

**THE REPUBLIC OF UZBEKISTAN**

**PROGRAM-FOR-RESULTS (PforR)**

**BILIM: TRANSFORMING PUBLIC EDUCATION FOR ECONOMIC GROWTH  
(P513205)**

**ENVIRONMENTAL AND SOCIAL SYSTEMS ASSESSMENT  
(ESSA)**

Draft

**World Bank**

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The Environmental and Social Systems Assessment (ESSA) of the Uzbekistan Transforming Public Education For Economic Growth (BILIM) Program-for-Results (PforR) (P513205) was prepared by a Bank team composed of Inobat Allobergenova (Natural Resources Management Specialist), Akbarjon Khamraliev (Social Development Specialist), in close coordination with the Task Team Leaders, Tigran Shmis (Senior Education Specialist), Yves Jantzem (Senior Education Specialist), and Victoriya Babakhodjaeva (Education Specialist).

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## Abbreviations and Acronyms

Abbreviation	Full Term
AIDP	Accelerated Integrated Development of Districts and Cities Program
BILIM	Transforming Public Education for Economic Growth Program
CCM	Capital Construction Management
CHS	Community Health and Safety
DLI	Disbursement-Linked Indicator
E&S	Environmental and Social
EIA	Environmental Impact Assessment
EIS	Environmental Impact Statement
ESSA	Environmental and Social Systems Assessment
ESF	Environmental and Social Framework
GASN	State Architectural and Construction Supervision
GHG	Greenhouse Gas
GIS	Geographic Information System
GoU	Government of Uzbekistan
GRM	Grievance Redress Mechanism
IDA	International Development Association
IFI	International Financial Institution
IPF	Investment Project Financing
MCA	Mahalla Citizens' Assembly
MCHCS	Ministry of Construction and Housing and Communal Services
MEF / MoEF	Ministry of Economy and Finance
MoPSE	Ministry of Preschool and School Education
NCECC	National Committee on Ecology and Climate Change
OHS	Occupational Health and Safety
PAD	Project Appraisal Document
PAP	Program Action Plan
PBF	Performance-Based Financing
PCO	Program Coordination Office
PforR	Program-for-Results
POM	Program Operational Manual
PPE	Personal Protective Equipment
PwD	Persons with Disabilities
RA	Results Area
RoK	Republic of Karakalpakstan

SEA/SH	Sexual Exploitation and Abuse / Sexual Harassment
SEE	State Environmental Expertise
SEP	Stakeholder Engagement Plan
SOP	Standard Operating Procedure
SUE	State Unitary Enterprise
TA	Technical Assistance
UKS	Single Customer Service (Capital Construction Management)
UNESCO	United Nations Educational, Scientific and Cultural Organization
WASH	Water, Sanitation and Hygiene
WB	World Bank
WDI	World Development Indicator

# Executive Summary

## PforR Description

1. **The BILIM: Transforming Public Education for Economic Growth Program** is a results-based operation supporting the Government of Uzbekistan's efforts to improve foundational learning outcomes in public education. The Program is implemented using the Program-for-Results (PforR) financing instrument, which links disbursements directly to the achievement of defined results rather than to individual inputs or expenditures. This approach is intended to strengthen government systems, incentivize performance, and enhance accountability for results. is a results-based operation supporting the Government of Uzbekistan's efforts to improve foundational learning outcomes in public education. The Program is implemented using the Program-for-Results (PforR) financing instrument, which links disbursements directly to the achievement of defined results rather than to individual inputs or expenditures. This approach is intended to strengthen government systems, incentivize performance, and enhance accountability for results.
2. The Program forms Phase 1 of a Multiphase Programmatic Approach (MPA) and focuses on improving foundational literacy and numeracy outcomes in primary education. It supports a selected subset of the Government's broader education reform agenda, with an emphasis on system-level reforms that can be scaled nationally over time. The PforR is complemented by a small Investment Project Financing (IPF) technical assistance component, which provides targeted capacity-building support to implementing institutions and is managed under the World Bank's Environmental and Social Framework (ESF). The ESSA applies exclusively to the PforR component.

## ESSA Objective and Methodology

3. The ESSA has been prepared to: (a) examine the scope, context, and potential impacts of the Program from an E&S perspective; (b) assess in detail the different E&S effects under the Program activities, including indirect and cumulative effects, contextual and political risks related to the E&S issues; (c) assess the capacity of national bodies in addressing related E&S risks and identify any complex risks in implementing E&S measures; (d) compare the borrower's systems (laws, regulations, standards, procedures, and implementation performance) against the PforR's E&S core principles; and (e) formulate recommended measures to address capacity for and performance on policy issues and specific operational aspects relevant to managing program risks. The PforR's six E&S core principles are summarized as follows:
  - **promote environmental and social sustainability** in the PforR Program design; **avoid, minimize or mitigate adverse impacts**, and promote informed decision-making relating to the PforR Program's E&S impacts;
  - **avoid, minimize or mitigate adverse impacts on natural habitats and physical cultural resources** resulting from the PforR Program;
  - **protect public and worker safety** against the potential risks associated with: (i) construction and/or operations of facilities or other operational practices under the PforR Program; (ii) exposure to toxic chemicals, hazardous waste, and other dangerous materials under the PforR Program; and (iii) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards;
  - **manage land acquisition and loss of access to natural resources** in a way that avoids or minimizes displacement, and assist the affected people in improving, or at the minimum restoring, their **livelihoods** and living standards;

- give due consideration to the cultural appropriateness of, and equitable access to, PforR Program benefits, **giving special attention to the rights and interests of the Indigenous Peoples and to the needs or concerns of vulnerable groups;**
  - **avoid exacerbating social conflict**, especially in fragile states, post-conflict areas, or areas subject to territorial disputes.
4. As a part of the assessment, the ESSA team had stakeholder engagements at national, regional, and district/city levels with government officials and community members, including visits to the Republic of Karakalpakstan and the Khorezm Region in January 2026. Public consultation was also carried out at the regional and district levels in January 2026 on the draft ESSA.

#### **Anticipated E&S Benefit**

5. The BILIM Program is expected to generate significant environmental and social benefits by improving the quality, equity, and inclusiveness of public education in Uzbekistan. Social benefits include more equitable access to quality education through improved teaching practices, better learning environments, and targeted support for vulnerable students, including girls and children with special educational needs. Environmentally, the Program promotes climate-resilient and energy-efficient school infrastructure through the application of national standards aligned with the RIGHT+ framework, improving thermal comfort, reducing energy use, and strengthening resilience to climate-related risks. Overall, these benefits are expected to outweigh the Program's moderate and manageable environmental and social risks.

#### **Potential E&S Risks and Impacts and Risk Classification**

6. **The potential environmental and social risks** of the BILIM Program are limited in scale, localized, and manageable, and are primarily associated with small to medium-scale civil works for school construction, expansion, and rehabilitation under Results Area 2. Environmental risks include short-term construction-related impacts such as dust, noise, vibration, construction and demolition waste, traffic disturbances, and occupational health and safety risks for workers. In rehabilitation of older buildings, there is a limited risk related to the handling of hazardous materials, such as asbestos, which requires appropriate identification and management.
7. **Social risks** are mainly related to worker and community health and safety during construction, temporary disruptions to school operations, and labor-related risks at worksites. There is also a risk that vulnerable groups including children with disabilities, girls, and students from poorer or remote areas may not benefit equally if inclusion measures are unevenly applied. Risks related to land acquisition are low, as the Program excludes involuntary resettlement and limits investments to existing school footprints, verified public land, or properly documented voluntary land contributions. Weak grievance handling or inconsistent stakeholder engagement at the local level could also lead to localized dissatisfaction if not adequately managed.
8. Based on the nature of Program activities, the scale and predictability of impacts, contextual factors, and the capacity of existing national systems, the overall **environmental and social risk classification for the BILIM PforR is Moderate**. The identified risks are well understood, largely temporary, and can be effectively managed through existing legal and institutional frameworks, supplemented by targeted system-strengthening measures outlined in the Program Action Plan.

#### **Legal and Regulatory Framework.**

9. The GoU has developed national **environmental** legislation and adopted new laws and regulations together with a number of programs and action plans to address environmental issues and promoted sustainable use of natural resources. The country has adopted several subsidiary laws and legislation on environmental management and is a party to series of international and regional environmental agreements and conventions. The country also has the nature protection policy and the implementation of measures in the field of rational use of natural resources and environmental protection are ongoing. On the **social** side, the country has developed relevant legal and regulatory frameworks which cover key social issues, including land acquisition and resettlement, labor and working conditions and social inclusion and sustainability. The ESSA provides a concise assessment of the country's E&S legal and regulatory framework on the six core principles under WB's PforR Policy, which are deemed applicable to the proposed Program, including its strengths and challenges (see Chapter 3).

### **Institutional Capacity Assessment**

10. The institutional capacity assessment finds that the BILIM Program will be implemented through existing national and subnational institutional arrangements, which are generally adequate to manage the Program's moderate and localized environmental and social risks. Sector policy, planning, and coordination functions are led by **the Ministry of Preschool and School Education (MoPSE)**, while public investment planning and external financing coordination are managed by **the Ministry of Economy and Finance (MoEF)**. Civil works related to school construction, expansion, and rehabilitation are implemented by regional and district executive authorities (**khokimiyats**) through **Single Engineering Centers (UKS)**, operating under national construction, procurement, environmental, and labor regulations.
11. Environmental permitting and compliance oversight are carried out by the **National Committee on Ecology and Climate Change** and its territorial bodies through the **State Environmental Expertise system**, while labor conditions and occupational health and safety are regulated and enforced by the **State Labor Inspectorate under the Ministry of Employment and Poverty Reduction**. These institutions have clear legal mandates and established procedures, but their technical capacity and consistency of application vary across regions, particularly at the subnational level.

### **Comparative Analysis of Borrower E&S System and World Bank Core Principles**

#### **Core Principle 1: Environmental and Social Management**

**Objective:** Promote environmental and social sustainability; avoid, minimize, or mitigate adverse impacts; support informed decision-making.

#### **Strengths**

- Uzbekistan has an established legal and regulatory framework for environmental protection, including EIA/SEE requirements applicable to public infrastructure.
- Clear institutional mandates exist for environmental permitting, labor regulation, and construction oversight.
- Program activities rely on existing national and subnational systems rather than parallel arrangements.

#### **Weaknesses / Areas for Improvement**

- Fragmentation of E&S responsibilities across institutions leads to uneven coordination.

- Inconsistent application of environmental screening, supervision, and documentation at subnational level.
- Limited formal mechanisms for inter-institutional information sharing and monitoring.

### **Core Principle 2: Natural Habitats and Physical Cultural Resources**

**Objective:** Avoid, minimize, or mitigate adverse impacts on natural habitats and physical cultural resources.

#### **Strengths**

- National legislation provides strong protection for natural habitats and cultural heritage.
- Program design avoids protected areas, critical habitats, and known cultural heritage sites.
- Land selection procedures include environmental and spatial verification.

#### **Weaknesses / Areas for Improvement**

- Residual risk of chance finds during excavation, particularly in older or peri-urban areas.
- Lack of standardized and consistently applied chance-find procedures across contractors and regions.

### **Core Principle 3: Public and Worker Safety**

**Objective:** Protect public and worker safety from risks related to construction activities, hazardous materials, and operational practices.

#### **Strengths**

- Comprehensive labor, OHS, and construction safety legislation is in place.
- Enforcement mechanisms exist through the State Labor Inspectorate and construction supervision bodies.
- Adoption of national building standards aligned with RIGHT+ strengthens safety, accessibility, and climate resilience.

#### **Weaknesses / Areas for Improvement**

- Limited systematic procedures for identification and management of hazardous materials (e.g., asbestos in older buildings).
- Need for more consistent management of community health and safety risks near schools.
- SEA/SH risks are not uniformly addressed through contractor obligations and supervision.

### **Core Principle 4: Land Acquisition and Loss of Access to Natural Resources**

**Objective:** Avoid or minimize displacement and assist affected people in restoring livelihoods and living standards.

#### **Strengths**

- Legal framework for land allocation and compensation is well-developed.
- Program explicitly excludes involuntary resettlement and large-scale land acquisition.
- Investments are limited to existing school footprints, verified public/state land, or documented voluntary land contributions.

#### **Weaknesses / Areas for Improvement**

- Reliance on administrative verification requires consistent documentation at local level.
- Need for standardized land screening records to confirm absence of encumbrances and non-coercive voluntary land contributions.

### **Core Principle 5: Indigenous Peoples and Vulnerable Groups**

**Objective:** Ensure culturally appropriate and equitable access to Program benefits, with attention to vulnerable groups.

**Strengths**

- National legislation guarantees equal access to public services.
- Program design incorporates inclusive school design, gender-responsive WASH facilities, and targeted teacher training.
- Education policies recognize the need to support children with disabilities and disadvantaged learners.

**Weaknesses / Areas for Improvement**

- Stakeholder engagement and inclusion practices vary across regions.
- Limited capacity at local and school levels to consistently identify and support vulnerable learners.
- Inclusion measures may be unevenly applied without additional guidance and monitoring.

**Core Principle 6: Social Conflict**

**Objective:** Avoid exacerbating social conflict, particularly in fragile or sensitive contexts.

**Strengths**

- A nationwide grievance redress framework exists through People’s Reception Offices.
- Legal provisions support citizen engagement, appeals, and transparency.
- Mahalla institutions provide an entry point for local-level engagement.

**Weaknesses / Areas for Improvement**

- Stakeholder engagement often remains consultative rather than participatory.
- Program-related grievances may not be systematically tracked or consolidated across institutions.
- Delays in grievance resolution or feedback could lead to localized dissatisfaction if not addressed.

**Stakeholder Engagement**

12. Stakeholder engagement for the BILIM Program was conducted as part of the Environmental and Social Systems Assessment (ESSA) to inform stakeholders about the Program-for-Results operation, disclose preliminary ESSA findings, and gather feedback on potential environmental and social risks and mitigation measures. Consultations were carried out in January 2026 at the national, regional, and district/city levels, including in the Republic of Karakalpakstan and the Khorezm Region.
13. The engagement process involved government officials, education sector representatives, construction and environmental authorities, school administrators, teachers, and local community representatives. Meetings focused primarily on the construction and rehabilitation components of the Program, including planning and implementation procedures, land allocation processes, environmental and social risk management, and the roles and responsibilities of participating institutions. Particular attention was given to compliance with national environmental, construction, and labor requirements, as well as to community health and safety during construction activities.

