



**Social and Gender Impact Assessment
of Road Infrastructure Development
Case of Samtredia-Grigoleti Highway**

Tbilisi 2018

This report was produced under Green Alternative's project "Raising awareness on gender related issues in Georgia's energy sector".

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Introduction

Well-planned and carried out infrastructure projects are fundamental for the implementation of sustainable development goals. Projects such as highways, energy, environmental infrastructure and others should contribute to the protection of human rights, including accessibility of education, healthcare, water and sanitary safety, economic empowerment of populations and economic growth of countries. All of this should eventually increase investments in order to improve the quality of life and environmental protection.

At the same time, the implementation of large-scale infrastructure programmes often increases the risk of restriction or violation of human rights. According to the United Nations High Commissioner for Human Rights, “Regrettably, human rights are rarely given more than lip service in this context. In the macho world of mega-infrastructure, success is measured by size and speed, breeding the denial of human rights rather than due diligence. The unspoken, or, sometimes, spoken narrative seems to be that you need to break a few eggs to make an omelette”¹. It should be mentioned that state officials and investors often highlight that affected communities should understand the needs of society and sacrifice their own interests to state ones. Correspondingly, the population’s resistance to involuntary resettlement is perceived as irrational while complaints expressed by the population considered as a betrayal of country interests.

This is precisely why the implementation of sustainable infrastructure projects, which provide for the protection of human rights and the environment appears on the agenda.

The human rights guidelines, recognized in accordance with the principles of international law, impose procedural requirements on states, such as transparency, accountability and active, free and meaningful civic participation aimed to ensure the protection of the rights of the population that suffers the damages, eliminate inequality and provide benefits for the affected communities.

“The human rights framework affirms the state duty to respect, protect and fulfill human rights; explains the human rights norms applicable to infrastructure service delivery; and sets out the tangible rights of individuals, communities, consumers, taxpayers and the general population affected by infrastructure”. States have the duty to fulfill human rights by dedicating “the maximum extent of available resources” towards the progressive realization of socio-economic rights. This obligation includes taking steps and using all appropriate means to fulfill human rights, including the adoption of legislative measures, while avoiding discrimination”².

The report prepared by the Office of the United Nations High Commissioner for Human Rights, stress that to protect human rights and ensure project sustainability, it is important to:

¹ G20 must ensure safe & sustainable infrastructure investment agenda, UN High Commissioner for Human Rights says, Author: Zeid Ra’ad Al Hussein, UN High Commissioner for Human Rights, in Miami Herald (USA), Published on: 10 March 2017 "Human rights trampled in push to build infrastructure", 3 Mar 2017, <https://www.miamiherald.com/opinion/op-ed/article136884218.html>

² https://www.ohchr.org/Documents/Issues/Development/DFI/MappingStudyontheHRRiskImplications_MegaInfrastructureInvestment.pdf

1. Ensure the use of cumulative impact assessment, strategic impact assessment, environmental, social and human rights impact assessment, and other analytical tools to address human rights issues in infrastructure projects at an early stage, and incorporating these environmental and social considerations in cost benefit analysis;
2. Develop the policy and institutional frameworks to improve transparency, participation, and Accountability in infrastructure projects, access to appeal mechanisms and courts:
3. Develop policies and institutional framework for infrastructure projects in order to ensure transparency, project sustainability and accountability;
4. Thoroughly and systematically analyse gender aspects of infrastructure (energy, transport, water, information technologies and others) and have decision makers integrate the findings into both project design and implementation;
5. Strengthen sustainability and human rights aspects by revising and analysing investment agreements; Carrying out further comparative analyses of PPP frameworks and laws, model contracts and contractual clauses, international investment agreements, and PPP standards and guidance documents, in order to strengthen the sustainability and human rights dimensions in infrastructure projects;
6. Development of universal sustainable infrastructure criteria, including in relation to project selection criteria to be used in upstream project siting and design decisions, with human rights considerations integrated
7. Undertaking additional research on the relationship between state duties to respect, protect and fulfil human rights, and states' right to regulate in relation to investment protection and promotion;

Development of Transport Infrastructure in Georgia

Nowadays Georgia is experiencing a boom of development and infrastructure projects, with some projects under implementation and some at the planning stage. However, the practice of planning and implementing programmes and projects demonstrates that integration of environment and human rights protection into the infrastructure projects in Georgia remains problematic.

