1

### The Title Document and Municipality Letter



მის (უძრავი ქონების) საკადასტრო კოდს N 04.02.12.857

#### ამონაწერი საჯარო რეესტრიდან

განცხადების რეგისტრაცია  
N 882020291590 - 08/06/2020 22:17:22

მომზადების თარიღი  
11/06/2020 11:31:18

#### საკუთრების განყოფილება

|   |                 |          |         |  |
|---|-----------------|----------|---------|--|
| ზონა  | სექტორი         | კვარტალი | ნაკვეთი | ნაკვეთის საკუთრების ტიპი: საკუთრება        |
| ფოთი  | ცენტრი-მალთაყვა |          |         | ნაკვეთის დანიშნულება: არასასოფლო სამეურნეო |
| 04  | 02              | 12       | 857     | დაზუსტებული ფართობი: 4279.00 კვ.მ.         |
| მისამართი: ქალაქი ფოთი, ნიკოლოზ ბარათაშვილის ქუჩა |                 |          |         | ნაკვეთის წინა ნომერი: 04.02.12.844;        |

#### მესაკუთრის განყოფილება

განცხადების რეგისტრაცია : ნომერი 882020250053 , თარიღი 20/05/2020 13:46:31  
უფლების რეგისტრაცია: თარიღი 21/05/2020

უფლების დამადასტურებელი დოკუმენტი:

- ბრძანება N1/1-1886 , დამოწმების თარიღი: 15/05/2020 , სსიპ სახელმწიფო ქონების ეროვნული სააგენტო
- ბრძანება N04/728 , დამოწმების თარიღი: 05/06/2020 , ქალაქ ფოთის მუნიციპალიტეტის მერია
- წერილი N02/2837 , დამოწმების თარიღი: 20/05/2020 , ქალაქ ფოთის მუნიციპალიტეტის მერია

მესაკუთრეები:

სსიპ ქალაქ ფოთის მუნიციპალიტეტი, ID ნომერი: 215138143

მესაკუთრე:

სსიპ ქალაქ ფოთის მუნიციპალიტეტი

აღწერა:

საგადასახადო გირავნობა:

რეგისტრირებული არ არის

#### იპოთეკა ვალებულება

ყადაღა/აკრძალვა:

რეგისტრირებული არ არის

მოვალეობა რეესტრი:

რეგისტრირებული არ არის

Excerpt From The Public Register

Cadastral Code Of Land – 04.02.12.857

Purpose of the plot – Non-Agricultural

Specified Area – 4 279 m<sup>2</sup>

Previous Parcel Number – 04.02.12.844

Preparation Date – 11.06.2020

Registration N – 882020291590

Owner – LEPL Poti Municipality

Poti Municipality ID Number – 215138143





ს ა ქ ა რ თ ვ ე ლ ო  
ქალაქ ფოთის მუნიციპალიტეტის მერია  
Georgia  
Poti Municipality City Hall



KA000050390033620

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№ 02/1986

13 / მარტი / 2020 წ.

სსიპ საქართველოს მუნიციპალური განვითარების  
ფონდის აღმასრულებელ დირექტორს,  
ბატონ გიორგი შენგელიას

ბატონო გიორგი,

უპირველეს ყოვლისა მინდა უდიდესი მადლობა მოგახსენოთ, ქალაქ ფოთში 2020 წელს დაგეგმილი, თანამედროვე სტანდარტების ახალი საბავშვო ბაღის მშენებლობის საკითხთან დაკავშირებით.

გაცნობებთ, რომ ქალაქ ფოთის მუნიციპალიტეტის მერიის მიერ, 2019 წელს ახალი საბავშვო ბაღის ლოკაციად მითითებულ იქნა მუნიციპალურ საკუთრებაში არსებული ქალაქ ფოთში, ტაბიძის ქუჩაზე მდებარე მიწის ნაკვეთი (მიწის (უძრავი ქონების) საკადასტრო კოდი 04.01.04.611).