**Conclusion and Recommendations**

14. The Program Action Plan outlines a focused set of actions aimed at strengthening the effectiveness and consistency of environmental and social risk management under the BILIM Program. The actions concentrate on improving coordination among responsible institutions, clarifying and standardizing procedures for environmental screening and supervision of school construction and rehabilitation activities, and reinforcing worker and community health and safety practices, including measures to manage SEA/SH risks. The Action Plan also emphasizes systematic land eligibility screening to ensure the exclusion of involuntary resettlement, promotes more inclusive stakeholder engagement with particular attention to vulnerable groups, and strengthens the tracking and resolution of Program related grievances through existing national mechanisms. Collectively, these actions are designed to reinforce borrower systems, address identified implementation gaps, and support proportionate management of the Program's moderate environmental and social risks

# 1. Introduction and Program Description

## 1.1 Program Description

15. **The BILIM: Transforming Public Education for Economic Growth Program** is a results-based operation supporting the Government of Uzbekistan’s efforts to improve foundational learning outcomes by strengthening teaching quality, upgrading learning environments, and enhancing data-driven education system management. Implemented through a Program-for-Results (PforR) financing instrument with a complementary IPF component, the Program focuses on three mutually reinforcing results areas: (i) improving pedagogical practices through structured teacher professional development and coaching; (ii) expanding access to safe, inclusive, and climate-resilient learning environments aligned with national quality standards; and (iii) strengthening learning assessment, education data systems, and evidence-based planning. The Program targets selected regions with high demographic pressure and infrastructure needs while supporting system-level reforms with national scale-up potential, contributing to improved foundational skills acquisition and long-term human capital development in Uzbekistan.
16. The Project supports a defined subset of activities within the Government’s broader education reform agenda. Its scale is intentionally selective and demonstration-focused, with the objective of validating standardized, RIGHT+-aligned school infrastructure solutions under diverse and demanding territorial, climatic, and demographic conditions.
17. **The Project includes:**
- construction of new general secondary school facilities; and
  - construction of additional instructional buildings on the premises of existing schools, with the primary objective of reducing overcrowding and improving access to quality education in selected jurisdictions.
18. The Project does not constitute a nationwide school construction program and does not encompass all education infrastructure investments undertaken by the Government.

Table 1 PforR Program Boundaries

Item	GoU Program	BILIM Program	Reasons for non-alignment
<b>Outcomes</b>	Improved learning outcomes, strengthened human capital, enhanced competitiveness of graduates, and improved employability through comprehensive education system reforms	Improved teaching quality and learning environments leading to stronger foundational skills acquisition (literacy and numeracy)	BILIM focuses specifically on foundational learning outcomes and system enablers that can be incentivized through results based financing, rather than the full spectrum of education outcomes
<b>Objective</b>	To create opportunities for high quality education in line with international standards and societal needs, and to develop human capital as a key	To improve teaching quality and learning environments for foundational skills acquisition	The Program objective is more narrowly defined to ensure clear attribution of results and measurability

	driver of national competitiveness and labor market outcomes		under a PforR instrument
<b>Duration</b>	2020–2030 (Concept for the Development of the Public Education System and related sector strategies)	2026–2030	The Program supports a defined implementation phase within the broader long-term GoU reform horizon
<b>Geographic coverage</b>	Nationwide	Selected regions: Republic of Karakalpakstan, Khorezm, Kashkadarya, Surkhandarya, Bukhara, and Navoiy	The Program targets regions with higher poverty levels and significant infrastructure and learning needs, allowing piloting and learning before potential national scale-up
<b>Results areas</b>	Broad reform agenda including curriculum reform, teacher policy, ICT integration, infrastructure modernization, governance and financing reforms, extracurricular education, PPPs, and teacher remuneration	Three Results Areas: (i) strengthened teaching quality through tailored professional development; (ii) improved access to learning conducive environments; and (iii) enhanced system management and data driven decision making	Some GoU reform areas (e.g., extracurricular education, salary and social protection reforms, youth initiatives) are outside the scope of the Program or not suitable for results based financing
<b>Overall financing</b>	Fully financed through the state budget and partner financing over 2026–2030 (multi-billion USD program envelope)	Government financing complemented by an IDA credit of US\$50 million under a PforR operation, with a small IPF component	BILIM finances only a subset of expenditures that directly contribute to the achievement of defined DLIs and excludes recurrent or non verifiable expenditures

19. **The BILIM Program will be implemented in six regions:** the Republic of Karakalpakstan, Khorezm, Kashkadarya, Surkhandarya, Bukhara, and Navoiy. These regions were selected based on two primary criteria: (i) higher poverty rates relative to the national average, and (ii) significant infrastructure needs, particularly in terms of school construction and classroom expansion to address demographic pressures and double shifts. This targeted geographic focus allows the Program to concentrate resources where foundational learning gaps intersect most strongly with socio-economic vulnerability and infrastructure deficits, while generating implementation lessons to inform potential future scale-up.

20. **The BILIM Program is structured around the following three results areas (RA):**

21. **Results Area 1: Strengthened Teaching Quality through Tailored Professional Development.** Focuses on improving the quality of classroom instruction by transforming how teachers are prepared, supported, and supervised throughout their careers. It emphasizes a shift from fragmented,

input-based training toward a continuous, practice-oriented professional development model that is embedded in everyday school operations. Through reforms to initial teacher education and continuous professional development, the Program introduces structured classroom observation, coaching, and feedback cycles that help teachers strengthen core instructional practices, particularly in early-grade literacy and numeracy. These reforms are operationalized through a New School Operating Framework, which integrates pedagogical standards, instructional routines, and school-level management practices to ensure that professional development translates into measurable improvements in teaching and learning.

22. **Results Area 2: Improved Access to Learning -Conducive Environments.** Addresses the physical conditions that enable effective teaching and learning by improving access to safe, inclusive, and climate-resilient school infrastructure. It supports the adoption and large-scale implementation of national school design and infrastructure standards aligned with the RIGHT+ framework, ensuring that learning environments are pedagogically functional, gender-responsive, and resilient to climate-related risks. By expanding and upgrading school facilities, this Results Area helps address demographic pressures such as overcrowding and double-shift schooling, while improving thermal comfort, WASH facilities, and accessibility for all students. The focus on standardized designs and system-level planning ensures that infrastructure investments support instructional quality and equity, rather than serving as stand-alone construction activities.
23. **Results Area 3: Enhanced System Management and Data-Driven Decision Making-** Strengthens the institutional foundations needed to use data and evidence as drivers of education system improvement. It focuses on improving learning assessment systems, education data platforms, and planning processes so that information on student learning, school performance, and infrastructure needs is systematically used for decision making-. This Results Area supports sustainable financing and governance arrangements for national learning assessments, strengthens the quality and use of assessment and EMIS data, and reinforces feedback loops between evidence, policy decisions, and targeted support at the school level. By enabling early identification of learning gaps and underperforming schools, it supports more effective resource allocation, remedial interventions, and continuous improvement aimed at raising foundational learning outcomes.
24. **The PforR has a hybrid approach to WB financing instruments.** This PforR takes a hybrid approach to financing via supporting a PforR and an investment project financing (IPF) focusing on technical assistance in order to support the Government of Uzbekistan (GoU) in achieving its objective: (i) a PforR component and (ii) a Technical Assistance (TA) component for the implementing entities at national and subnational levels, which will be implemented as an IPF to address critical institutional development and capacity gaps within implementing institutions. This ESSA focuses on E&S concerns associated with the PforR component and will be supporting the management, mitigation and monitoring efforts of the implementing entities to be supported under the Program. The IPF component will be managed by the WB Environment and Social Framework (ESF).

## 1.2 Objectives, Scope and ESSA Methodology

### 1.2.1 Objectives and Scope

25. The scope of the ESSA covers the activities and systems necessary to achieve the Program Development Objectives (PDO), the expenditure program and the defined Results Areas and the DLIs. The ESSA assesses the potential E&S effects of the Program and examines the client's E&S system to determine the consistency with the following six (6) E&S Core Principles as described in the WB PforR

Policy (Chapter 5 – Comparative Analysis of Borrow System and Bank Core Principles details the results of the coping analysis):

- **promote environmental and social sustainability** in the PforR Program design; **avoid, minimize or mitigate** adverse impacts, and promote informed decision-making relating to the PforR Program’s environmental and social impacts;
- **avoid, minimize or mitigate adverse impacts on natural habitats and physical cultural resources** resulting from the PforR Program;
- **protect public and worker safety** against the potential risks associated with: (i) construction and/or operations of facilities or other operational practices under the PforR Program; (ii) exposure to toxic chemicals, hazardous waste, and other dangerous materials under the PforR Program; and (iii) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards;
- **manage land acquisition and loss of access to natural resources** in a way that avoids or minimizes displacement, and assist the affected people in improving, or at the minimum restoring, their livelihoods and living standards;
- give due consideration to the cultural appropriateness of, and equitable access to, PforR Program benefits, **giving special attention to the rights and interests of the Indigenous Peoples and to the needs or concerns of vulnerable groups**;
- **avoid exacerbating social conflict**, especially in fragile states, post-conflict areas, or areas subject to territorial disputes.

### 1.2.2 Methodology

26. The methodology includes three distinct elements: (i) interviews with concerned agencies and other key stakeholders at national, regional, and district/city levels in Republic of Karakalpakstan, Khorezm Region, and Tashkent City, including field visits to potential investment sites, which was undertaken by the Bank task team in January 2026; (ii) review of documents, literature and data available at key agencies on the legal and regulatory frameworks related to environment and social risk management including grievance management systems; and (iii) inclusive public consultations with key stakeholders to assess possible E&S impacts on different categories of stakeholders.
27. The key steps followed for preparing the ESSA are the following:
  - **Review of the baseline** environmental and social information to understand the context under which the Program activities are undertaken.
  - **Analysis of environmental and social benefits and risks** of the Program activities.
  - **Assessment of the borrower’s systems** for environmental and social management for planning and implementing the Program activities for consistency with the applicable Core Principles.
  - **Identification of procedural and policy gaps** with Bank Policy and Directive for Program-for-Results Financing (notably the six Core Principles) as well as performance constraints in carrying out environmental and social management processes.
  - **Development of a set of viable actions to strengthen the systems** and improve environmental and social performance outcomes of the Program.
  - **Field verification.** Where feasible, visit representative sites for new construction and rehabilitation to verify system application and implementation practices related to E&S screening, OHS, waste management, WASH and accessibility, and community engagement.

- **Performance assessment and gap analysis.** Assess the effectiveness of system implementation against PforR Core Principles; identify gaps and risks (e.g., screening consistency, SEA/SH mitigation, hazardous materials handling, supervision capacity, grievance mechanisms) and propose proportionate measures

28. The stakeholder consultations took place in January 2026, and the outcomes of the consultations are incorporated in the analysis – the discussions are detailed below in Chapter 6 – Stakeholder Consultation, and a list of participants is attached as Annex 1. The draft ESSA was disclosed to stakeholders before consultations and prior to appraisal. The final ESSA will be disclosed before the Program is approved.

## 2. Expected Environmental and Social Effects

### 2.1 Salient E&S Characteristics of the Proposed Program

29. The BILIM Program aim is to strengthen Uzbekistan’s human capital by improving the quality of teaching and the learning environments in which children acquire foundational skills. The Program seeks to ensure that all students, particularly in the early grades, develop strong literacy and numeracy skills by supporting better classroom instruction, providing safe and learning-conducive school facilities, and enabling the education system to use data and learning assessments more effectively. By addressing these foundational constraints, the Program aims to translate near-universal access to education into meaningful learning outcomes that support long-term productivity, inclusion, and economic growth.
30. The BILIM Program will support participating regions, cities, and districts in strengthening their capacity to deliver quality education outcomes by aligning local implementation with national reforms and standards. The PforR will enable subnational authorities to operationalize national policies by linking financing directly to measurable results achieved at the regional and school levels, rather than to individual inputs or investments.

Figure 1 Map showing the locations of the participating Regions and Cities



31. The PforR will support participating regions in improving teaching quality by enabling the rollout of nationally defined reforms in teacher professional development. Cities and districts will be supported to adopt structured coaching, classroom observation, and feedback systems embedded within a New School Operating Framework, ensuring that teachers receive continuous, practice-based support. This will allow local education authorities to translate national reforms in initial teacher education and

continuous professional development into tangible improvements in classroom practices, particularly in early-grade literacy and numeracy.

Table 2 Overview of Participating in the Regions and an Autonomous Republic

#	Region	Area (sq.km)	Population (thousand)	Total number of schools	Total number of pupils (thousand)
1	Republic of Karakalpakstan	166.6	2 040.7	612	396.146
2	Bukhara	39.4	2 089.4	217	364.557
3	Kashkadarya	28.6	3 673.7	914	735.471
4	Navoi	110.8	1 103.3	231	209.753
5	Surkhandarya	20.1	2 974.4	827	617.195
6	Khorezm	6.3	2 045.7	340	397.354

Figure 2 below provides a sample of potential investments to be financed by PforR:

**New School Land Area in Nukus district, RoK.** The district plans to construct promenades and cafes on riverbanks for residents and visitors and to align canal.



**New School Land Area in Khiva district, Khorezm.** The allocated land area was transferred from the agricultural category to the reserve land area balance of the city administration.



## 2.2 Overall E&S Benefits

32. The BILIM Program is expected to deliver substantial and sustained environmental and social benefits by improving the quality, safety, inclusiveness, and resilience of Uzbekistan’s public education system. Socially, the Program contributes to more equitable access to quality education by strengthening teaching practices, improving learning conditions, and addressing persistent learning gaps, particularly in foundational literacy and numeracy. It promotes inclusion by supporting gender-responsive and accessible school designs, improved WASH and menstrual hygiene management facilities, and teacher capacity to identify and support diverse learners, including children with special educational needs. The Program also strengthens citizen engagement and accountability through existing grievance redress mechanisms and enhanced transparency. Environmentally, the Program promotes climate-resilient and energy-efficient school infrastructure through the adoption of national standards aligned with the RIGHT+ framework, improving thermal comfort, reducing exposure to climate-related disruptions, and lowering the environmental footprint of education facilities. By integrating climate risk considerations into infrastructure planning and system management, the Program enhances the resilience and sustainability of education service delivery. Overall, the Program’s combined social inclusion, human capital, and climate-resilience benefits are expected to outweigh its manageable and localized risks, contributing positively to long-term sustainable development outcomes.