The Environmental Assessment Code, which complies with the EU legislation, came into force as recently as on 1 January 2018. Unfortunately, it has not yet produced any tangible results in terms of qualitative changes in the process of Environmental Impact Assessment (EIA) or public participati³. The infrastructure projects that are under implementation were planned in accordance with the Georgian legislation in force before 1 January 2018. The legislation was not complying either with the EU legislation or with the

³ http://greenalt.org/wp-content/uploads/2018/12/EIA_policy_brief_2018_FINAL_ENG.pdf

recognized international standards⁴, therefore creates the problematic situation in terms of assessment of environmental and social impacts, as well as from public participation perspective.

Today, the development of Georgia's territory as a transport corridor is considered a precondition for the country's economic development. The assumption is that the corridor will facilitate the development of trade, transit and tourism, and improve the population's living standards. To this end, the government is implementing the seaports and railway transport projects along with reconstructing the existing highways and constructing the new ones in order to provide capacity for increased transport flows.

From that perspective, the improvement of Georgia's existing highway network and foremost, of the East-West and North-South highways are considered the main priority in this respect. The construction of the E-60 East-West highway (Tbilisi-Senaki-Leselidze) started in 2006 to be completed by 2020-2022⁵. The goal of the project is to accommodate the growing transport flows, ensure safe movement of vehicles and provide for uninterrupted transit movement⁶. Different sections of the highway are funded by different international financial institutions (IFIs)⁷ and from the state budget.

For years, Association Green Alternative has been assessing the socio-economic, gender and environmental impact of the transport and energy generation facilities projects.

It should be noted that there is a widespread myth in Georgia that transport infrastructure (motorways, railway and others) have a minimal environmental, socio-economic and gender impact on population. The approach is particularly evident regarding the preparation and implementation of projects, including international and secondary roads.

Therefore, was decided to thoroughly examine and demonstrate how the construction of a small section of highway affects the population in terms of exercising their socio-economic and gender rights. Taking into account, that international financial institutions such as the World Bank, European Investment Bank, European Bank for Reconstruction and Development, Asian Development Bank, Asian Infrastructure Investment Bank are involved in all transport projects, the aim was also to assess the IFIs added value on social and environmental standards, protection of human rights and achievement of sustainable development goals⁸.

the present study identifies problems and challenges that appeared during the project implementation. It also provides the recommendations for the Government of Georgia as well as the European Investment Bank (EIB) the project funder. Those recommendations also will be useful for other IFIs active in Georgia in order to ensure that in future, the comprehensive environmental, social and gender assessments would be carried in accordance of IFIs own policies and international best practice at the earliest stage of projects

⁴ http://greenalt.org/wp-content/uploads/2014/02/policy_brief_on_horizontal_legislation.pdf

⁵ Government Programme 2016-2020; Ministry of Regional Development and Infrastructure of Georgia, list of projects to be implemented in 2017-2020.

⁶ Project of construction of Samtredia-Grigoleti 42,000 km-51,570 km section of E-60 highway, Environmental Impact Assessment Report, May 2014.

⁷ Asian Development Bank, European Investment Bank, Asian Infrastructure Investment Bank.

⁸ Value added

planning. It will help to carry on appropriate mitigating measures and distribute project benefits among the affected population.

Methodology

The selection of the 42-51.5 km section of the Samtredia-Grigoleti road was conditioned by the following considerations:

1. The project was expected to mitigate the difficult socio-economic situation within the impact area;
2. The small scale of the project allowed us to assume that its impact on socio-economic and natural environment would be small;
3. According to the project documentation, the project was in full compliance with the environmental and social requirements/standards of the EIB.⁹

The report was prepared in several stages. Initially, the documents related to the project of the Samtredia-Grigoleti road section and their compliance with the Georgian legislation and the EIB standards were studied. At the second stage, in-depth interviews with the population were conducted in affected communities. The total of 48 people (24 women and 24 men) were interviewed.