ამასთანავე გაცნობებთ, რომ ქალაქ ფოთის მუნიციპალიტეტის მიერ დამატებით შესწავლილ იქნა ახალი სკოლამდელი სააღმზრდელო დაწესებულების განთავსების საკითხი, როგორც ტაბიძის ქუჩაზე, ასევე ბარათაშვილის ქუჩაზე. ყველა შესაბამის უწყებასთან ერთად საკითხის უფრო ღრმად და დეტალურად შესწავლის შემდეგ გამოიკვეთა, რომ უფრო მიზანშეწონილია აღნიშნული სკოლამდელი სააღმზრდელო დაწესებულების აშენება სახელმწიფო საკუთრებაში არსებულ, ბარათაშვილის ქუჩაზე მდებარე 04.02.12.844 საკადასტრო კოდით რეგისტრირებული მიწის ნაკვეთის ნაწილზე, კერძოდ, 4277 კვ.მ. მიწის ნაკვეთზე (წარმოდგენილი shp. ფაილის შესაბამისად).

ლოკაციურად ეს გახლავთ მჭიდროდ დასახლებული ადგილი ქალაქის ცენტრალურ ნაწილში. ახლო პერიმეტრზე არ არსებობს საბავშვო ბაღი. 2010 წელს, ბარათაშვილის ქუჩაზე დაიხურა არსებული საბავშვო ბაღი, შენობის ამორტიზებულიობის გამო და მის სანაცვლოდ ახალი ბაღი არ აშენებულა. აღნიშნული ტერიტორიის მიმდებარედ არის დევნილთა დიდი კომპაქტური დასახლება (მშვიდობის ქუჩა) და ამ უბნის როგორც ადგილობრივ, ისე დევნილ მოსახლეობას სკოლამდელი ასაკის ბავშვების მიყვანა უნევთ სხვა უბანში, რაც დიდ უხერხულობას და დისკომფორტს უქმნის მათ.

ამასთანავე 2019 წელს ბარათაშვილის ქუჩის გაგრძელებაზე გაკეთდა ახალი საავტომობილო გზა, რომელიც უმოკლესი გზით აკავშირებს ცენტრის უბანს მალთაყვის უბანთან და შესაბამისად მალთაყვის უბნის მოსახლეობაც შეძლებს ისარგებლოს ამ ბაღით. აღსანიშნავია ისიც რომ სწორედ ეს გზა უკავშირდება დევნილთა ახალ რაიონს, სადაც ცხოვრობს 4000-მდე დევნილი.

ლოკაციურად ეს ადგილი ხელმისაწვდომი იქნება ორი უბნის (ცენტრის და მალთაყვის უბნის) მოსახლეობისთვის და ბაღი დაიტვირთება სრულად, რაც შეიძლება არ მოხდეს ტაბიძის ქუჩაზე ბაღის განთავსების შემთხვევაში.

ბარათაშვილის ქუჩის გაგრძელებაზე ახალი გზის მშენებლობამ გააჩინა ახალი შესაძლებლობები და პერსპექტივები, რაც კიდევ უფრო მეტ მიმზიდველობას და დაინტერესებას სძენს ამ ლოკაციას.

რაც შეეხება ადრე მითითებულ ტაბიძის ქუჩას, მასთან ახლოს მდებარეობს 2 საბავშვო ბაღი\_ N11 სკოლამდელი სააღმზრდელო დაწესებულება (მის: გელა ჭიქიას ქუჩა N3, მიწის (უძრავი ქონების) საკადასტრო კოდი 04.01.04.122) და N15 სკოლამდელი სააღმზრდელო დაწესებულება (მის: ნატო ვაჩნაძის ქუჩა N14, მიწის (უძრავი ქონების) საკადასტრო კოდი 04.01.04.272). ლოკაციის შერჩევა განაპირობა სსიპ საქართველოს მუნიციპალური განვითარების ფონდის მიერ მოთხოვნილმა სტანდარტმა, 4000 კვ.მ. ტერიტორიამ, რომელსაც ითვალისწინებს ახალი სტანდარტები. ამ მოცულობის სახელმწიფო ან მუნიციპალურ საკუთრებაში არსებული ტერიტორიები, ქალაქის ცენტრალურ ნაწილში პრაქტიკულად არაა და ამ ფაქტორმა გამოიწვია ამ ლოკაციის მითითება.

ამასთანავე ტაბიძის ქუჩა ცენტრალური გზიდან მოშორებით მდებარეობს, რაც ხელს შეუშლის აღსაზრდელების სკოლამდელ სააღმზრდელო დაწესებულებაში ტრანსპორტირებას.