## 2.3 Classification of key E&S risks and impacts

33. This section provides a summary of potential key E&S risks and impacts associated with (A) each Disbursement Linked Indicator (DLI) and (B) the expenditure program, which the Bank team has identified through feedback from key stakeholders, analysis of available information/statistics and site visits (see Table 3). Based on the assessment of (i) likely E&S effects, (ii) contextual risk factors, (iii) institutional capacity and complexity risks and (iv) political and reputational risks undertaken by the Bank team (which are presented in this ESSA and the PAD), the overall E&S risks are considered “moderate” as per the WB ESSA Guidance<sup>1</sup>. More specifically, the proposed PforR is expected to yield substantial and long-term positive environmental and social benefits by improving infrastructure, service delivery, and economic development.

34. **Environmental Risks and Impacts. The environmental risks and impacts of the Program are classified as Moderate.** They are primarily associated with small- to medium-scale civil works related to the construction of new schools and the rehabilitation or expansion of existing education facilities under Results Area 2. Typical environmental impacts include construction-related dust, noise, vibration, waste generation, traffic disturbances, and occupational health and safety risks for workers. In some cases, rehabilitation of older buildings may involve limited exposure to hazardous materials such as

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<sup>1</sup> As per the E&S risk rating guide in the WB ESSA Guidance (Annex C), the definition of “**Moderate**” E&S risk is as follows: “There is a moderate likelihood that Program activities would lead to some E&S consequences. Program activities are not likely to require significant changes to the borrower’s overall management approaches, and it is also highly likely that the Program achieves its operational objectives and sustain the desired E&S outcomes because of lower context, institutional complexity/capacity, or political and reputational risks. These risks are well understood and are expected to be limited in impact. The borrower’s implementing agencies usually have a proven track record in managing identified risks and, while not perfect, they have more limited needs for capacity-building measures. The operation may have some adverse E&S impacts, but they would tend not to be in environmentally or socially sensitive areas. Program activities are small in scale and their impacts are well known and manageable with standard procedures; they do not require unproven mitigation or management measures. The operation is unlikely to have significant adverse impacts on GHG and would not be at risk of natural disasters such as flooding, earthquake, or severe weather events. The operation may also have limited likelihood for adverse effects on gender, vulnerable groups, poverty, and equity”.

asbestos. These impacts are localized, temporary, predictable, and reversible, and can be effectively mitigated through the application of national environmental regulations, standard construction practices, and good international industry practice.

35. The Program does not support activities with significant, sensitive, or irreversible environmental impacts, and no impacts on critical natural habitats, protected areas, or cultural heritage are anticipated. At the same time, the Program generates important positive environmental impacts by promoting climate-resilient and energy-efficient school infrastructure through the adoption of national standards aligned with the RIGHT+ framework. These measures are expected to improve thermal comfort, reduce energy consumption, enhance resilience to climate hazards such as heatwaves and flooding, and reduce the environmental footprint of education facilities.
36. **Social Risks and Impacts. The social risks and impacts of the Program are also classified as Moderate.** Overall, the Program is expected to deliver strong positive social outcomes by improving access to quality education, strengthening teaching practices, and creating safer and more inclusive learning environments. Key social risks relate to persistent learning disparities, including gender gaps in educational outcomes, challenges in effectively supporting children with special educational needs, and uneven capacity at the local level to implement reforms consistently.
37. Social risks may also arise during construction activities, including temporary disruptions to school operations, community health and safety concerns, and labor-related risks for construction workers. However, no large-scale land acquisition or involuntary resettlement is permitted under the Program, and any land-related issues are expected to be limited and managed within existing legal frameworks. Risks related to labor conditions and potential gender-based violence are considered manageable and are addressed through national systems, strengthened oversight, and targeted actions identified in the ESSA.

Table 3: Potential E&S risks and impacts anticipated under each DLI

Results Areas (RA)	DLIs	Key Environmental Risks and Impacts	Key Social Risks and Impacts
<b>Results Area 1: Strengthened teaching quality through tailored professional development</b>	<b>DLI 1: Improved pedagogical and managerial practices in schools</b>	<b>Low / no material direct environmental risks expected</b> , as this Results Area focuses on systems, coaching, and professional development rather than physical works; the ESSA notes that potential adverse E&S risks are <b>primarily associated with construction/renovation under RA2.</b>	Key social risks relate to <b>uneven implementation capacity</b> and ensuring reforms translate into equitable gains for all schools/teachers, including addressing <b>gender disparities and inclusion of children with special educational needs</b> , which the Program intends to tackle through training and early engagement.
<b>Results Area 2: Improved access to learning conducive environments</b>	<b>DLI 2: Improved learning conducive environments</b>	<b>Moderate environmental risks</b> linked to <b>small to medium scale civil works</b> (new schools / rehabilitation): dust, noise, vibration, construction waste, traffic disturbance, and worker OHS risks;	<b>Moderate social risks</b> during works: <b>occupational and community health and safety</b> (worksites near communities/schools), temporary disruptions, labor related risks; and

		potential <b>hazardous materials (asbestos/ACM)</b> in older buildings; and the need for proper waste streams (including C&D waste and potential ewaste/chemical waste for STEM/digital infrastructure). Impacts are expected to be <b>localized, temporary, predictable, and manageable</b> with standard procedures and good practice.	potential SEA/SH risk linked to workers on sites (explicitly noted as a risk to manage). The Program <b>does not permit largescale land acquisition or involuntary resettlement</b> ; any land issues are expected to be limited and managed within legal frameworks/negative list.
<b>Results Area 3: Enhanced system management and data driven decision making</b>	<b>DLI 3: Improved data driven management &amp; assessment</b>	<b>Low / no material direct environmental risks expected</b> , as this Results Area centers on assessment systems, EMIS/data use, and planning (not physical works). The ESSA frames the <b>primary adverse environmental risks</b> as coming from school construction/renovation activities under RA2.	Key social risks relate to <b>how data systems are designed and used</b> , including the need to address risks flagged for the E&S assessment scope, such as data security and privacy of student/teacher records, and the risk of <b>exclusion of minority/marginalized groups</b> from program benefits if systems and targeting are not inclusive.

### 2.2.1 Key Environmental Risks and Impacts

38. The environmental risks associated with the BILIM Program have been assessed in accordance with the World Bank’s PforR Core Principles. Overall, the Program is expected to deliver positive environmental outcomes, particularly through climate-resilient and energy-efficient school infrastructure, while the identified environmental risks are moderate, localized, predictable, and manageable through existing national systems and targeted strengthening measures.
39. **Core Principle 1: Environmental and Social Management.** The primary environmental risk under this principle relates to the capacity and consistency of environmental management systems across implementing institutions and regions. While Uzbekistan has an established legal and regulatory framework for environmental assessment and permitting, uneven coordination and varying levels of technical capacity at the subnational level may lead to inconsistent application of environmental screening, monitoring, and supervision procedures. If not adequately managed, this could result in delays in permitting, weak oversight of contractors, or gaps in environmental compliance during implementation of school construction and rehabilitation activities.
40. **Core Principle 2: Natural Habitats and Physical Cultural Resources.** Environmental risks under this principle are considered low, as the Program is designed to avoid activities in protected areas, critical natural habitats, or environmentally sensitive locations. However, a residual risk exists related to chance finds of physical cultural resources during excavation or construction works, particularly in

older urban or peri-urban areas. In the absence of clearly defined procedures, such chance finds could be damaged or destroyed unintentionally or lead to delays and disputes during construction.

41. **Core Principle 3: Public and Worker Safety.** This principle captures the most significant environmental risks under the Program. These risks are primarily associated with small- to medium-scale civil works for school construction and rehabilitation and include construction-related dust, noise, vibration, traffic disturbances, and generation of construction and demolition waste. Additional risks include occupational health and safety hazards for workers and potential exposure of students and communities to unsafe worksites if activities are not adequately controlled. In older buildings, there is also a risk of exposure to hazardous materials, particularly asbestos-containing materials, if not properly identified, handled, and disposed of in accordance with national regulations and good international practice.
42. **Core Principle 6: Social Conflict.** While the Program is not expected to generate environmental-related conflict, localized environmental grievances may arise if construction impacts such as noise, dust, waste management, or site safety are not properly managed or communicated to communities. Weak handling of environmental complaints could escalate dissatisfaction and undermine trust in the Program. Strengthening grievance redress mechanisms and ensuring transparent communication during construction activities are therefore critical to mitigating this risk.

### 2.2.2 Key Social Risks and Impacts

43. The key social risks and impacts of the proposed Program in relation to the Core E&S Principles of the PforR Policy include possible impact on encroachers/squatters on the public land, limited social inclusion of vulnerable groups in planning processes, and potential social conflict during planning processes.
44. **Uneven institutional capacity at national and subnational levels (Core Principle 1).** The Program is expected to generate strong positive social impacts through improved access to quality education and learning conditions. However, a key social risk relates to uneven institutional capacity at national and subnational levels to consistently apply social risk management procedures across participating regions. Without adequate coordination and clear roles, there is a risk that social considerations—such as inclusion, community engagement, and grievance handling—may be applied inconsistently, potentially weakening social outcomes and accountability mechanisms.
45. **Occupational health and safety (OHS) risks for workers and community health and safety risks (Core Principle 3).** Social risks under this principle are primarily associated with construction and rehabilitation activities under the Program. These include OHS risks for workers and community health and safety risks, particularly when school construction occurs in or near populated areas. In addition, risks of Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) linked to the presence of construction workers near schools and residential areas, requiring proactive mitigation measures such as codes of conduct and responsive grievance channels.
46. **Involuntary land acquisition and physical/economic displacement are on the negative list. All PforR investments will be within the existing footprint, on public/state reserve land, free of encroachers/squatters, or on donated land (Core Principle 4).** When public land/state reserve land is required, the Regional Cadaster Agency verifies its availability prior to allocation, and the Regional Council of Ministers and khokimyat approves the allocation (as detailed in Chapter 4). The land use will be assessed and verified during the preparation of investment, spatial, and master plans to ensure the identification of public land free from encroachers/squatters and land disputes for the PforR. Voluntary land donations are allowed, provided landowners are appropriately informed, are not coerced into donating, and the donation does not involve physical/economic displacement. The PforR will have a land screening mechanism in the planning processes.

47. **Vulnerable groups may be excluded from planning processes and the implementation of investment plans (Core Principle 5).** While Uzbekistan does not recognize Indigenous Peoples as defined under Bank policy, risks related to vulnerable and marginalized groups remain relevant. These include the risk that children with disabilities, students from poorer or remote communities, or girls particularly in STEM education may not benefit equally from Program interventions if inclusion measures are not effectively implemented. The ESSA highlights the need for inclusive school design, gender-responsive WASH facilities, targeted teacher training, and strengthened data systems to identify and support vulnerable learners. Without such measures, the Program could inadvertently reinforce existing inequalities.
48. **There is a risk of social tension/conflict during the preparation of investment plans, spatial plans, and master plans for strategic investment areas (Core Principle 6).** The Program is not expected to exacerbate social conflict. However, weak or fragmented grievance redress mechanisms could pose a social risk. If grievances related to school construction, service delivery, labor issues, or inclusion are not addressed in a timely and transparent manner, this could lead to dissatisfaction among communities and undermine trust in the Program. In addition, there may be existing social conflicts over land, among community members, that could be exacerbated during the planning process. The PforR will ensure stakeholder engagement at the community level through Mahallas and strengthen the existing grievance redress mechanism (People’s Reception) to be more accessible to community members.

### 3. Expected Environmental and Social Effects

49. **Overview of the country's E&S framework:** Since the country's independence, the Republic of Uzbekistan has developed national environmental legislation, adopted new laws and regulations, together with a number of programs and action plans to address environmental issues, and promoted sustainable use of natural resources. The country has adopted several subsidiary laws and legislation on environmental management and is a party to a series of international and regional environmental agreements and conventions. The country also has a nature protection policy, and measures to promote the rational use of natural resources and environmental protection are ongoing. On the social side, the country has developed relevant legal and regulatory frameworks that cover key social issues, including land acquisition and resettlement, and social inclusion and sustainability. Below is a concise assessment of the country's E&S legal and regulatory framework against the six core principles of WB's PforR Policy, which are deemed applicable to the proposed Program. Annex 2 provides detailed analyses of these E&S frameworks, including their strengths and challenges.
50. **Management of E&S Sustainability, Risks and Impacts (relevant to Core Principle 1)**
51. The Law on Environmental Protection No 754 (1992, amended 2021) establishes the legal and organizational framework for environmental protection in Uzbekistan. It covers environmental impact assessments, waste management, and pollution control. Article 24 of this law states that State Environmental Expertise (SEE) is a mandatory measure for environmental protection, to be carried out before decision-making. In addition, the law prohibits the implementation of any Project without SEE's approval. The national Environmental Impact Assessment (EIA) procedure is principally required and regulated by the Law on Environmental Expertise No.73-II of 2000 (as amended 2021). The Uzbekistan EIA requirements are set forth in Resolution № 541 of the Cabinet of Ministers on the Procedure of the EIA Mechanism, which serves as a regulation. The Resolution serves as the key regulation supporting the Law on Ecological Expertise, which provides for mandatory expert assessment of environmental and human health impacts, as well as a legal basis for conducting such assessments. Uzbekistan has recently adopted a new law, No. 1036 'On Environmental Expertise, Environmental Impact Assessment, and Strategic Environmental Assessment', signed on February 24, 2025, and is set to come into effect on August 25, 2025. By the time of this ESSA the bylaws/sub-legislations are not yet available and so they were not taken into consideration in this assessment.
52. **Risk Categorization:** According to the Resolution № 541, all environmental protection activities are divided into 4 categories with varying degrees of impact:
- Category I – “high risk” of environmental impact (SEE is conducted by SUE "Center of State Environmental Expertise" within 20 days, all stages of EIA are required);
  - Category II - "average risk of environmental impact" (SEE is conducted by the Center of State Environmental Expertise within 15 days, all stages of the EIA are required);
  - Category III - "low risk of impact" (SEE is conducted by regional branches of SUE "Centre of State Environmental Expertise" within 10 days, all stages of EIA are required);
  - Category IV - "minor impact, local" (SEE is conducted by the regional branches within 5 days, only the first stage is required, Environmental Impact Statement, EIS).
  - Activities not explicitly included in the categorization list are still subject to SEE. The specific category for such activities is determined by the Center of State Ecological Expertise, based on materials submitted by the project proponent or conclusions drawn from an on-site examination conducted by the relevant authority.