Based on the acquired information, the socio-economic and gender impacts of affected people in project area were assessed. The major focus was finding out how the project sponsor fulfilled the obligations undertaken under project documentation, including the project's contribution to women's empowerment in the region and the affected communities benefits.

Background Information



Pic 1: Village Khajalia

Since 2014, the construction and rehabilitation of the E-60 highway's 51.5 km Samtredia-Grigoleti section has been financed by the European Investment Bank (EIB). The total project cost is over GEL 250 mln. The Roads Department of the Ministry of Regional Development and Infrastructure of Georgia is implementing the project. The project has been divided into four lots.

The fourth lot of the Samtredia-Grigoleti section envisages the construction of 9.57 km four-lane highway. The width of the corridor is approximately 28.5 m, that consist of a 15-m carriageway and a 6-m buffer zone¹⁰. According to the project, the additional highway infrastructure envisaged the construction of gutters as well as pedestrian overpasses for the movement of the population and cattle. The total cost of the section was GEL 113 mln. The year of the

⁹ The European Investment Bank's project must comply with the EU standards.

¹⁰ Resettlement Action Plan for the 42,000 km – 51,570 km Samtredia-Grigoleti section of E-60 highway, July 2014.

completion of construction works is marked down as 2018. The Chinese company China Railway 23rd is responsible to build the highway. It planned to complete the work on the project by the end of 2018.

Socio-Economic Sustainability in Villages Impacted by Highway Section

The fourth section of Samtredia-Grigoleti highway affects the following villages in Lanchkhuti Municipality of the Guria region: Khidmaghala, Supsa, Khajalia.

It should be mentioned that the Guria region is one of the most plagued regions in terms of poverty. According to the 2014-2021 Development Strategy for the Guria region, “22,700 families were registered in the unified database of vulnerable families in 2012; of these, 6,400 were receiving benefits.” In addition, “31,300 persons received pension and social packages, which amounts to 22.3 percent of the population and significantly exceeds the country’s average indicator (19.05 percent)”. Only the Racha-Lechkhumi-Kvemo Svaneti region has lower indicators than Guria in both parameters¹¹. According to the 2009-2016 report on poverty in Georgia, “the slowest poverty reduction rate was recorded in Shida Kartli, Mtskheta-Mtianeti and Kakheti, while in the regions of Ajara and Guria in 2016, the levels of poverty actually increased”¹². In addition, researchers believe that “according to the most recent panels, the level of chronic poverty in Ajara and Guria has been 3-4 percent, which is not a low indicator for chronic poverty but is not a particularly high one either. The highest levels of chronic poverty in Ajara and Guria (11 percent) were recorded in 2009-2011.”

Lanchkhuti District is one of the poorest districts of Guria. The population of 31,400 includes 7,152 pensioners, 2,078 people receive social benefit packages, while the number of those receiving subsistence benefits is 5,354¹³.

The villages of Supsa, Khidmaghala and Khajalia are typical villages in Lanchkhuti where the majority of the population is socially vulnerable. In these villages, state institutions (school, kindergarten and so on) are the main source of employment, paying very low wages that do not exceed GEL 150-200. The rest of the population is self-employed and makes a living by engaging in agricultural activities. The main areas of agriculture here are decorative flowers, berry farming and stock farming. Most families grow their own food.

Added to the harsh social conditions is the completely dishevelled infrastructure: internal roads are virtually impassable, the water – polluted and unsafe to drink – is only supplied to the population of Supsa and Khidmaghala, educational facilities are dilapidated and require a renovation. In the villages of Supsa and Khajalia, kindergartens have been temporarily moved to private houses, while the Khidmaghala kindergarten building has no water supply. The kindergartens in all three villages purchase water. To meet basic energy needs, the population uses fire wood, since electric energy is expensive and gas infrastructure – non-existent.

¹¹ <https://matsne.gov.ge/ka/document/view/2024372?publication=0>

¹² <https://library.fes.de/pdf-files/bueros/georgien/13977.pdf>

¹³ http://ssa.gov.ge/index.php?lang_id=GEO&sec_id=1242

Similar to other parts of Georgia, women in the Guria region have to bear quite a heavy workload. All household duties (cleaning, cooking, doing laundry, sick care and so on) lie entirely with women. Women are also responsible for looking after poultry and livestock and doing agricultural work (working the land). In all three villages, agriculture is the main source of family income. Men are considered responsible for heavy work – bringing wood, working the land, looking after saplings and large cattle and so on.