ბავშვებისათვის უსაფრთხო, ესთეტიური და კომფორტული გარემო, რის შესაძლებლობასაც მისცემს მათ ეს ბაღი, ბარათაშვილის ქუჩაზე მისი განთავსებით, ბევრად მეტი ბავშვისთვის და მათი მშობლებისთვის იქნება ხელმისაწვდომი.

მოგმართავთ თხოვნით 2020 წელს, მუნიციპალური განვითარების ფონდის მიერ ქალაქ ფოთში დაგეგმილი



*Due Diligence Report for Social Safeguards*

*Due Diligence Report on Social, Land Acquisition and Resettlement Impacts for Poti Kindergarten).*

ბაღის მშენებლობა/განთავსება განიხილეთ სახელმწიფო საკუთრებაში არსებულ, ბარათაშვილის ქუჩაზე მდებარე 04.02.12.844 საკადასტრო კოდით რეგისტრირებული მიწის ნაკვეთის ნაწილზე, კერძოდ, 4277 კვ.მ. მიწის ნაკვეთზე (ნარმოდგენილი shp. ფაილის შესაბამისად) ნაცვლად ტაბიძის ქუჩისა.

აქვე გაცნობებთ, რომ ქალაქ ფოთის მუნიციპალიტეტის მერიამ უკვე დასვა საკითხი სსიპ სახელმწიფო ქონების ეროვნული სააგენტოს წინაშე 04.02.12.844 საკადასტრო კოდით რეგისტრირებული მიწის ნაკვეთის მიზნობრივი დანიშნულების ცვლილების რეგისტრაციისა (არსებული სასოფლო-სამეურნეო (სახნავი) დანიშნულების არასასოფლო-სამეურნეო დანიშნულებით შეცვლა) და მუნიციპალურ საკუთრებაში გადმოცემასთან დაკავშირებით.

თანამედროვე სტანდარტების შესაბამისად, სკოლამდელი სააღმზრდელო დაწესებულების მშენებლობა, ბარათაშვილის ქუჩაზე იქნება ეფექტური და მნიშვნელოვანი სოციალური პროექტი, თანაბრად ხელმისაწვდომი როგორც დევნილი ისე ადგილობრივი მოსახლეობისათვის.

დარწმუნებული ვართ რა თქვენს გულისხმიერებაში წინასწარ გიხდით მადლობას თანამშრომლობისათვის.

დანართი 1 ელ. ვერსია (shp. ფაილი).

პატივისცემით

ქალაქ ფოთის მუნიციპალიტეტის მერი

ხელმოწერა/  
შტამპდამსულია  
ელექტრონულად



გონა კურდღელია

**N. 02/1986**

**13.03.2020**

**Letter of Poti Local-Self Governness**

**The letter gives detailed description of the area and surroundings of the project and acknowledges readiness to use the land on N. Baratashvili str (Cadastral Code 04.02.12.857; 4,279 m<sup>2</sup>) ownership of which has been transferred to Poti Municipality, on 08.06.2020, with the purpose to construct kindergartens. The letter also gives justification for the project.**

## Annex 2

### Construction of Poti Kindergarten

#### Minutes of Online Meeting with Stakeholders

In order to discuss environmental and social documentation (Initial Environmental Examination (IEE) and Social Due Diligence Report (SDDR) prepared for the project- “Construction of Kindergarten in Poti”, on the 8th of July At 16:30, 2020 a public consultation meeting was conducted in the social network (via Facebook), as the COVID 19 outbreaks and there are existing related restrictions. Prior to the meeting, representatives of City Hall and local residents were informed personally by phone about the planned online meeting by the Communication Consultant – Irakli Japaridze.

The meeting aimed at keeping stakeholders abreast of the sub-project related planned activities, the expected negative impacts on the natural and social environment and the ways and means of preventing them.

Those present at the meeting:

**Locals:** Zurab Katsadze; Irma Tuntia; Maka zarandia; Zaza Gadua.

**Representative of Poti Municipality:** Tengiz Shonia

**Representatives of Municipal Development Fund of Georgia:**

Environmental Specialist- Niniko Isakadze,

ADB Communication Consultant – Irakli Japaridze

Project Manager – Zura Chinchaladze

Construction of Poti kindergarten is one of the projects implemented under the Livable Cities Investment Program. The project area is located in the City of Poti (Cadastral code: 04.02.12.857).