53. **SEE Conclusion:** According to point 24 " SEE regulations ", the positive conclusion of SEE is a mandatory document for the opening of financing by banking and other credit institutions and the execution of legal entities and individuals of the implementation of the object of state environmental impact assessment. The SEE's validity is for three years from the date of its issuance. Categorizations are determined by the national SEE for Categories I and II investments and by the regional SEE for Categories III and IV investments. As the civil work under the PforR will be O&M or small construction or rehabilitation to improve infrastructure at district level, regional SEEs will undertake categorization and conclusion. During construction and operation, the SEE conclusion is sent to the relevant district (city) inspectorates for ecological and environmental control.
54. **Public participation in the EA process.** The Constitution of the Republic of Uzbekistan (arts. 50.55) lays the foundation for citizen and public association participation in environmental management. The Law "On nature protection" in Articles 12-13 regulates the right of citizens to unite in public organizations for nature protection, to request and receive information about the state of the environment and measures taken for its protection, as well as the authority of NGOs established. Legislation in the field of ecology and environmental protection provides public participation such as a) through an individual citizen or a group of citizens; b) through citizens' self-governance bodies and c) through non-governmental non-profit organizations. Also, Resolution № 541 includes requirements for organizing public hearings, which are mandatory for Category I and II activities. The resolution outlines the procedure for conducting public hearings on national EIA results to discuss and address the negative environmental impacts of intended, planned, or implemented activities.
55. **Grievance Redressal – People's Reception, Office of the President of Uzbekistan.** The Constitution has a provision for citizens to lodge complaints with state bodies and organizations and self-governing bodies (Article 40). The Law ZRU-445 (September 2017) has a provision of an appeals process and requires government offices to establish Reception Offices to receive, systematize appeals and monitor their timely and satisfactory consideration<sup>2</sup> (Article 10). Appeals are to be considered within 15 days, and when additional information/ investigation is required, up to 30 days (Article 28). Any additional clarification on the response sought by petitioner needs to be provided within 10 days of its receipt. In case of unlawful refusal to consider the petition, an individual can appeal to their higher authority or go to court (Article 32). People's Reception has been opened at various tiers of the government as well as a virtual reception to receive appeals and grievances from the citizens and to ensure their consideration by various state bodies and organisations.
56. **Natural Habitats and Physical Cultural Resources (relevant to Core Principle 2)**
57. **The Law "On Protected Natural Areas" (2004):** The purpose of this Law is to regulate relations in the field of organization, protection and use of protected natural areas. The main objectives of this Law are preservation of typical, unique, valuable natural objects and complexes, plant and animal genetic fund, prevention of the negative impact of human activities on nature, study of natural processes, monitoring of the natural environment, improvement of environmental education and upbringing.
58. **Resolution No. 290 (2013) National Strategy and Action Plan for the Conservation of Biodiversity:** This government resolution adopted the National Biodiversity Strategy and Action Plan (NBSAP) aligned with the Convention on Biological Diversity (CBD). It provides a roadmap for the management of protected areas, endangered species protection, and integration of biodiversity into sectoral planning.

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<sup>2</sup> [https://president.uz/en/site/contact?menu\\_id=13](https://president.uz/en/site/contact?menu_id=13)

59. **The Law "On the Protection and Use of Wildlife" (1997):** The law regulates relations in the field of protection, use, restoration and reproduction of wildlife in order to ensure the conditions for its existence, the conservation of species diversity, the integrity of natural communities and habitats.
60. **The Law No. 269-II of 2001 on protection and use of the objects of cultural heritage:** The purpose of this Law is to regulate the relations in the field of protection and use of the objects of cultural heritage that are the national property of the people of Uzbekistan.
61. **Public and Worker Safety (Relevant to Core Principle 3)**
62. Legislation related to Labor, Working Conditions, and Occupational Health and Safety exists in Uzbekistan, including core legislative acts, such as the Constitution of the Republic of Uzbekistan, the Labor Code, and the Law on Occupational Safety. Uzbekistan is also a signatory to several international treaties and has ratified various **International Labor Organisation (ILO) conventions** including the Convention on Forced Labor, Freedom of Associations and Protection of the Right to Organize, Collective Bargaining, Equal Pay, Discrimination, Minimum Working Age and Child Labor. In recent years, Uzbekistan has undertaken regulatory labor and occupational health and safety reforms, including introduction of amendments to the Labor Code of Uzbekistan.
63. The use of **forced and child labor** has traditionally been high in the country, although in recent years the country has done commendable work to eliminate such labor from the cotton sector where their use was rampant. However, there are other sectors and industries where child labor persists even though legally prohibited. There is lack of orientation on the social-legal aspects related to use of forced and child labor among the enforcement agencies and their capacities to identify their deployment is weak; this combined with the lack of real powers to take disciplinary action against such employers means that their use goes unchecked.
64. **The Constitution (1992, latest amendment in 2023)** of Uzbekistan stipulates basic principles of employment. Everyone has a right to decent work, freedom of choice of their occupation, fair working conditions in terms of safety and hygiene, fair remuneration not below the established minimum wage and without discrimination. (Article 42) Women are expressly protected from refusal of being hired or paid less due to their gender, pregnancy or the fact of having a child (Article 42). The Constitution also sets out the requirement for the workers to have rest time during the working hours as well as paid annual leave. (Article 45) Forced labor is prohibited, except for instances when it is part of the punishment as per the court decisions or other instances specified by the law. (Article 44) It also stipulates that trade unions express and protect the social and economic rights and interests of workers. Membership in trade unions is voluntary. (Article 73). Labor Code (1995, latest amendments in 2022) of Uzbekistan sets out the core principles regulating individual labor relations and labor rights. The Labor Code covers basic labor standards by setting requirements to have written contracts in place, regulation of normal working hours, defining overtime and its respective remuneration, establishing a minimum wage and equal payment without discrimination. It also provides for the annual leave, daily and weekly rest for workers as well as prohibition against forced labor, including forced child labor, by setting a minimum age for employment.
65. **Building Code.** The Urban Planning Code (2021) commits to “compliance with the requirements for the safety and reliability of buildings and structures, their seismic resistance, fire safety and energy efficiency” (Article 4) and “creation of conditions for unimpeded access for disabled people to social infrastructure objects (residential premises, public and industrial buildings, facilities and structures, healthcare, culture, sports and other facilities)” (Article 10). The Building Code is currently being updated to ensure accessibility, e.g., elevator requirements for buildings with more than two stories, ramp requirements for public buildings, childcare facilities, etc.
66. **Management of Land Acquisition and Involuntary Resettlement (relevant to Core Principle 4)**

67. As per **the Land Code (2022)**, land in Uzbekistan is categorised into eight different types: 1) lands for agricultural purpose, 2) land for urban and rural settlements, 3) land for industry and other purposes, 4) land for nature protection, 5) land with cultural/historical importance, 6) land of forest fund, 7) land of water fund, and 8) land of reserve fund. Depending on the land category, different set of public institutions are responsible for their governance and management as well as for inter-agency coordination when more than one land type is involved. Most land categories remain under state ownership. In recent years, the Government of Uzbekistan has been working on various land reforms, including digitization of land record, and attempts have been made to transfer ownership of certain land categories to individuals and legal entities; these reforms are underway to recalibrate land governance and use it as a key driver of growth for the country. According to the Cadastre Agency, 98% of the national territory of Uzbekistan has been digitally mapped, and 95% of land boundaries have been fully digitized.
68. As the Regional Cadastre Agency register or verify land for regional hokimiyat's allocation, the Agency applies relevant national laws. For instance, Article 36 of the Land Code indicates that the grantee of non-agricultural land loses right to use the land non-agricultural land if not used for two years after the permission was granted by a regional hokim (governor) (Article 36).
69. National legal-policy framework around land management is highly fragmented and there is no single national law or policy that governs land acquisition and resettlement with the exception of Law ZRU-781 (June 2022), which is an effort to bring several resettlement related issues under a single law. Land acquisition has become even more complex since 2018, with the issuance of several cabinet resolutions, presidential decrees and amendments to land code that aim to address gaps, clarify policies, improve transparency, spell out detailed procedures, exempting specific projects from complex procedural requirements. Unintentionally, this has led to further contradictions, added vagueness and posed challenges to the implementing agencies and regional hokimiyats in terms of interpreting law and enforcing them on the ground. Local communities are also challenged in the absence of clear rules and procedures related to ownership, lease and usufruct rights, land tenures and their security, valuation procedures and their application in case of land expropriation.
70. According to the Resolution of Cabinet Ministers No. 317 (September 2016), the non-titled land users of public land can register the land through a court process, by providing i) explanation of circumstances of informal use of land, ii) certificate from local self-governed bodies on possession of last 15 years, and iii) payment of land tax for the last five years. However, owing to high state ownership and low awareness about tenurial rights and apprehensions about tax liabilities related to property registration, only three-fourth of the public lands and only two-thirds of urban properties have formal registration, leading to high informal ownership and use of such properties.
71. **Inclusion of Vulnerable Groups (relevant to Core Principle 5)**
72. **Gender gaps:** In the last few years, Uzbekistan has managed to close some gender gaps in social and political participation, but several significant gaps still persist. The gender gap in labor force participation is still about 33 percent (WDI, 2022); participation of women in employment and their achievement on human development indicators still lags behind comparable middle-income countries. The existing definition of sexual exploitation and abuse and sexual harassment (SEA/SH) at workplace and does not provide for prohibition of discrimination based on sexual orientation or gender identity, which leads to poor identification of such risks and their prevention. Sexual harassment at a workplace is also not covered by the existing Labor Code. While various laws prohibit sexual harassment against women, there is no overarching prohibition on sexual harassment against women and men, and legal or other remedies are not easily accessible to the victims. Lack of state-sponsored skilling support to women also denies them access to livelihood earning opportunities and skills relevant to the markets. Recognition of women as a distinct constituency, with their own unique

needs is absent from most national policies and hence remains invisible within the operating policy environment. Women also face obstacles in accessing justice, particularly in cases of gender-based discrimination. Barriers such as lack of legal awareness, limited access to legal aid, and societal stigma hinder women from seeking redress through the legal system.

73. **Persons with disabilities** experience challenges in accessing employment due to stigma, lack of accessibility, and possible discriminatory attitudes among employers. While there are specific policies in place to ensure inclusive employment especially with regards to women and persons with disabilities, the enforcement and its monitoring is weak. The use of informal workers, especially in the agriculture and private sector, is very widespread. Most informal workers belong to the poor and vulnerable groups (often rural communities) and due to weak regulatory mechanisms to secure compliance with labor laws their use is rampant.
74. **Women and youth participation in Mahalla Committee.** Mahalla (community or neighborhood) Committees or Mahalla Citizens' Assemblies (MCAs) are recognized as territorial self-government organizations by the Constitution (Article 105). The MCA has an executive committee, including a women's affairs officer. Budget transparency and citizen participation in budget identification are high on the political agenda. Mahalla has been mandated to facilitate an increase in citizen's participation (Presidential Decree UP-4944). However, survey data found that a higher percentage of men reported having attended a public village meeting compared to women. Among individuals aged 30 to 50, a higher percentage of men reported that their preferences were better reflected in public expenditure decisions compared to women, with an 8-percentage point difference.<sup>3</sup>
75. **Avoidance of exacerbating social conflict (relevant to Core Principle 6)**
76. Uzbekistan's navigation from its post-Soviet trajectory has been eventful, particularly in terms of community engagement and governance. The gradual transition from a centrally planned system to one that emphasizes transparency and community involvement is significant. Efforts to empower local institutions like Mahalla Committees are crucial for fostering community-driven development initiatives. While Uzbekistan may still need to take steps to fully embracing proactive engagement with public stakeholders, the recent initiatives aimed at enhancing governance and accountability are promising steps forward, such as having a women's affair officer at the Mahalla executive committee and People's Reception Offices at national, regional, and district/city levels, including virtual reception.
77. However, despite all these steps, most laws and policies do not provide for full participation and seek meaningful and effective engagement. As a result, stakeholder engagement, in most cases, remains limited to an exercise of token presence of community representatives in meetings/ hearings, and their feedback is not necessarily considered during project design or site selection, and the impacts are not adequately scoped during the identification of mitigation measures.

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<sup>3</sup> 2021 data collected by World Bank-supported Rural Infrastructure Development Project (P168233).

## 4. Institutional Capacity Assessment for Managing the Program's Environmental and Social Effects

### 4.1 Implementation Agencies

78. The proposed Program is expected to be implemented through existing national and subnational institutional arrangements in the education and construction sectors of the Republic of Uzbekistan. Responsibilities for policy formulation, financing, and implementation are clearly differentiated across institutions, consistent with national legislation and established administrative practice.
79. **Ministry of Preschool and School Education (MoPSE).** The MoPSE is the central government authority responsible for overall sector policy, strategic planning, and coordination in the preschool and general secondary education sector. Within the scope of the proposed Program, MoPSE's role is primarily programmatic and policy-oriented, rather than operational.
80. Specifically, MoPSE is responsible for:
- defining the Program objectives, priorities and eligibility criteria;
  - identifying and prioritizing regions and education facilities to be supported under the Program;
  - coordinating the implementation of selected non-infrastructure activities under the PforR component, including teacher training and targeted capacity-building interventions, which are limited in scope and outreach; and
  - monitoring overall Program progress and results in coordination with other relevant government entities.
81. MoPSE does not directly carry out civil works under the Program, nor does it act as the implementing agency for construction, reconstruction, or rehabilitation activities. Additionally, it does not have administrative or supervisory authority over Single Engineering Centers (UKS) operating under local executive authorities (khokimiyats).
82. **A Project Coordination Office (PCO)** established under MoPSE supports Program coordination, reporting, and liaising with the World Bank, but does not oversee construction activities.
83. **Ministry of Economy and Finance (MoEF).** The MoEF is responsible for public finance management, coordination of external financing, and interaction with international financial institutions, including the World Bank. MoEF's role in the Program relates to budgetary coordination, financial oversight, and alignment of the Program with national investment and fiscal planning frameworks.
84. **Regional and district/city hokimiyats** are responsible for the implementation of civil works under the Program through their respective UKS. Acting within their statutory mandates, hokimiyats oversee site selection, land allocation, procurement, contract management, and construction supervision in accordance with national procurement, construction, environmental, labor, and safety legislation. Regional and district/city hokimiyats are a state body responsible for regulating, planning, and controlling construction processes in their territory. They participate in the development and approval of the master plan for the territory and other urban development documents. These documents determine where residential buildings, industrial facilities, or social facilities will be built. The location of new areas, industrial zones, and infrastructure facilities is also planned.
85. The Regional and district/city hokimiyats consider issues of allocating land for construction and make decisions based on legislation. Before the start of construction work, project documents are reviewed in the appropriate manner and the issue of issuing permits is resolved. The government is obliged to ensure that construction is carried out on the basis of the approved project.