The survey has shown that women and men contribute equal shares of agricultural income to supporting their families. In addition, it is mostly the women who are employed by various public institutions in the villages, working as kindergarten and school teachers, doctors and nurses in out-patient clinics and others. It is worth noting that wages paid for these jobs are especially low and are not attractive for men.

In the villages where the survey was conducted, there is a high rate of economic migration, a large part of the population is out in the region. Furthermore, seasonal migration rates are high with both women and men temporarily working in Turkey.

The project activities do not envisage any mitigation of the difficult social conditions. The only promise that was made in this regard was the creation of temporary jobs.

Environmental and Social Impact Assessment¹⁴

It should be stressed the environmental and social impact assessment of the E-60 highway project has not been commenced. The Georgian legislation of 2006-2017 allowed carrying out social and environmental impact assessment for divided projects, section by section, according to the so-called salami principle, which completely contradicts the EU legislation.¹⁵

Correspondingly, four independent environmental impact assessment reports were prepared for each lot of Samtredia-Grigoleti road. The reports are virtually identical. They don't contain assessment of the project's socio-economic and gender impact on the communities living along the road, as well as the impact of land purchase on the affected individuals have not been thoroughly examined either.

According to the Resettlement Action Plan (RAP), only the families living below poverty line¹⁶ and women-led households were identified as vulnerable groups among the directly affected population. According to

¹⁴ Environmental and Social Impact Assessment,
<http://www.georoad.ge/?lang=geo&act=project&func=menu&uid=1402397967>
Resettlement Action Plan (RAP)

<http://www.georoad.ge/?lang=geo&act=project&func=menu&uid=1439558672>

¹⁵ Salami slicing' to avoid environmental impact assessment,
<https://www.lexology.com/library/detail.aspx?g=1a6c135a-79c5-431a-890a-b9ae0a0f126b>

¹⁶ According to the Georgian legislation.

the project, in the event of resettlement, these families would receive social assistance in the amount of approximately GEL 200-300¹⁷.

According to the RAP, 9.5 km road project would significantly affect 282 land plots with the total area of 670,620 sq. km, of which 242 plots were recognised by the project as private property¹⁸, nine were considered appropriated¹⁹, while 31 plots (306,685 sq. km) is state owned land that according to the document, were not being used by the population. The report said that the purchase of land by the project would affect only 952 people (51.4 percent of women and 48.6 percent of men), of those 160 families (640 people) would be strongly affected, losing more than 20 percent of their fertile land.

Inadequate Compensation for Involuntary Physical and Economic Resettlement

According to the documents, the project ruled out physical resettlement and envisaged only the calculation of possible damages related to economic resettlement. Correspondingly, part of the problems that resulted from the project should be attributed precisely to the fact that the project's EIA and RAP were not implemented in accordance with international standards²⁰ and do not comply with the Environmental and Social Standards Handbook of the EIB²¹.

Despite the fact that, according to the EIA and the RAP, no physical resettlement was expected to occur, three families were eventually displaced. Since the RAP did not envisage mitigation measures, the only additional compensation received by these families was GEL 200 to cover relocation costs.

The UN Guiding Principles of Involuntary Resettlement as well the EIB require that the compensation in the event of physical or economic resettlement be adequate and correspond to the market prices, and the agreement between the parties must be reached through negotiations. Furthermore, a project sponsor must provide for mitigation and compensation measures to restore and/or improve the living standards of an affected person.

Most of the respondents surveyed by Green Alternative emphasised that they were unsatisfied with their compensation paid by the Roads Department. They said that no negotiations took place while the price offered for agricultural land plots was half the market price. The price offered by the project for 1 sq. m of land was GEL 3 while the market price ranges between GEL 7 and GEL 10.

¹⁷ According to the Resettlement Action Plan, there are 54 socially vulnerable families (216 persons) living on the section of the road envisaged by the project. These include 29 families living in extreme poverty (less than 57,000 points), 14 families are poor (less than 70,000 points) and 12 families with women-led households.