The selected area is free of building and private ownership. The total land plot area under construction of the new building is 4,279.00 m<sup>2</sup> and the development area of the new building is 980.52 m<sup>2</sup>. The project includes arranging of kindergarten for 4 groups - 100 children in the City of Poti, with the total area of 1,612.9 m<sup>2</sup>. The kindergarten building will include setting up of bedrooms, playing rooms, cloakrooms, canteen, storing rooms, hall, administration rooms, washing rooms, kitchen, alleviator, evacuation stairs, boiler. The project also envisages arranging garden, benches, sheds, playgrounds, waste bins and water fountains on the rest of the area allocated by the Local Government (4,279.00 m<sup>2</sup>).

The project covers construction of kindergarten in the City of Poti. Poti is situated in Western Georgia and is 324 km away from Tbilisi via motor- road. Cadastral code of the Land allocated is 04.02.12.857 Total area of the territory is 4,279.00 m<sup>2</sup>. The development area is 980.52 m<sup>2</sup>. The project includes arranging of kindergarten for 4 groups - 100 children in Poti. The kindergarten building will include setting up of bedrooms, playing rooms, cloakrooms, canteen, storing rooms, hall, administration rooms, washing rooms, kitchen, alleviator, evacuation stairs, boiler (with the total area of 1,612.9 m<sup>2</sup>). The project also envisages arranging garden, benches, sheds,

playgrounds, waste bins and water fountains on the rest of the area allocated by the Local Government (4,279.00 m<sup>2</sup>).

Land acquisition and involuntary resettlement are not expected within the scope of the project.

The project area will have temporary fence during the construction period and permanent 2.2 meter high metal fence after the construction is completed. No utility relocation activities and/or rehabilitation access roads are envisaged under the project and associated screening.

Implementation of this project will help improve the livability of the Poti urban area through improved access to quality pre-school infrastructure, improved environment: new playgrounds increasing gross motor skills of children, safe building - considering fire alarm and safety systems, clean and updated sanitary infrastructure including water closet and kitchen, improved planning of the kindergarten building; increased space per child and per teacher; energy efficient kindergarten buildings; improvement of educational and working conditions for children and teachers in kindergarten; Improved access to inclusive child-friendly quality education.

The potential beneficiaries of the project will be about 200 families from Poti per year that will be able to accommodate their children in kindergarten.

Communication Consultant Irakli Japaridze opened the meeting, reported in brief the objective of the meeting and delivered information on GRM. Then he gave floor to the next speaker - Project Manager Zurab Chinchaladze. Project Manager familiarized the meeting attendees with the project, as well as with specifics of works to be carried out and reviewed in detail the assignment of Poti Kindergarten. Then the speech was delivered by Resettlement Consultant Mr. Japaridze provided detailed information related to measures to be taken as per Due Diligence Report. Irakli Japaridze explained that the Due Diligence report considers provision of compliance with the safety standards as much as possible. Mr. Japaridze showed also the photos to the attendees, reflecting the access roads to the construction site, as well as how the construction machinery is to move in the course of construction. Irakli Japaridze notified the attendees of the meeting that during construction there will be installed the special fence. Irakli Japaridze clarified also how and in which form the grievances can be accepted and reviewed by Poti City Hall and MDF.