86. In addition, they monitor the construction process. That is, it checks whether construction work is carried out in accordance with current standards and regulations. If illegal or unauthorized construction is detected, it may take measures to stop it, impose a fine or demolish it.

## 4.1 Other Key Agencies for PforR Implementation

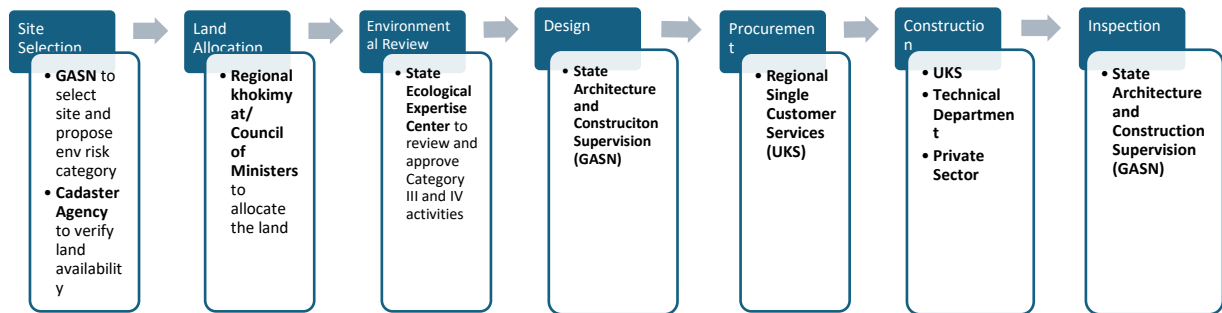
87. **Regional Single Customer Service or UKS/CCM:** The agency is commonly referred to as UKS or CCM, which, translated from Russian (Управление капитального строительства), literally stands for "Capital Construction Management".<sup>4</sup> UKS is primarily a construction contracting agency. It is responsible for the full spectrum of activities related to the construction of public infrastructure, including design, procurement, contract management (including supervision and oversight of contractors during construction), and inspection for readiness for use. There are several UKS/CCM in one region. The primary UKS that the PforR will engage is under the regional hokimiyat. Other UKS' are specialized in specific sectors, e.g., regional road, education (construction of childcare facilities), and water supply and sewage facilities, and work almost like the construction/implementation arms of the line agencies or the state unitary enterprises (SUEs). The regional or specialized UKS' do not have in-house environment and social specialists to assess the impact. However, UKS' have OHS engineers or other engineers trained on OHS by the Ministry of Employment and Poverty Reduction.
88. **State Architectural and Construction Supervision (GASN) under the Ministry of Construction and Housing and Communal Services (MCHCS):** The MCHCS is the competent authority for the regulation and oversight of construction activities under national law. MCHCS establishes and administers construction norms and standards, reviews and approves design documentation, and oversees compliance with applicable technical and construction requirements.
89. Where relevant, MCHCS is involved in:
- approval and registration of standardized school designs;
  - regulatory oversight of construction works implemented by UKS under khokimiyats.
90. Once the land use permit is obtained from the regional hokimiyat, the investment project will be designed. For instance, for the construction of a building, the architectural design is carried out by the line department of the State Architectural and Construction Supervision (GASN) under the MCHCS, and GASN organizes a public consultation meeting and discloses the design at Mahalla. While the PforR does not support the development of urban settlement, GASN has some experience in public consultations and disclosure, although the quality of engagement, in particular, inclusiveness of vulnerable groups, needs further assessments. There is no in-house environment specialist at GASN.
91. The primary or regional UKS manages the "Shaffof Qurilish", which is a national procurement portal that means "transparency in construction". It is an e-platform participated by government stakeholders in obtaining approvals and permits. Figure 3 describes the on-line approval process through the procurement portal, including responsible agencies:

Figure 3. On-line Procurement Process managed by the Ministry of Construction<sup>5</sup>

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<sup>4</sup> In English translations, UKSes are also often referred to as *single customer services*, whereby it is unclear who the single customer is as these days, there are multiple UKS entities. The term likely originates from the time there was only one single government procurement and construction contract management agency.

<sup>5</sup> The flow chart was developed based on the E&S team's meeting with GASN in the Khorezm Region. The actors may differ depending on the activity, risk level, or Region.



92. **Cadastre Agency under MoEF:** The Regional Cadastre Agency will verify if the requested land for the implementation of investment plan is available, i.e., the land is free from encroachers or squatters and is unassigned even if not used. The Land Code established principles for land use in Uzbekistan. Article 12 of Land Code prescribes that the Ministry of Agriculture and Cadastre Agency are responsible for land management. The key functions of the Cadastre Agency include implementation of the policy related to state registration of property rights; maintenance of cadastral data on land and buildings; land supervision to prevent unauthorized land grabbing; maintenance of the state cartographic and geodetic cadastre, as well as unified system of state cadastres; implementation of cadastral supervision, compliance checks and acceptance of buildings/structures and formation of a unified address registry. Cadastre Agency has 8,500 staff nationwide, including 6,800 surveyors in the regions. As the digitization is in progress, there are increasing demands for cadastral services, including nationwide registration. The Agency has limited capacity to meet heavy demands.
93. **The National Committee on Ecology and Climate Change of the Republic of Uzbekistan** is the competent national authority responsible for environmental regulation, environmental permitting, and environmental compliance monitoring in accordance with national legislation.
94. In November 2025, the Committee was reorganized and removed from the structure of the Cabinet of Ministers, with the establishment of an independent National Committee. The stated objectives of the reorganization include strengthening the effectiveness of environmental protection measures, addressing land degradation and desertification, and improving ambient air quality.
95. Within the scope of the proposed Program, environmental screening, permitting, and environmental oversight of civil works are conducted in accordance with applicable national environmental legislation under the mandate of the National Committee on Ecology and Climate Change, including through its territorial bodies, as relevant.
96. **State Ecological Expertise (SEE) Center under the National Committee on Ecology and Climate Change of the Republic of Uzbekistan:** The national EIA procedure is regulated by the Law "On the Environmental Examination" and the Regulations "On the State Environmental Expertise" (SEE). The Resolution specifies the legal requirements for EIA in Uzbekistan. The specially authorized state body is the State Ecological Expertise Center under the committee. SEE makes impact declaration for all projects and also clears master plans. Environment impact declaration is a part of the on-line approval process described in Figure 4 above. The Center for Environmental Review has 12 inspectors for impact declaration. In regions, there are 180 regional environment inspectors. In the Tashkent Region, for instance, the regional SEE conducts about 5,000 reviews per year.
97. **State Labor Inspectorate under the Ministry of Employment and Poverty Reduction:** State Labor Inspection has in total 411 labor inspectors, including 72 field inspectors (technical labor inspectors) and 209 district labor law inspectors (one inspector per district). For instance, in the Tashkent Region, there are 16 staff in the Region (5 labor legislation and 11 technical/OHS inspectors) and 22 labor inspectors at the district level. While the overall staffing of the State Labor Inspectorate has increased

by 18% in the last two years, the feedback from the Regions indicates more staff are needed for compliance, in particular, dedicated OHS inspectors.

98. At district and regional levels, labor inspectors conduct mandatory biannual scheduled inspections at work sites, investigate incident reports, and respond to complaints received through hotline. The State Labor Inspectorate has an electronic incident reporting mechanism and has received a total of 868 labor incident reports. About 30% of the incident reports were from the construction sector, followed by the transport sector. Majority of incidents are OHS related. Others include wage payment and working conditions, traffic accidents, falls, equipment safety, etc. The labor inspector reviews safety measures (including use of PPEs), safety instructions and training to workers, and worker contracts. Resolution #60 of Cabinet Ministers provides for remedial measures for incidents, such as payment of one year's wage and medical/prosthetic support for disability, payment of six years' wage for fatality. There is also provision for workers under 18 years old. The labor inspector reviews the compliance of these measures by the employer, including labor conditions (such as rest).
99. **The Ministry of Employment and Poverty Reduction** has an in-house training center. They provide OHS training and certification (virtual and in-person) to specialists at contractors and government agencies. The training is based on the National Labor Code, and certification is valid for 2 years. OHS training is also provided by labor inspectors at regional and district/city levels. There are private OHS training providers who can be engaged to deliver such training. However, there currently is no list of certified training providers licensed by the Ministry.
100. **GRM/People's Reception at MoPSE and regional hokimiyats.** As per the Law ZRU-445, all government offices at national, regional, and district/city levels are to establish People's Reception. MoPSE has an internal procedure to guide the implementation of People's Reception at national and regional levels (Order No. 23-70, Appendix 4.33, issued in April 2024). The Order sets out admission criteria for complaints (e.g., anonymous complaints are not accepted), submission channels (e.g., in-person, virtual, hotline, official website, and official email), establishment of the Appeals Department, and maintaining records/data. Grievances are registered and sorted, and their status is tracked, according to the timeline established in the guideline.
101. The regional and district/city hokimiyats also have People's Reception/GRM. In the Republic of Karakarpakistan, for instance, the Deputy Minister's Office has a division to receive and respond to complaints/queries, but submissions are few. Further assessment is required on the functionality of People's Reception at participating regional and district/city hokimiyats and technical departments.

### 4.3 MoPSE's (and MoCHCS's) Implementation Experience

102. The MoPSE has experience in coordinating and supporting the implementation of education sector projects financed by international financial institutions (IFIs), mainly through Investment Project Financing (IPF) modalities.
103. MoPSE has not previously implemented a Program-for-Results (PforR) operation. Therefore, the proposed program would be the first time the PforR instrument is used in the preschool and general secondary education sector under MoPSE's mandate.
104. MoPSE's prior and ongoing engagement with IFIs includes the following:
  - World Bank: MoPSE has received support through World Bank-funded grants and technical assistance activities related to education sector development and project preparation. These engagements have been carried out under IPF-type instruments and grant financing, rather than through PforR.
  - Islamic Development Bank (IsDB): MoPSE is involved in implementing an IsDB-funded education infrastructure project (SmartED), which includes building school facilities. The project is carried

out under an IPF modality, with civil works executed through national systems and relevant implementing entities.

- Asian Development Bank (ADB): MoPSE is involved in an ADB-funded education sector project (STEM) with an estimated financing of around USD 100 million, mainly for providing educational equipment and related capacity building. This project is carried out under IPF arrangements.
- Asian Infrastructure Investment Bank (AIIB): MoPSE is currently involved in preparatory activities funded by an AIIB grant for a potential large-scale education sector project, with a possible future financing amount of up to about USD 500 million. The planned project aims to support school construction, reconstruction, and equipment over a multi-year period extending to approximately 2032. At the time of preparing this questionnaire, this engagement remains in the preparatory phase.

105. Across these engagements, MoPSE's role has primarily involved sector coordination, policy oversight, and interaction with IFIs, while the implementation of civil works under all their IFIs will be carried out according to the respective donor regulations rather than national legislation.

106. The Ministry of Construction, Housing, and Communal Services (MoCHCS) has experience in regulating and overseeing construction activities across sectors, including education infrastructure, through its mandate to establish and enforce construction norms, review and approve design documentation, and oversee technical compliance in line with national legislation. This experience stems from MoCHCS's ongoing regulatory functions, rather than from acting as a project implementation agency for IFI-financed operations.

107. MoPSE does not bear responsibility for, supervise, or have access to internal procedures, documentation, or implementation arrangements used by MoCHCS in the context of IFI-financed operations, nor does it exercise authority over MoCHCS's regulatory activities. The roles and responsibilities of MoCHCS are defined by national legislation and are exercised independently of MoPSE.

#### 4.4 Institutional Capacity and Resources for E&S Management

108. Under current national institutional arrangements, MoPSE does not have dedicated environmental and social (E&S) departments or permanent E&S staff positions. This reflects the established division of responsibilities within the education and construction sectors rather than a project-specific gap.

109. As described above, the construction, reconstruction, and rehabilitation of school facilities are carried out by local executive authorities (khokimiyats) through Single Engineering Centers (UKS), which operate under national construction and procurement laws. Accordingly, E&S management for civil works is integrated into local implementation and regulatory systems, including environmental permits, technical supervision, and compliance monitoring conducted by the responsible authorities.

110. MoPSE's institutional role mainly involves sector policy, planning, prioritization, and coordination, and it does not serve as a civil works implementation agency. Consequently, dedicated environmental and social (E&S) staffing within MoPSE has not traditionally been necessary for school construction activities.

111. MoPSE's direct involvement in E&S-related aspects has occurred only within the context of donor-funded projects, mainly under Investment Project Financing (IPF) modalities, where E&S requirements are clearly outlined by the financing institution and incorporated into construction supervision and consulting contracts. In such cases, E&S-related tasks are typically handled through project-specific consultants, supervising engineers, or external experts hired for the duration of the specific project, rather than through permanent in-house units.

112. At present:

- MoPSE does not have a standalone budget line dedicated specifically to E&S management;
- E&S-related costs, where applicable, are addressed within project-specific budgets, particularly under donor-financed construction and supervision contracts;
- No permanent E&S training programs are maintained within MoPSE outside the context of specific externally financed projects.

## 4.5 Regulations on the sequence of work to be performed for the construction of new schools

113. The process and legal framework for establishing new general education institutions are defined through a series of key stages. These stages outline the necessary steps and regulatory requirements that must be followed to successfully create and operationalize new schools. Each stage is governed by relevant legislation and administrative procedures, ensuring that the process is systematic, compliant with national standards, and mindful of both environmental and social considerations. This structured approach helps guarantee consistency, transparency, and effectiveness in the development of general education facilities. The detailed information is given below.



114. **Needs analysis and selection of areas:** At the initial stage, an analysis is conducted in cooperation with the Regional Departments of Preschool and School Education. This identifies areas with a high population density and high school turnout (shortage of student places).

115. **Selection and allocation of land plots:** Based on the identified needs, an appeal is made to the regional khokimiyats. Relevant khokim decisions are made to allocate the selected land plots to the Regional Departments of Preschool and School Education for permanent use. In this case, environmental and social standards are strictly observed: land plots are selected far from industrial zones, without cutting down trees and plants, and not near existing water structures (rivers, lakes, reservoirs and canals). Also, during the design and land allocation process, agreement and approval with the local population is mandatory, additional requirements such as non-harm to biodiversity, use

of sustainable materials, non-pollution of the environment and assessment of social impact (for example, noise and dust level control) are taken into account. These standards are monitored in accordance with the environmental and social legislation of the Republic of Uzbekistan.