¹⁸ The project undertook the responsibility of providing full compensation for these.

¹⁹ These were not subject to legalization and compensation for land in accordance with the Georgian legislation but should be compensated in accordance with the principles of the United Nations and the requirements of the European Investment Bank.

²⁰ Basic principles and guidelines on development-based evictions and displacement, https://www.ohchr.org/Documents/Issues/Housing/Guidelines_en.pdf

²¹ Environmental and Social Standards Handbook, EIB http://www.eib.org/attachments/strategies/environmental_and_social_practices_handbook_en.pdf



Pic 2. Village Supsa

In addition, fearing that the state would expropriate their property, part of the population agreed to the price they were offered. For example, a woman living in one of the villages stressed: “a larger section of my land plot was taken than was supposed to, and I was paid less. What I was paid for, was a small amount – GEL 3 per sq. meter. It was not up to us to decide whether we would sell our land to them or not.” Some residents openly confirmed that the Roads Department employees been threatening and blackmailing. “My problem is that they bought the land for GEL 3 sq. meter. The whole village held rallies, but they threatened us that the land would just be expropriated if we did not cede it, so we were compelled to give it up” (female resident of Khajalia Village).

Some of the residents did not accept the amount offered by the Roads Department and, as a result, their property was seized. According to the order of the Minister of Economy and Sustainable Development²², the Roads Department of the Ministry of Regional Development and Infrastructure of Georgia was authorised to expropriate 39,915 sq. km of agricultural land from 18 residents of the villages of Supsa, Khajalia and Khidmaghala. The order states that, “despite conducting negotiations, it was not possible to reach an agreement on purchasing land plots within the project impact area, namely, in the villages of Supsa, Khidmaghala and Khajalia of Lanchkhuti District.”

Some of the village residents filed a complaint with the court, the dispute continued for a long time but virtually no case was ruled in favour of the injured party.

It is noteworthy that the expropriation order itself does not substantiate the need for expropriation, including “proving the existence of public interest”, required by both international standards and the EIB policy.

In addition, the issue of the fairness of the compensation paid by the government, is questioned since in this particular case the population indicated precisely the inadequacy of the compensation²³.

Interestingly, according to the project, more than half of the population would lose over 20 percent of their land but the EIA and the RAP



Pic 3. Village Supsa

²² Order No 1-1/506 of the Minister of Economy and Sustainable Development of Georgia, 26 November 2015.

²³ In 2007, when the Baku-Ceyhan oil pipeline was being constructed, the compensation of GEL 30,000 per 1 ha was considered high. In 2015, offering the same compensation is rather ridiculous given, if only, the fact that the USD to GEL exchange rate was between 1.39 and 1.66, while ranging between 1.87 and 2.44 in 2015. Lari.ge.

did not even touch on the issue concerning the share of income that would be affected by these losses and how much this would exacerbate the poverty among an already poor population.

Project's Gender Impact

Along with social impact assessment, the gender impact assessment been ignored by ESIA. A half-page-long chapter in the RAP, Gender Aspects of Resettlement Impact, fails to reflect a vast majority of the problems caused by the project implementation.

According to the RAP, “the project will have a positive effect on gender aspects, and the empower women’s employment on construction works. The contractor will receive a list and personal details of women who wish to be employed. In addition, the families led by women are considered socially vulnerable families and special assistance to them will be envisaged by the RAP authority. The amount of this assistance constitutes three-months’ minimum wage for five-strong families. Women will be encouraged to establish non-governmental or other unofficial organisations which will monitor gender-sensitive aspects of the project. The Roads Department will be required to ensure women’s participation in the Appeals Commission.”²⁴

The road construction changed practically nothing in terms of women’s employment, only a few women were employed by the project – mostly as cooks and cleaners. No one had thought about women’s employment within the project and nothing has improved in this regard.

Gender Impact Assessment Requirements in the Event of Land Purchase

The UN Food and Agriculture Organisation’s Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security²⁵ (henceforth referred to as the Guidelines) pay significant attention to gender equality in the event of physical or economic resettlement. This is due to the fact that gender inequality could cause expropriation to have a disproportionate impact on women, especially in patriarchal systems.