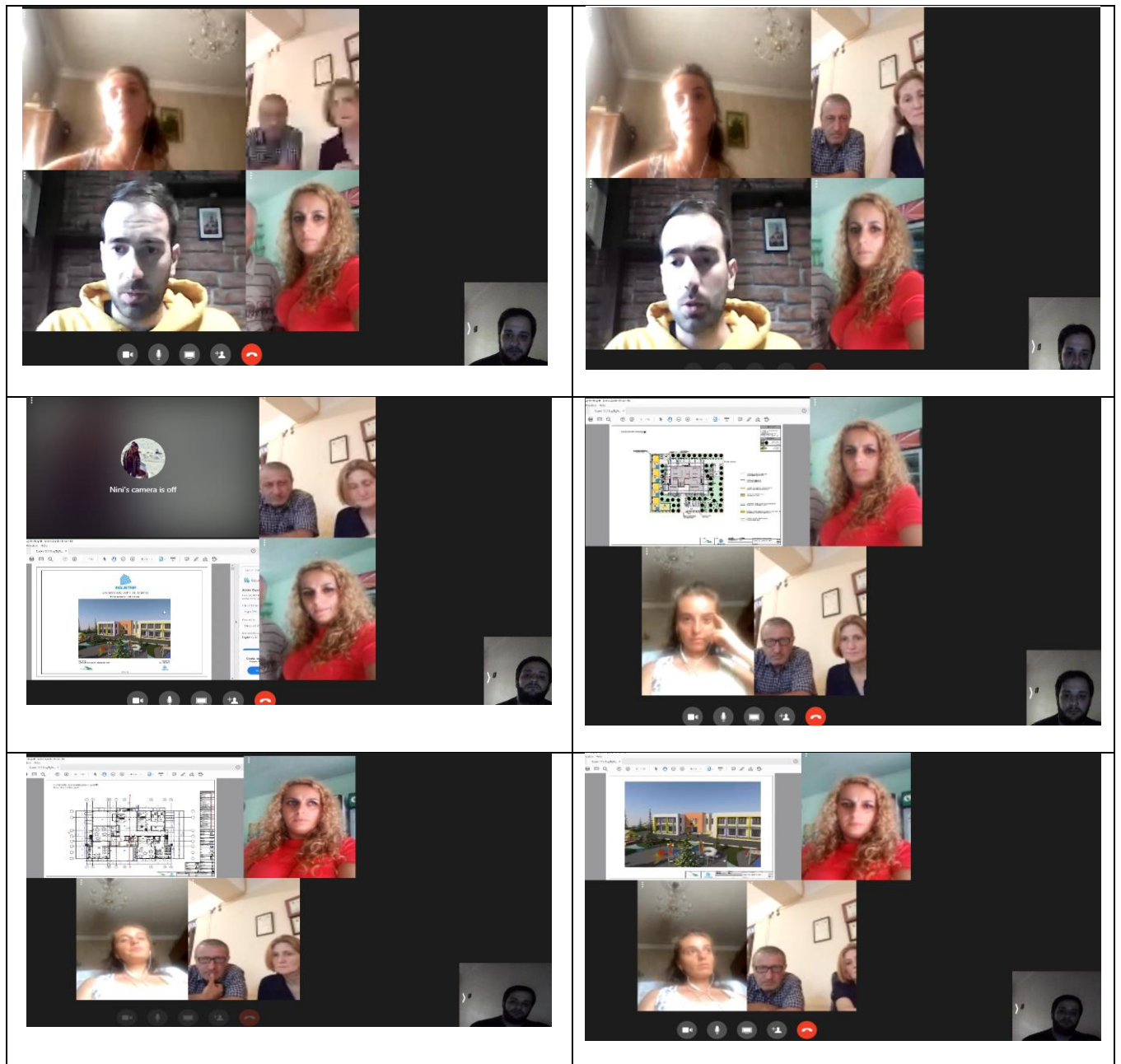
Then the speech was delivered by MDF environmental specialist Niniko Isakadze. Niniko Isakadze informed the attendees about the IEE prepared for the project. She shortly explained to the public about the social and environmental screening procedures applied for the ADB and environmental and requirements of the presented project. The mitigation measures were also discussed in order to minimize the potential negative impacts, which may arise during the project implementation process. N. Isakadze mentioned that according to the Georgian law on Environmental Impact Code the project does not require any kind of permits and agreements from the Ministry of Environmental Protection and Agriculture. Isakadze discussed the structure and content of IEE/EMP and briefly discussed public relationship and labor management measures. She noted that IEE/ EMP forms an integral part of the contract made with the civil works contractor. The last one is obliged thoroughly implementation of the measures specified in the IEE/EMP to protect social and natural environment.

After the presentation, the audience was given a possibility to express their opinions and/or participate in Q&A session concerning presented issues, they posed the following question. Zurab Chinchaladze, Irakli Japaridze and Niniko Isakadze responded to all the questioned asked.

| <b>Question</b>                         | <b>Response</b>  |
|---|--|
| Has a geological survey been conducted? | When a contractor company is identified, a detailed geological survey will be conducted before construction activities.  |
| Is there a separate fire entrance?      | The construction of the kindergarten is carried out in accordance with international standards and of course separate fire entrance will be in the kindergarten. |