116. **Formation of an Architectural and Planning Assignment (ART).** After the decisions on land allocation come into force, territorial departments send an application to the State Services Center via an electronic key. Based on this application, the Architectural and Planning Assignment (ART) documents of the facility are formalized and accepted.
117. **Preparation of design and estimate documentation.** In accordance with the approved ART documents, qualified design teams are involved to carry out pre-project work. Formal contracts are concluded with them, and design work is carried out in accordance with the established procedure.
118. **Submission of project documentation:** Upon completion of the project work, the project organization submits the prepared design and estimate documentation to the Customer on the basis of a transfer-acceptance act (invoice).
119. **Forwarding documents to the General Contractor:** The Customer officially submits the received set of design and estimate documentation and working drawings (albums) to the General Contractor selected on the basis of the tender for the implementation of construction and installation works.
120. **Start of the construction process:** The contracting organization begins construction work at the facility in accordance with the approved design and estimate documentation and construction norms and rules (SHNK).
121. **Commissioning of the facility:** After the contractor has fully completed the construction and installation works within the terms specified in the contract, it transfers the completed facility to the Customer, ready for operation, together with the execution documents. The process of accepting the facility is considered completed after the signing of the bilateral handover and acceptance certificate (as well as the final acceptance commission certificate), in accordance with current legislation.

## 5. Comparative Analysis of Borrower E&S System and the World Bank Core Principles

122. In accordance with the World Bank Policy and Directive on Program-for-Results (PforR) Financing, an Environmental and Social Systems Assessment (ESSA) was undertaken to assess the extent to which the Borrower’s environmental and social (E&S) systems are consistent with the World Bank’s six Core Principles for PforR operations. The analysis considers both: (i) the national legal and regulatory framework applicable to Program activities; and (ii) the institutional arrangements, capacities, and practices of the Borrower and implementing entities, including MoPSE, MEF, and subnational executive authorities (khokimiyats) and their Single Engineering Centers (UKS), which are responsible for civil works implementation.
123. The assessment focuses on activities supported under the BILIM Program, particularly school construction and expansion works implemented under national systems, and selected non-infrastructure activities coordinated by MoPSE. The Program does not establish parallel implementation systems; instead, it relies on existing Borrower systems for environmental management, labor and safety, land administration, stakeholder engagement, and grievance redress.
124. Overall, the analysis finds that the Borrower’s E&S system is broadly consistent with the World Bank Core Principles, and is capable of managing the moderate, localized, and predictable risks associated with the Program. Identified gaps relate primarily to coordination, consistency of implementation, and institutional capacity at subnational levels, rather than deficiencies in the underlying legal framework. These gaps are addressed through proportionate system-strengthening measures included in the Program Action Plan (PAP).

Table 5. Comparative Analysis of the Borrower’s Environmental and Social System and World Bank Core Principles

World Bank Core Principle	Objective of the Core Principle	Borrower E&S System (Legal Framework and Implementing Institutions)	Key Gaps / Risks Identified	Program Measures / Actions (PAP)
<b>Core Principle 1: Environmental and Social Management</b>	Promote environmental and social sustainability; avoid, minimize, or mitigate adverse impacts; support informed decision making.	<b>Legal framework:</b> Uzbekistan has an established environmental protection and EIA/SEE system applicable to public infrastructure. School construction activities fall under low risk categories and require environmental screening and approval.	Fragmentation of E&S responsibilities among Borrower institutions; uneven application of environmental screening, supervision, and monitoring at subnational level; limited formal coordination mechanisms across institutions.	Formalize interinstitutional E&S coordination; clarify E&S roles and procedures in the Program Operational Manual (POM); strengthen consistency of environmental screening and supervision through guidance and capacity building measures.

		<p><b>Borrower system:</b> E&amp;S responsibilities are distributed across institutions. MoPSE provides policy coordination and prioritization but does not implement civil works. MEF oversees public investment planning and financing. Regional and district khokimiyats, through UKS, implement civil works and manage procurement and supervision, relying on national environmental permitting and compliance systems.</p>		
<p><b>Core Principle 2: Natural Habitats and Physical Cultural Resources</b></p>	<p>Avoid, minimize, or mitigate adverse impacts on natural habitats and physical cultural resources.</p>	<p><b>Legal framework:</b> National laws protect protected areas, biodiversity, and cultural heritage and restrict construction in sensitive locations.</p> <p><b>Borrower system:</b> Land selection and approval are carried out by khokimiyats with cadastre verification. Program investments are limited to existing school sites or</p>	<p>Low residual risk of chance finds during excavation, particularly in older urban or peri-urban locations; absence of standardized chance-find procedures applied consistently by contractors and supervisors.</p>	<p>Integrate formal chance-find procedures into the POM and construction contracts; require contractor awareness and reporting; strengthen supervision by UKS and relevant authorities.</p>

		screened public/state reserve land, excluding protected areas and known cultural heritage sites.		
<b>Core Principle 3: Public and Worker Safety</b>	Protect public and worker safety from risks related to construction activities, hazardous materials, and operational practices.	<p><b>Legal framework:</b> Strong labor, OHS, and construction safety legislation exists, including the Labor Code, OHS law, and building codes. Enforcement is carried out by contractors, construction supervision bodies, and the State Labor Inspectorate.</p> <p><b>Borrower system:</b> Worker and community safety during construction are managed by contractors and UKS under national systems. Adoption of the RIGHT+ framework strengthens safety, accessibility, climate resilience, and energy efficiency in school design.</p>	Limited formal procedures for identification and management of hazardous materials (e.g., asbestos in older buildings); need for more systematic management of community health and safety and SEA/SH risks near schools.	Develop and apply hazardous materials management guidelines; require contractor codes of conduct addressing SEA/SH; strengthen OHS training, supervision, and community safety measures.
<b>Core Principle 4: Land Acquisition and Loss of Access to Natural Resources</b>	Avoid or minimize displacement; assist affected people in restoring livelihoods and	<p><b>Legal framework:</b> Land Code and land acquisition legislation establish procedures for land allocation, verification, and compensation.</p>	Low risk, but reliance on administrative verification requires consistent documentation to confirm land is free of encumbrances	Apply standardized land screening and documentation procedures; reflect land eligibility and exclusion criteria in the POM; monitor

	living standards.	<p><b>Borrower system:</b> Land identification and allocation for schools are undertaken by khokimiyats with cadastre verification. The Program excludes involuntary resettlement and large-scale land acquisition; investments are limited to existing footprints, verified public/state land, or documented voluntary land contributions.</p>	and that voluntary land contributions are informed and non-coercive.	compliance during implementation.
<b>Core Principle 5: Indigenous Peoples and Vulnerable Groups</b>	Ensure culturally appropriate and equitable access to Program benefits; give special attention to vulnerable groups.	<p><b>Legal framework:</b> National legislation guarantees equal rights and access to public services; Indigenous Peoples are not recognized under national law.</p> <p><b>Borrower system:</b> MoPSE and subnational education authorities are responsible for inclusive education delivery. The Program integrates inclusive school design, gender-responsive WASH and menstrual hygiene management</p>	Stakeholder engagement and inclusion practices vary across regions; limited capacity at school and local levels to consistently identify and support vulnerable learners.	Strengthen inclusive stakeholder engagement approaches; build teacher and school leader capacity on gender-responsive and inclusive pedagogy; integrate inclusion requirements into infrastructure standards and school operating frameworks.

		facilities, and teacher training on differentiated instruction and early identification of learning needs.		
<b>Core Principle 6: Social Conflict</b>	Avoid exacerbating social conflict, particularly in fragile or sensitive contexts.	<p><b>Legal framework:</b> A nationwide grievance redress framework exists under the Law on Appeals, implemented through People’s Reception Offices at national and subnational levels.</p> <p><b>Borrower system:</b> MoPSE, MEF, and khokimiyats rely on existing administrative grievance mechanisms for issues related to service delivery and construction activities.</p>	Program-specific grievances may not be systematically tracked or consolidated across implementing institutions, potentially delaying resolution of local concerns.	Strengthen Program-level grievance tracking, reporting, and follow-up; ensure timely resolution and feedback to affected communities; align grievance reporting with PAP monitoring.

## 6. Stakeholder Engagement

125. Initial stakeholder engagements were carried out in January 2026 by the ESSA team at the national, regional, and district/city levels for the E&S system assessment. Four stakeholder consultation meetings were conducted as part of the ESSA disclosure and engagement process for the PforR program. The meetings took place at the
- 1) School No. 55 in Nukus, Republic of Karakalpakstan, on January 19, 2026,
  - 2) Council of Ministers of the Republic of Karakalpakstan, on January 19, 2026
  - 3) Ogahiy School in Khiva on January 20, 2026
  - 4) Khorezm Regional Khokimyat in Urgench on January 21, 2026.
126. The primary objective of these consultations was to introduce the PforR program and share the ESSA findings with local stakeholders. During each session, attendees discussed environmental and social risks, proposed mitigation measures, and provided feedback to help finalize the ESSA and related action plans.
127. The discussion focused on the construction component of the Operation, covering planning and implementation procedures, as well as the allocation of roles and responsibilities among participating organizations. Participants reviewed current construction management arrangements, including the supervisory and monitoring functions of the Unified Customer Service (UCS) under the Cabinet of Ministers of the Republic of Karakalpakstan.
128. Special attention was paid to the following issues:
- technical and construction supervision of facilities through the UCS;
  - compliance with construction, sanitary, and other regulatory requirements;
  - procedures for selecting, allocating, and coordinating land plots for the construction of facilities within the Operation;
  - coordination between government agencies, the customer, and other relevant agencies.
129. Throughout the discussion, representatives from the World Bank offered detailed explanations and posed additional questions on key topics. The conversation covered the importance of integrating environmental and social considerations when selecting land plots and executing construction activities, ensuring strict adherence to environmental and social requirements and standards. Social aspects of project implementation were thoroughly examined, including strategies for engaging communities, keeping residents informed, resolving citizen complaints, and safeguarding social well-being during construction phases.
130. Additionally, participants discussed the procedures for selecting and approving land plots for educational facilities, underscoring the necessity of compliance with construction, sanitary, and regulatory requirements. Concluding the meeting, all parties explored potential avenues for enhanced collaboration and reaffirmed their commitment to ongoing, close cooperation at every stage of project preparation and implementation, with particular focus on effective coordination at the regional level.

Table 6. Summary of public consultations on draft ESSA

Comments (Questions Raised)	Response
<b>Program Details</b>	
What is the scope of the BILIM Program, and how does it differ from broader national education reform programs and other school construction initiatives?	The World Bank team explained that the <b>BILIM Program is a results based PforR operation</b> supporting a <b>defined subset</b> of the Government’s education reform agenda. It focuses on improving

	foundational learning outcomes through three Results Areas and does <b>not</b> finance nationwide school construction. Investments are limited to selected regions and are linked to achievement of agreed results rather than inputs.
Does the BILIM Program involve involuntary land acquisition, resettlement, or displacement of communities?	It was clarified that <b>involuntary resettlement and physical or economic displacement are on the PforR negative list</b> . All Program investments are restricted to existing school footprints, verified public/state land, or properly documented voluntary land contributions. This exclusion is reflected in Program design and reinforced through land screening procedures.
How are participating regions, districts, and schools selected under the Program?	The team explained that participating regions will be selected based on <b>poverty levels and infrastructure needs</b> , and that site selection follows national planning procedures, including cadastre verification, environmental screening, and local consultations, in line with existing legislation.
<b>Draft ESSA</b>	
How will the safety of students, school staff, and nearby communities be ensured during construction and rehabilitation works?	The ESSA recognizes <b>community health and safety</b> as a key risk under Core Principle 3. The Program Action Plan includes measures to strengthen OHS practices, site safety controls, contractor supervision, and communication with schools and communities during construction activities.
What measures will be taken to manage construction-related impacts such as dust, noise, and construction waste?	The ESSA confirms that such impacts are <b>localized, temporary, and manageable</b> . National environmental permitting and supervision systems will apply, and standardized environmental screening and supervision procedures will be strengthened under the Program Action Plan.
How will hazardous materials, such as asbestos in older school buildings, be identified and managed?	The ESSA identifies hazardous materials management as a gap. The Program Action Plan includes development and application of <b>hazardous materials management guidelines</b> , contractor training, and strengthened supervision prior to and during civil works.
How will potential impacts on cultural heritage be addressed during excavation and construction works?	It was clarified that the Program avoids known cultural heritage sites. However, the ESSA notes a residual risk of chance finds. <b>Chance find procedures</b> will be incorporated into construction contracts and supervision practices as part of the Program Action Plan.

<p>How does the Program ensure accessibility and inclusion for children with disabilities and gender responsive facilities in schools?</p>	<p>The ESSA confirms that inclusive school design, accessibility standards, and gender responsive WASH facilities are integrated into national school design standards aligned with the RIGHT+ framework. The Program Action Plan reinforces inclusive stakeholder engagement and monitoring of inclusion measures.</p>
<p>How can communities, school staff, or citizens raise complaints or concerns related to construction or Program implementation?</p>	<p>The team explained that grievances will be handled through <b>existing national mechanisms</b>, including People’s Reception Offices at national and subnational levels. The Program Action Plan strengthens <b>Program level grievance tracking, consolidation, and reporting</b> to ensure timely resolution and feedback.</p>
<p>How will consistent implementation of environmental and social measures be ensured across different regions?</p>	<p>The ESSA acknowledges uneven institutional capacity at subnational levels. The Program Action Plan includes measures to strengthen coordination, clarify roles, standardize procedures, and provide targeted capacity building to improve consistency across participating regions.</p>

131. **Document Dissemination and Public Disclosure:** The Executive summary of the draft ESSA was translated into the Uzbek language and shared with the stakeholders before the public consultations. The draft ESSA will be disclosed in-country and on the World Bank’s website before appraisal. The final ESSA will be disclosed before the board approval.

## 7. Recommendations and Actions

132. Based on the assessment, the following actions are essential to strengthen the borrower's E&S management systems and mitigate identified risks. These measures are required for the Program to proceed and will be formalized in the Program Action Plan (PAP).
133. The Program Action Plan outlines a focused set of actions aimed at strengthening the effectiveness and consistency of environmental and social risk management under the BILIM Program. The actions concentrate on improving coordination among responsible institutions, clarifying and standardizing procedures for environmental screening and supervision of school construction and rehabilitation activities, and reinforcing worker and community health and safety practices, including measures to manage SEA/SH risks. The Action Plan also emphasizes systematic land eligibility screening to ensure the exclusion of involuntary resettlement, promotes more inclusive stakeholder engagement with particular attention to vulnerable groups, and strengthens the tracking and resolution of Program-related grievances through existing national mechanisms. Collectively, these actions are designed to reinforce borrower systems, address identified implementation gaps, and support proportionate management of the Program's moderate environmental and social risks. Detailed information on the recommended actions is provided below in Table 7.