In the society, in which women depend on their husbands and have no direct right to the land, the compensation is paid to the head of the family/household – a man. In such cases, the needs of the women and children could be ignored and thus the expropriation could have a disproportionately negative impact on women. When the legislation ignores and avoids the issue of using gender-based approach when considering compensation, a man as the head of the family becomes the recipient of the compensation. When land is the source of not only subsistence but also income, special attention should be paid to the profits generated by economic activities and expenses made in order to improve the land when calculating

²⁴ Resettlement Action Plan for the 42,000 km – 51,570 km Samtredia-Grigoleti section of E-60 highway, July 2014.

²⁵ Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, <http://www.fao.org/tenure/voluntary-guidelines/en/>

the compensation. If these issues are not considered, the owners and users of land could find themselves in a more difficult situation after the expropriation than they were before it had happened.

In case of the fourth lot of Samtredia-Grigoleti, only seven out of 18 cases of expropriation concerned women. Correspondingly, it was important to identify the potential results for women in these 11 families. This also holds true in case of the 142 families which ceded their land voluntarily.

Correspondingly, we should not be surprised that, in the village of Supsa, one of the families, which had three female members, found itself in quite a difficult situation as a result of the project. None of the family members are employed, one of them is a pensioner. The pension and a tree nursery are the main sources of income for the family. All three members are suffering from cardio-vascular diseases, so living in a clean environment is essentially important for them.



Pic 4. Village Khidmaghala

Part of the homestead and agricultural land plot, including the house courtyard and a cow barn, owned by the family fell within the project impact area. The house is located at a short distance from the highway (the distance between the house and the highway is 15 m), so the family refused to sell only a part of land and requested a full resettlement. Despite filing numerous complaints with various institutions and a dispute in court, the state forcibly expropriated part of the property from the family.

The family incurred losses due to the highway construction in other ways too. As a result of a damage to the irrigation system, the tree nursery owned by the family was flooded after the road was built, some of the saplings died, so the family suffered from quite significant economic losses.

Despite its complaints, the family failed to receive compensation for the damages caused by the flooding. Given all of the above, the road construction substantially changed and worsened the living conditions of all three women. "For us, the highway is the destroyer of people. It is very close to our house and living here has become unbearable. This road has resulted in nothing positive. There is noise, dust and emissions," one of the family members said.

Problems Which Occurred During Project Implementation Restriction of Access to Pastures and Agricultural Land

The new highway was built between a populated territory and agricultural pastures. In parallel with designing the road, the project sponsor was expected to provide for overpasses to allow local residents to freely drive the cattle to the pastures and avoid creating problems in their agricultural activities.



Pic 5. Village Supsa

Only two out of 10 overpasses constructed on the territory of Supsa, Khidmaghala and Khajalia Villages in August 2018 were operational – one in Supsa and one in Khidmaghala. One overpass was being renovated, while the remaining seven were filled with water.

The population noted, and fairly so, that they had to walk kilometres to reach functional overpasses in order to have access to their own pastures and agricultural lands. In Khajalia Village, we were told that the villagers were forced to cross the road directly, thus endangering their own lives, the lives of their cattle and of the travellers.

Part of the population is trying to use the so-called new, bypass road to reach their agricultural land plots. It should be noted, that the company removed the fence which delineated the pastures of these villages and left the territory open. Since the problem was not discussed at all during the preparation of the EIA, there was no plan how to mitigate impact on the place and, correspondingly, the company has not restored the fence. The village residents, however, do not have any additional resources to install a new fence and, correspondingly, they are no longer able to let their cattle go there. Most of the respondents said that this problem already made them sell some of their livestock, since they were physically unable to look after it any longer.

The survey has shown that those responsible for looking after the cattle are mostly women. Women's duties include taking the cattle to pastures and bringing it back home afterwards. As a result of the project implementation, women have to walk several additional kilometres to drive the cattle to the pastures. "It is mostly us, women, who are responsible for the cattle and we have to walk such a long way every day in order to drive the cattle, our labour has become twice as hard" (woman, 63, Supsa).