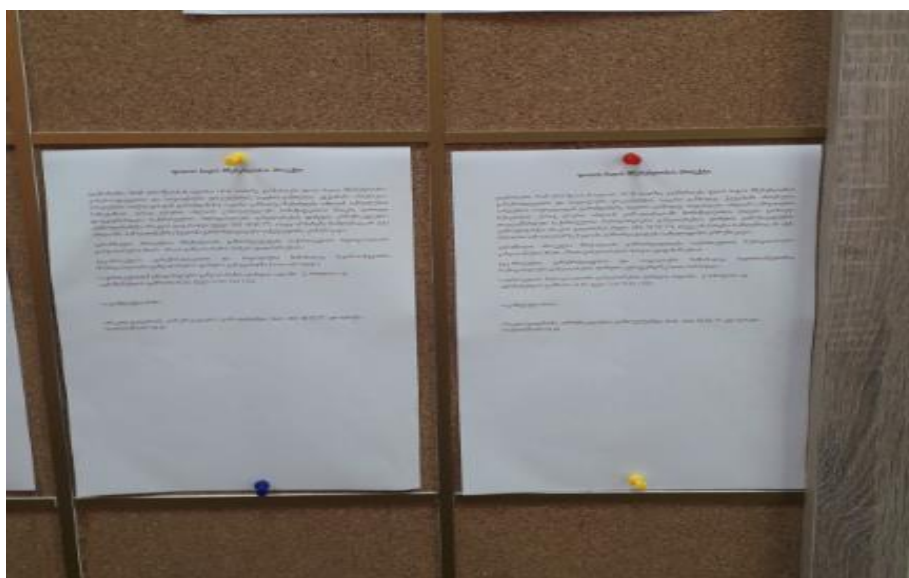
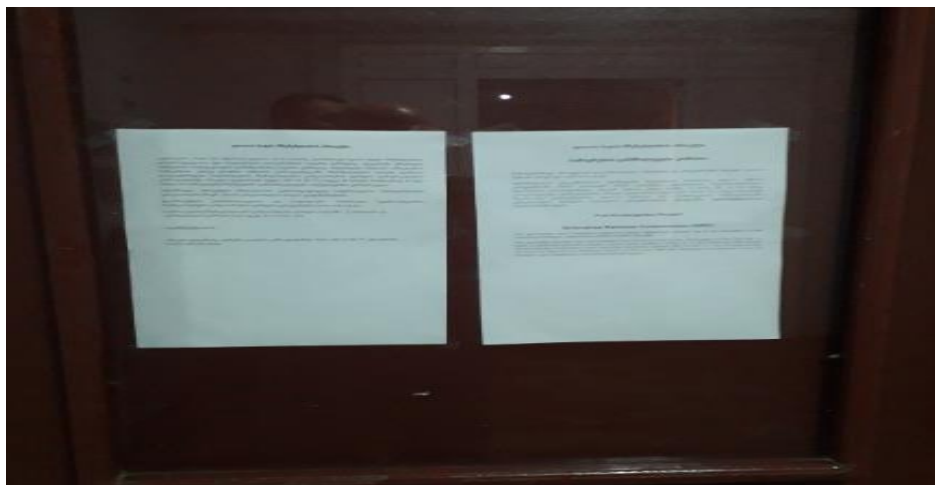
*Due Diligence Report for Social Safeguards  
Due Diligence Report on Social, Land Acquisition and Resettlement Impacts for Poti Kindergarten).*