Table 7: Program Action Plan

Action Description	Responsibility	Timing	Completion Measurement
<b>Institutional &amp; Procedural Strengthening</b>			
<b>1. E&amp;S Staffing Arrangement:</b> Establish a dedicated E&S team in MoPSE's PCO and assign E&S focal points in each regional branch.	MoPSE PCO, MoPSE Regional Branches	Within six months of Program Effectiveness	(i) Engagement of one full-time environmental specialist and one full-time social specialist in the PIO; (ii) Assignment of an E&S focal point in each regional branch; (iii) Establishment of a formal communication and coordination mechanism.
<b>2. Preparation of a Program Operational Manual (POM):</b> Formalize interinstitutional coordination on E&S risk management, including clarification of roles and information sharing between MoPSE, construction authorities, and environmental regulators, reflected in the Program Operational Manual (POM).	MoPSE (with relevant line agencies)	Within the first year of implementation	POM should include clearly defined E&S roles, coordination arrangements, and procedures. Particularly, guidelines for obtaining E&S permits, managing hazardous materials (e.g., ACM), and implementing OHS and community safety protocols.

<p><b>3. Inclusive Community Engagement Program:</b> A formal program will be established to ensure inclusive stakeholder engagement and grievance redress.</p>	<p>MoPSE PCO, MoPSE Regional Branches</p>	<p>Within nine months of Program Effectiveness</p>	<p>The program is operationalized, ensuring that local communities and vulnerable groups are involved in program design and implementation and have access to a responsive grievance redress mechanism.</p>
<p><b>4. Environmental Screening &amp; Supervision.</b> Standardize environmental screening, supervision, and reporting practices for school construction and rehabilitation activities across participating regions through guidance and capacity support.</p>	<p>Regional/district executive authorities (UKS), environmental authorities</p>	<p>Ongoing</p>	<p>Evidence of consistent screening documentation and supervision records</p>
<b>E&amp;S Management During Physical Activities</b>			
<p><b>5. Hazardous Materials Management Plan:</b> A plan for the safe handling and disposal of hazardous materials (ACM, chemicals, e-waste) will be developed and implemented.</p>	<p>MoPSE (with relevant line agencies)</p>	<p>Prior to commencement of civil works</p>	<p>A plan is developed, all relevant workers are trained, and proper protocols are in place for material handling and disposal.</p>
<p><b>6. Chance Find Procedures.</b> Integrate formal chance find procedures for physical cultural resources into construction contracts and supervision practices.</p>	<p>Construction authorities, UKS</p>	<p>Prior to commencement of civil works</p>	<p>Chance find procedures included in contracts and supervision checklists</p>
<p><b>7. Worker and Community Safety:</b> Implement comprehensive OHS protocols and a code of conduct for all workers on construction and renovation sites, with a particular focus on preventing SEA/SH risks.</p>	<p>MoPSE (with relevant line agencies)</p>	<p>Prior to commencement of civil works</p>	<p>OHS protocols and code of conduct are formally adopted and disseminated to all workers. A dedicated channel for SEA/SH grievances is established and communicated to the community.</p>
<p><b>8. Land Eligibility &amp; Screening</b> Apply standardized land screening and documentation procedures to confirm land eligibility, absence of encumbrances, and exclusion of involuntary resettlement.</p>	<p>Local executive authorities (khokimyat), Cadastre Agency</p>	<p>Prior to site approval</p>	<p>Land screening records maintained and auditable</p>

<p><b>9. Inclusive Engagement.</b> Strengthen inclusive stakeholder engagement practices at local level, with attention to women, persons with disabilities, and other vulnerable groups during planning and implementation.</p>	<p>Local authorities (khokimyat), education departments</p>	<p>Ongoing</p>	<p>Evidence of inclusive consultations and feedback integration</p>
<p><b>10. Grievance Management.</b> Strengthen Program level tracking, consolidation, and reporting of grievances received through existing grievance mechanisms to ensure timely resolution and feedback.</p>	<p>MoPSE, Local authorities (khokimyat)</p>	<p>Ongoing</p>	<p>Periodic grievance reports covering Program related issues</p>
<p><b>11. Establish a Code of Conduct</b> for all Program staff and agents, including those at the contractors</p>	<p>MoPSE</p>	<p>Within 6 months of effectiveness</p>	<p>Code of Conduct document approved and disseminated to all staff. Training on the Code of Conduct is documented.</p>
<p><b>12. Formalize confidential reporting</b> and referral pathways for sensitive complaints, including GBV/SEA/SH.</p>	<p>MoPSE</p>	<p>Within 6 months of effectiveness</p>	<p>Protocol for handling sensitive complaints established and integrated into the GRM. Referral partnerships with local support services documented.</p>

134. **Implementation Support Plan:** The World Bank will provide consistent support to the borrower, including regular missions to monitor the PAP's progress, offer technical advice, and assist in capacity-building efforts throughout the program's lifecycle.

## 8. Annexes

### Annex 1. List of Stakeholders Met, Photos and Presentations

#### **January 19, 2026: Meeting with Stakeholders at School N-55 in the Republic of Karakalpakstan**

No.	Name	Institution & Role (English)
1	Davronova Ma'rifat	School No. 55 — Teacher
2	Xudaynazarova Indira	School No. 55 — Teacher
3	Qalbaeva Raxima	School No. 55 — Librarian
4	Shomurodova Nilufar	School No. 55 — Teacher
5	Fayzulloyeva Muazzam	School No. 55 — Teacher
6	Yeshmuratova Zaytuna	School No. 55 — Teacher
7	Amaniyazov Arislan	School No. 55 — Teacher
8	Jumabaev Anvar	School No. 55 — Teacher
9	Seitzhanova Zamira	School No. 55 — Teacher
10	Tozhimuratova Aizhamal	School No. 55 — Deputy Director / Special Education Teacher (Defectologist)
11	Yesenov Parakhat Sultanbekovich	School No. 55 — Deputy Director
12	Qalbaev Nurlanbek Qurbanbaevich	School No. 55 — Teacher
13	Abdullaev Tursinbek	School No. 55 — Teacher
14	Kosbergenov Zholdasbay Zhienbayevich	IIBM — Construction Department Representative, Republic of Karakalpakstan
15	Khabibullaev Bakhadir	IIBM — Head of Construction Department, Republic of Karakalpakstan
16	Yerezhepov Alisher Barlykbayevich	IIBM — Deputy Minister, Republic of Karakalpakstan
17	Ojeteleuov Jenisbay Zhienbayevich	Nukus City Administration — Deputy Mayor
18	Kospanbetov Tajetdin Koshekovich	Ministry of Economy and Finance — Representative, Republic of Karakalpakstan
19	Saipova Aklima	School No. 55 — Director



**January 19, 2026: Meeting with Council of Ministers of the Republic of Karakalpakstan**

No.	Name	Position/Title
1	Otemurod Bayram	Deputy Chairman of the Council of Ministers of the Republic of Karakalpakstan for youth policy, social development and spiritual and educational work
2	Mr. Yerejepov	Deputy Minister
3	Mr. Khabibullaev	Head of the Construction Department
4	Mr. Kosbergenov	Chief Specialist



**January 20, 2026: Meeting with Stakeholders in Khiva City, Khorezm Province**

<b>No.</b>	<b>Name</b>	<b>Position/Title</b>
1	Saidova Go'zal Baxtiyarovna	Director of School No. 14, Khiva city
2	Abdullayev Shokir	Director of School No. 19, Khiva city
3	Suoidaminov Qurbonboy Otaboyevich	Director of School No. 21, Khiva city
4	Razimbayeva Nazgul	Director of School No. 9, Khiva city
5	Ashirov Shuxrat	Director of School No. 12, Khiva city
6	Salaev Xushnud	Director of School No. 11, Khiva city
7	Xusanov Ravshanbek	Director of School No. 20, Khiva city
8	Yusupov Mashkorim	Director of School No. 2, Khiva city
9	Matkarimova Faroxat	Deputy Director for Academic Affairs of School No. 16, Khiva city
10	Bobojonov Ilxom	State Inspector of the Khiva City Department of Ecology, Environmental Protection, and Climate Change
11	Vaisov Bekzodbek	Deputy Hokim for Social Issues of Khiva city
12	Rahmonov Alisher	Deputy Hokim for Construction Affairs of Khiva city
13	Raximova Zamira	Head of the Preschool Education Department of Khiva city
14	Sadullayev Kakzamon Nachirodich	Director of School No. 16, Khiva district
15	Yusupov Usmonbek	Director of School No. 9, Khiva district
16	Xudayberganov Nuriddin	Director of School No. 1, Khiva district
17	Ibragimov Zaripboy	Director of School No. 4, Khiva district
18	Abdiyozov San'at	Director of School No. 6, Khiva district
19	Jumaniyozov Shuxrat	Director of School No. 19, Khiva district
20	Sadullayev Sultonnozir	Khiva district, School No. 20
21	O'rolova Mavluda	Khiva district, School No. 40
22	Polvonova Zoira	Khiva district, School No. 23
23	Rajabov Nardon	Deputy Head, Economics & Finance Dept., Khiva district
24	Komolov Maxmud	Head of the Construction Department, Khiva district
25	Xasanov Madadbek Kuvondikovich	Head, Cadastre Agency Khiva district branch
26	Sattarov Norbek Raximovich	Specialist, Ecology Department, Khiva district
27	Babajonov Umrbek	Specialist, Khiva City Construction Department
28	Yoqubov Soloyjon	Deputy Hokim for Construction, Khiva district
29	Matyoqubov Suroj	Head of PSE department, Khiva district)



**January 20, 2026: Meeting with Deputy Governor (Khokim) of the Khorezm Province**

No.	Name	Position/Title
1	Davletov Anvar	Deputy Khokim of the Khorezm Province
2	Javlon Turaev	Head of the UKS
3	Davletov Davron	Head of the Department of Economics and Finance
4	Hamro Bektemirov	Head of the Department of Preschool and School Education
5	Nurmetov Jahongir	Head of the secretariat



## PforR moliyalashtirishning asosiy elementlari

- Davlat dasturlarini qo'llab-quvvatlash.
- PforR dasturining maqsadi hukumat dasturiga to'g'ri kelishi yoki uning bir qismi bo'lishi mumkin
- Dasturni amalga oshirish va xavflarni boshqarish uchun mamlakatning o'z tizimlari - texnik, ishonchli, ijtimoiy va ekologik nuqtai nazardan mos bo'lishi.
- Asosiy natijalar va to'lov ko'rsatkichlarini aniqlash - moliyalashtirish sarflangan xarajatlar emas, balki erishilgan natijalar asosida amalga oshiriladi. Imkoniyatlarni oshirish va tizim samaradorligini oshirish imkoniyatlarini aniqlash.

## PforR moliyalashtirishning asosiy elementlari

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## PforR quyidagilarni moliyalashtirmaydi

- **Yuqori yoki sezilarli xavga ega faoliyat**, jumladan O'zbekiston Atrof-muhitni muhofaza qilish qonunchiligida I yoki II toifaga (mos ravishda yuqori yoki o'rtacha xavfli) kiritilgan va milliy darajada Davlat ekologik ekspertizasini (DEE) talab qiladigan faoliyat
- Elektr ishlab chiqarish stansiyalari; to'g'onlar; avtomagistralar; shahar metro tizimlari; temir yo'llar va portlar; muhandislik chiqindi poligonlari, yoqish qurilmalarini qurish va o'rnatish; qattiq chiqindi poligonlarini boshqarish bilan bog'liq faoliyat; yoki chiqindi poligonlari faoliyatini tugatish
- Quyidagilarni o'z ichiga olgan faoliyat: **majburiy yer olib qo'yish va jismoniy/iqtisodiy ko'chirish, shu jumladan yerlarni majburan topshirish**

## PforR quyidagilarni moliyalashtirmaydi (davomi)

- **Qo'riqanadigan hududlar yoki milliy parklarga sezilarli xavf tug'dirishi mumkin bo'lgan** loyihalar; va ishlab chiqarish yoki sanoat qayta ishlash obyektlari.
- Quyidagilarni sotib olish yoki ulardan foydalanish: **taqiqlangan/cheklangan pestitsidlar, insektitsidlar, gerbisidlar** va boshqa xavfli kimyoviy moddalar (milliy qonunchilik va Jahon sog'liqni saqlash tashkiloti (JSS) tomonidan 1A va 1B toifadagi pestitsidlar sifatida taqiqlangan moddalar).
- **Jismoniy madaniy merosga ta'sir ko'rsatadigan** har qanday faoliyat, masalan, qabrlar, ibodatxonalar, cherkovlar, tarixiy yodgorliklar, arxeologik joylar yoki boshqa madaniy inshootlar.
- **Nizoli hududda** yoki belgilanmagan chegara chizig'i(lar)da joylashgan har qanday faoliyat.

## PforR quyidagilarni moliyalashtirmaydi (davomi)

- Vaqtinchalik xususiyatga ega deb hisoblangan **investitsiyalar**, masalan, shag'alli yo'llar, vaqtinchalik ko'chirish joylari.
- **Investitsiya rejalarga kiritilmagan** investitsiya loyihalari.
- Quyidagilarga investitsiyalar: **kreditlar, boshqa mikro kredit sxemalari** va boshqa qimmatli qog'ozlar.
- **Davriy xarajatlar**, jumladan, ish haqi, kommunal to'lovlar (masalan, elektr energiyasi va suv) hamda ijara to'lovlari.
- Boshqa rivojlanish hamkorlari dasturlari/grantlari **tomonidan moliyalashtiriladigan infratuzilma xarajatlari**

## Potensial investitsiya obyektlariga tashriflar



## Viloyat va markazdagi manfaatdor tomonlar bilan uchrashuvlar



## Ekologik va ijtimoiy tizimlarni baholash (EITB)

Maqsadlar va metodologiya

## EITB maqsadlari

- PforR moliyalashtirish uchun Jahon banki EITB layoqatlari shart
- EITBning maqsadlari quyidagilardan iborat:
  - (a) E&I nuqtai nazaridan dasturining ko'lamini, konteksti va potensial ta'sirini o'rganish;
  - (b) Dastur faoliyati doirasidagi turli E&I ta'sirlarini, shu jumladan bilvosita va kumulyativ ta'sirlarni, E&I masalalari bilan bog'liq kontekstual va siyosiy xatarlarni batafsil baholash;
  - (c) E&I bilan bog'liq xatarlarni bartaraf etishda milliy boshqaruvi organlarning salohiyatini baholash va E&I choralarini amalga oshirishda har qanday murakkab xatarlarni aniqlash;
  - (d) Qarz oluvchining tizimlarini (qonunlar, qoidalar, standartlar, tartib- qoidalar va amalga oshirish samaradorligi) PforR ning E&I asosiy tamoyillari bilan taqqoslash; va
  - (e) Dastur xatarlarini boshqarishga aloqador bo'lgan siyosat masalalari va muayyan operatsion jihatlar bo'yicha salohiyat va samaradorlikni oshirish uchun tavsiya etilgan chora-tadbirlarni ishlab chiqish.