Working the agricultural land and storing the harvest also became problematic, since the overpasses were designed to be too low, obstructing the movement of tractors and trucks. The bypass road, however, involves additional fuel costs, substantially increasing the expenses of the village residents.

Flooded Agricultural Land

Unfortunately, as a result of the incorrect planning of the project, the population whose land plots were located on the side of the settlement also incurred losses. The project did envisage that, in the areas with intensive irrigation, cleaning and drainage systems would be installed; theoretically, the water from the carriageway would flow into the drainage system and then into the cleaning tanks installed on both sides of the road where the water would be cleaned from oil products and waste by a three-stage mechanical cleaning system.

However, because the drainage systems were constructed incorrectly, the land of some of the residents is being periodically flooded and, as a result, cannot be used, which, naturally, has a negative impact on their income. “Everything has been taken up by the water, we can no longer go into the clearing. The only way for all of us is to sell our livestock” (woman, 28, Supsa). “People used to take early harvest corn to the seaside to sell there, and how are they supposed to sell it if they cannot grow it?! Even this possibility has been taken away from us” (woman, 40, Khajalia).

Part of the population, whose already sown crops were ruined as a result of the flooding, had been paid inadequate compensation after they complained. “I planted 4,000 meters in the clearing, 2,000 meters were ruined, flooded because of the road construction. I demanded a compensation but to no avail – they offered us GEL 50. They drove me mad, tossed me GEL 50-100 for 2,000 meters, so I did not accept it” (woman, 64, Khajalia).



Pic 6. Village Supsa

Civic Participation in Decision-Making Process

It is noteworthy that, according to the Environmental and Social Standards Handbook of the EIB, special significance is attributed to early and effective civic participation in the decision-making process. According to the Standard 10 of the policy, to ensure the maximum of the population’s involvement, the information about a project and its public discussions must be disseminated at public gathering places.

The EIA document emphasises the requirements of the Georgian legislation and the EIB with regard to public participation. However, the document does not cover the project sponsor’s actions to ensure compliance with the EIB standards, including the identification of stakeholders, the appropriate means of information disclosure, the provision of interested parties with an opportunity to voice their opinion before the decision is made and so on.

The project’s EIA report and the Resettlement Action Plan (RAP) were prepared in 2014. The same year, only a part of the population (those whose land plots appears within the area of direct impact of the project) received brochures. During meetings, the village residents were promised that public meetings would be held before the start of the project, that challenges and problems raised by the project and the price of the property would be agreed with people. However, the road construction started without any consultation regarding public concerns.

The survey also uncovered that the population was not informed about the issues related to the projects. None of the respondents was aware that the EIA and the RAP reports had been prepared. Most of the respondents expressed dissatisfaction with the fact that the project sponsor did not talk to them at any point. “Who would ask village peasants, who would appreciate them?!” (woman, 63, Supsa); “We knew

nothing, no one warned us. They do need to ask the village, for example, does it work for you if the bridge would be build particular way, do they not? No one asked" (woman, 63, Supsa).

According to the RAP, only one meeting was held on 25 April 2014 in the town of Lanchkhuti, and this meeting was held only with "the affected land owners", which in itself is an incorrect approach. In addition, according to the attached protocol, only 15 residents attended the meeting, five from Akhalsopeli, one from Khidmaghala and nine from Supsa. Correspondingly, it is clear that the project failed to ensure appropriate public consultations with the affected communities. Furthermore, according to the protocol, a number of questions raised at the meeting, for example, concerning the amount of compensation per square meter and others, remained unanswered.

The majority of the respondents believed that the construction of the new highway was truly necessary for both the country and the region, but they underscored that the participation of the population in the decision-making process had to be ensured at the stage of the project preparation, which would contribute to the better planning of the project. "The new road was needed, the traffic was terrible, but it had to be designed correctly. People should have participated" (woman, 40, Khajalia); and would not exacerbate problems for the local residents: "The road may be a good thing but people here live off agricultural activities and even this was taken away from us. No one asked people anything" (woman, 50, Khajalia).