**Photos of the Meeting**



## Annex 3

### Dissemination of information on the GRM and Public Consultations



## Annex 4

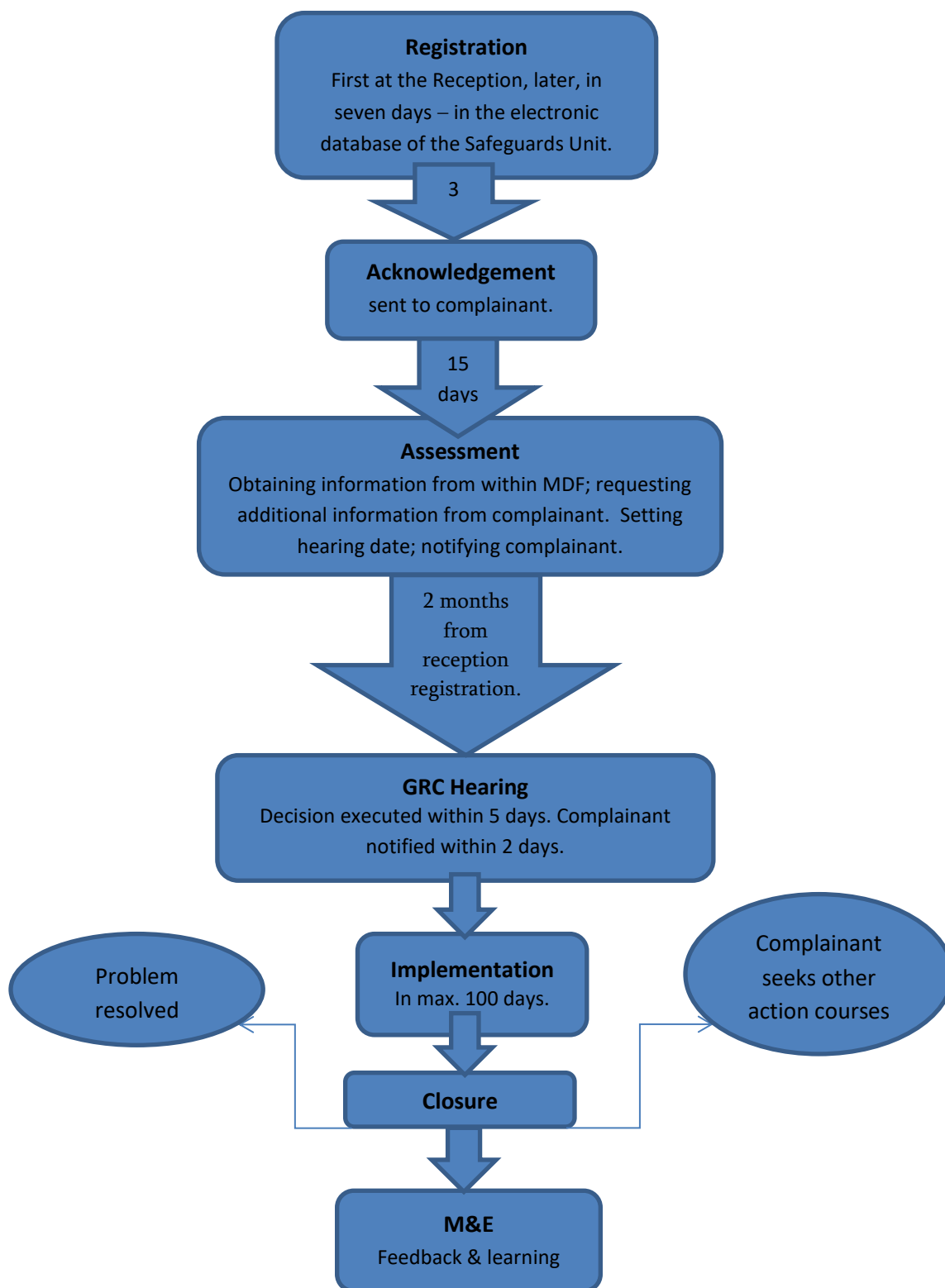
### Grievance Form

|  |  |                                  |
|--|--|----------------------------------|
| <b>#</b>   |  |                                  |
| <b>Full Name, Surname</b>  |  |                                  |
| <b>Contact Information</b><br><br>Please, fill in how you want to be contacted (post, telephone, e-mail) | <input type="checkbox"/> <b>Post:</b> please    indicate    your    postal    address:   | _____<br>_____<br>_____<br>_____ |
|  | <input type="checkbox"/> <b>Telephone:</b>   | _____                            |
|  | <input type="checkbox"/> <b>E-mail:</b>  | _____                            |
| <b>Preferred contact language</b>  | <input type="checkbox"/> <b>Georgian</b><br><input type="checkbox"/> <b>English</b><br><input type="checkbox"/> <b>Russian</b> |                                  |
|  |  |                                  |
| <b>Description of Grievance/ Claim:</b>  |  | What happened? What you claim?   |
|  |  |                                  |
| <b>Negotiation Date:</b>   | Decision after the negotiation:  |                                  |
|  |  |                                  |
|  |  |                                  |
| <b>What is the reason of your claim?</b>   |  |                                  |
| Signature: _____   |  |                                  |
| Date: _____  |  |                                  |



## Annex 5

### GRC Process Chart<sup>4</sup>



<sup>4</sup> Number of days refers to working/business days.