The research revealed that many flaws of the project could have been eliminated had the population's opinions been considered. For example, the under-bridge passes for driving the cattle have been build but it is practically impossible to use them. "We only learned about the project when the road construction had already begun. We went there and saw that they were doing it wrong. We told them to change the project, but no one took our views into account" (man, 66, Khajalia).

Road Construction Jobs

The highway construction created temporary employment opportunities in the region. According to the survey, men have been employed at the construction, in low-paid and low-level position, as non-qualified workers. The jobs were mostly obtained through personal connections and only a small section of the population managed to get them. "My husband wanted to work but no one hired him, other people were hired through personal connections" (woman, 48, Supsa).

The respondents said during interviews that some of the people who started working at the construction quit their jobs due to low pay and difficult working conditions. "I was employed there for three months but the wage was very low. I worked as a guard, stood outside, did not even have a booth" (man, 70, Khidmaghala).

In addition, the population is under the impression that the Chinese company pays the workers it brought more for the same jobs, and possibly for higher-level positions. The respondents said, the fact that company only provides the meals to repatriated workers, not for locally hired ones, feel them discriminated.

The Grievance Mechanism

Based on the EIB standards, the project should develop a three-level grievance mechanism (village council level, Roads Department's regional level and Roads Department Service – the central level).

However, the examples cited in this report prove that the mechanism of complaint consideration was not effective. Part of the population was unable to solve their problems through complaints and legal actions, so eventually they resorted to one of the extreme forms of protest and blocked the Tbilisi-Batumi highway several times. Despite the population's protest, no government representative ever visited the site. Eventually, all rallies were dispersed by the police force.²⁶

Two families living in Supsa filed a complaint with grievance mechanism demanding resettlement since the highway was constructed too close to their homes – 7 meters in one case and 15 meters in the other. Initially, the complaints were sent to the Roads Department. One complaint requesting resettlement was satisfied; the other [family] was told it was not eligible for resettlement. Currently, the dispute continues in court. In parallel, the complaints were sent to various state institutions. A complaint was also sent to the EIB, to the project officer and the EIB Group Complaints Mechanism (EIB-CM), however the EIB CM would not be able to start case until the court makes its decision. Therefore, there is ongoing monitoring from EIB CM officer side.

Conclusions and Recommendations

According to the EIB policy, a comprehensive social and environmental impact assessment should be carried on initial stages of the project planning and should involve consultation of all interested stakeholders. The road construction supposed to have a positive impact both of the country, as well as of region socio-economic situation. The project supposed to benefit the local population (both men and women, equally). In case of Samtredia-Grigoleti road none of these conditions were met, which is a violation of the EIB policy.

The results of the survey and the examination of the project-related documents (the EIA report, the RAP) clarifies that the project's social and gender impact were not assessed at the planning and implementation stages of activities. Specifically, the EIA and other obligatory documents does not meet the EIB's environmental and social standards, namely Standard 1 – Environmental and Social Impact and Risk Assessment and Management, Standard 6 – Involuntary Resettlement and standard 10 –Stakeholder Engagment.

This has created many problems, inflicted significant losses of the population and exacerbated the already difficult socio-economic conditions. From the gender perspective, the project has not had a positive effect in terms of women's empowerment but has caused the reduction of income (land expropriation,

²⁶ <https://bit.ly/2zNXzta>, <https://bit.ly/2rssJBT>

inadequate compensation, restricted access to pastures and grassland, flooded farmland and others) and increased workload as a result of the flaws in the project.

Avoidance of these kind of impacts and damages caused by the implementation of the Samtredia-Grigoleti highway project to the population and the state budget is essential. The implementation of similar projects in the future both by the Government of Georgia (in this case – the project sponsor) and the International Financial Institution must be carried on in a way, that it ensures:

- Effective communication with the interested stakeholders and affected communities, providing them with comprehensive information about a project;
- Meaningful public participation in the decision-making processes (the time and location of public hearings must be planned correctly) and taking their opinions into account;
- Comprehensive assessment of a project's environmental and social impacts;
- Carrying out a gender impact assessment at the early stages of project development;
- Development of thorough grievance mechanism as a tool for population to solve emerged problems;
- Comprehensive monitoring of the project sponsor activities in terms of the fulfilment of the EIA and associated obligatory documents.