## PforR ning oltita asosiy 6 ta E&I tamoyili



A) Ekologik va ijtimoiy barqarorlikni ta'minlash, tabiiy ta'sirlarni oldini olish, kamaytirish yoki yumshatish va PforR dasturining E&I ta'siriga oid asosiy qarorlar qabul qilishni rag'batlantirish.

B) Tabiiy resurslarni joyli va moddiy madaniy ehtiyojlarga asosiy ta'sirlarni oldini olish, kamaytirish yoki yumshatish.

C) Jamoat va ishchilar quyidagi potensialni baholash hamda uni (E) PforR dastur doirasida samarali foydalanish uchun chiqarilgan yoki boshqa operatsion amaliyotlar: (F) PforR dastur doirasida tabiiy resurslarni moddiy ta'sir chiqarilgan va boshqa xavfli muhitlarga chiqarish, va (E) tabiiy resurslarga moyil hududlarda joylashgan aholi va mahalliy aholi ta'sirini baholash.

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## PforR ning oltita asosiy 6 ta E&I tamoyili (davomi)



D) Yer olishni va tabiiy resurslardan foydalanish imkoniyatining yo'qotilishi to'xtatishni ta'minlash uchun o'ralgan yoki kamaytirilgan tarzda boshqarish hamda ta'sirangan odamlarga ulaming turmush tarz va yashash sharoitlari yaxshilash yoki hech bo'lmaganda o'zlarida yordam berish.

E) Mahalliy xalqlarning huquq va manfaatlariga hamda ularni qurilmalarning ehtiyojlari yoki tashvishlariga alohida e'tibor qaratilgan holda tegishli darajada hisobga olish.

F) Ijtimoiy ta'sirlarni kuchaytirish, ayniqsa zaf davlatlarda mavjud bo'lgan hududlarda yoki hududiy baholarga duchor bo'lgan hududlarda.

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## PforR E&I siyosati IPFDan qanday farq qiladi?

- Hajmi bo'yicha (kattaroq kafolat),
- Milliy tizimlardan foydalanish (Bankning ESF tizimi emas) va
- Xavflarni qanday baholaymiz va tartiblaymiz (Loyihaning asosiy maqsadlari (PDO) ga nisbatan)

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## EITB metodologiyasi

- Dastur faoliyati amalga oshiriladigan vaziyatni tushunish uchun asosiy ekologik va ijtimoiy ma'lumotlarni ko'rib chiqish.
- Dastur faoliyatining ekologik va ijtimoiy foyda hamda xavflarini tahlil qilish.
- Qarz oluvchining Dastur tadbirlarini rejalashtirish va amalga oshirish uchun ekologik va ijtimoiy boshqaruv tizimlarini amalga oshirishga muvofiqligini baholash.
- Bank siyosati va PforR moliyalashtirishi bo'yicha direktiva (ayniqsa oltita asosiy tamoyil) bilan bog'liq tartiblar va siyosatdagi bo'shliqlarni aniqlash, shuningdek, ekologik va ijtimoiy boshqaruv jarayonlarini amalga oshirishdagi samaradorlik ta'sirlarini aniqlash.
- Tizimlarni mustahkamlash va Dasturining ekologik hamda ijtimoiy samaradorlik natijalarini yaxshilash uchun amaliy chora-tadbirlar to'planini ishlab chiqish.

## EITB metodologiyasi (davomi)

Metodologiya uchta o'ziga xos elementni o'z ichiga oladi:

- Tegishli idoralar va boshqa asosiy manfaatdor tomonlar bilan suhbatlar o'tkazish;**
- Atrof-muhit va ijtimoiy xavflarni boshqarish bilan bog'liq huquqiy va me'yoriy hujjatlar, jumladan, shikoyatlarini ko'rib chiqish tizimlari bo'yicha asosiy idoralarda mavjud hujjatlar, adabiyotlar va ma'lumotlarni tahlil qilish; va
- Turli toifadagi manfaatdor tomonlarga E&I ning ehtimoliy ta'sirini baholash uchun asosiy manfaatdor tomonlar bilan inklyuziv jamoatchilik maslahatlari o'tkazish.

## EITB xulosalari

Taklif etilayotgan faoliyatning ekologik va ijtimoiy xavflari qarz oluvchining mavjud tizimlari orqali samarali boshqarilishi mumkin.	yoki	Qarz oluvchining to'lov qobiliyatining yetarli emasligi, unumdorligi pastligi yoki boshqa risklar tufayli ba'zi faoliyatlar to'xtatilishi kerak.	yoki	Boshqa vositadan foydalanish kerak, chunki Qarz oluvchining tizimlari hatto tizimlar va imkoniyatlarini kuchaytirish bilan ham xavflarni boshqarish uchun yetarlicha mustahkam emas.	yoki	Qarz oluvchining tizimlari va imkoniyatlarining o'ziga xos jihatlarni mustahkamlash bo'yicha chora-tadbirlar va harakatlarni amalga oshirish kerak.
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## PforR dasturining kutilayotgan E&I ta'sirlari

## PforR dasturining kutilayotgan E&I foydalari

### Ekologik Foydalar

- **Iqlimga Chidamli Dizayn:** Yangi loyihalarni yo'naltirish uchun **RIGHT+ Asosini** qo'llash (chidamlilik va yashil infiratuizmga e'tibor).
- **Resurs Samaradorligi:** Barcha yangi qurilish va ta'mirlashda energiya va suv samaradorligi choralarini qo'llash.
- **Ifloslanishning Oldini Olish:** Yangi **STEM laboratoriyalaridan** chiqadigan kimyoviy moddalarni xavfsiz saqlash va utillizatsiya qilish standartlarini o'rnatish.

### Ijtimoiy Foydalar

- **Yaxshilangan Ta'lim Muhiti:** Ta'lim sifatini oshirish uchun o'quv joylarini modernizatsiya qilish.
- **Ijtimoiy Inkluzivlik:** Maxsus ehtiyojli bolalar uchun to'liq foydalanish imkoniyati va inkluziv dizayni ta'minlash.
- **Gender Masalalari:** Sanitariya inshootlarini yangilash, Xotin-qizlar Gigiyenasini Boshqarishni qo'llab-quvvatlash.
- **Tizimni Mustahkamlash:** MTvaMV ning E&I xavflarini samarali boshqarish bo'yicha salohiyatini oshirish.

## EITB yakunlash uchun asosiy choralar

### Institutsional tuzilma:

- Maktabgacha Ta'lim va Maktab Vazirligi va hamkor agentliklarda ekologik va ijtimoiy ruxsatnomalar, rejalashtirish hamda nazorat uchun mas'ul shaxslar va bo'limlarni aniq belgilash.

### Agentliklararo muvofiqlashtirish:

- Qatnashuvchi Vazirliklar o'rtasida ekologik va ijtimoiy standartlarni izchil tatbiq etish bo'yicha rasmiy hamkorlik mexanizmlarini hujjatlashtirish.

### Resurslar:

- Ekologik va ijtimoiy boshqaruvni samarali amalga oshirish uchun yetarli kadrlar, mutaxassislik salohiyati hamda maxsus ajratilgan byudjet mavjudligini tasdiqlovchi dalillarni taqdim etish.

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## PforR dasturining kutilayotgan E&I xavf va ta'sirlari

### Atrof-muhitga oid asosiy potensial xavf va ta'sirlar:

- **Xavfli Materiallar:** Eski maktablarni ta'mirlashda **Asbest** va yangi STEM laboratoriyalarida kimyoviy chiqindilar.
- **Chiqindilarni Boshqarish:** Katta miqdordagi **Qurilish va Buzish chiqindilari** hamda **elektron chiqindilarni** boshqarish.
- **Mahalliy Ta'sirlar:** Qurilish ishlari paytida **chang, shovqin, tuproq eroziyasi**.
- **Kumulyativ Ta'sirlar:** Bir nechta hududlarda bir vaqtda ta'mirlash va qurilishning **umumiy ekologik ta'siri**.

### Asosiy potensial ijtimoiy xavflar va ta'sirlar

- **Ishchi va Jamoat Xavfsizligi:** Ishchilar uchun Mehnatni Muhofaza qilish xavflari, jamoatlar xavfsizligi.
- **Jinsiy zo'rovonlik/tahqirlash:** Maktab hududida yoki yaqinida qurilish xodimlari bilan bog'liq xavf.
- **Yerni O'zlashtirish:** Kichik yerni olish ehtiyojlarini boshqarish
- **Jinsiy Tenglik va Inkluzivlik:** Gender nomutanosibligini kuchaytirish, maxsus ehtiyojli bolalarni to'liq integratsiya qila olmaslik xavfi.
- **Institutsional Salohiyat:** Standartlarni izchil qo'llash uchun agentliklararo kuchli muvofiqlashtirish zarurati.

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## IPF Komponenti uchun ekologik va ijtimoiy talablar

E&I Xavf Darajasi	Asos
Past	Loyihaning IPF komponenti jismoniy qurilish ishlari yoki yerni tortib olishni o'z ichiga olmaydi. U faqat ma'muriy tusga ega bo'lib, tadqiqotlar, o'qitish va institutsional rivojlanishni moyialashtiradi.
Loyihani baholash vaqtiga qadar Maktabgacha Ta'lim va Maktab Vazirligi quyidagi hujjatlarni tayyorlashi va ularni amalga oshirish majburiyatini olishi kerak:	
Hujjat	Maqsad va Majburiyat
<b>Ekologik va Ijtimoiy Majburiyatlar Rejasi (ESCP)</b>	IPF komponenti uchun barcha asosiy E&I choralarini, yumshatish tadbirlari va muddatlarining yuridik majburiy ro'yxati.
<b>Manfaatdor Tomonlar bilan Hamkorlik Rejasi (SEP)</b>	Barcha manfaatdor tomonlar (o'qituvchilar, ota-onalar, jamoatchilik) bilan qanday maslahatlashishini belgilaydi va o'z vaqtida ma'lumot oshkor etilishini ta'minlaydi.
<b>Mehnatni Boshqarish Tartib-Qoidalari (LMP)</b>	Barcha loyiha ishchilarining mehnat sharoitlari va huquqlarini boshqaradi, shuningdek, maxsus ishchilarning Shikoyatlarini Ko'rib Chiqish Mexanizmini talab qiladi.
<b>E&amp;I Kadrlar Masalasi</b>	ESP (Ekologik va Ijtimoiy Siyosat) talablariga rioya qilishni boshqarish va institutsional salohiyatni mustahkamlash uchun maxsus E&I mutaxassisini/mas'ul shaxsni yollashi yoki tayinlashi kerak.

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Rahmat!

Muhokama

## Annex 2: Relevant E&S legal and regulatory framework in Uzbekistan

### **Management of E&S risks and Impacts (Core Principle 1) & Natural Habitats and Physical Cultural Resources (Core Principle 2)**

#### a. Legal, regulatory and policy framework

Since the country's independence, the Republic of Uzbekistan has developed, revised and improved national environmental legislation, adopted new laws and regulations, developed programmes and action plans to address environmental issues and promoted sustainable use of natural resources. The country has adopted several subsidiary laws and legislation on environmental management and is a party to series of international and regional environmental agreements and conventions. The nature protection policy and the implementation of measures in the field of rational use of natural resources and environmental protection are based on the following basic principles:

- Integration of economic and environmental policies aimed at preserving and restoring the environment as a prerequisite for improving the living standards of the population;
- Transition from the protection of individual natural elements to the general and comprehensive protection of ecosystems;
- Responsibility of all members of society for environmental protection and biodiversity conservation.

#### b. Uzbekistan National Environmental Legislation and Procedures

Legal Framework in the field of Nature Protection and Management established in Republic of Uzbekistan, provides to the citizens the rights and duties specified in the country's Constitution.

Specific articles that address environment protection issues within the Constitution are:

- Article 50. All citizens shall protect the environment.
- Article 51. All citizens shall be obliged to pay taxes and local fees established by law
- Article 54. Any property shall not inflict harm to the environment
- Article 55. Land, subsoil, flora, fauna, and other natural resources are protected by the state and considered as resources of national wealth subject to sustainable use.

Uzbekistan has enacted several supporting laws and statutes for environmental management and is party to several international and regional environmental agreements and conventions. The key national environmental law is the Law on Nature Protection (1992). A brief description of this law and the other supporting laws related to environmental protection is presented below.

**The Law "On Nature Protection"** of December 9, 1992 (as amended on 18.04.2018) establishes the legal, economic and organizational framework for environmental protection, ensures sustainable development and certain principles, including the State Environmental Expertise (SEE). Article 12 of the Law "On Nature Protection" states: Residents of the Republic of Uzbekistan are obliged to use natural resources rationally, treat natural resources with care, and comply with environmental requirements. As stated in the law, in order to protect the climate from global changes, a business entity must comply with the restrictions on greenhouse gas emissions, as well as take measures to mitigate these emissions.

**The Law "On Protection of the Atmospheric Air"** of December 27, 1996 (as amended on September 14, 2017) defines the issues of preservation of the natural state of the atmospheric air; legal regulation of the activity of state bodies, enterprises, institutions, organizations, public associations and citizens in the field of protection of the atmospheric air.

**The Law "On Water and Water Use"** of 6 May 1993 (as amended on 23 July 2018) provides for the rational use of water resources, protection of water resources, prevention and mitigation of negative impacts and compliance with national legislation; the Law provides for the responsibility of all natural and legal persons for the prevention of pollution of watersheds, reservoirs, snow and ice cover, glaciers, permanent snow

cover with industrial, domestic and other wastes and emissions that may lead to the deterioration of ecological balance of the environment. State management of water protection and use is carried out through accounting, monitoring, licensing, control and supervision;

**Land Code of the Republic of Uzbekistan (1998)** - The main objectives of land legislation are to regulate land relations with a view to ensuring, in the interests of present and future generations, scientifically sound, rational use and protection of land, reproduction and improvement of soil fertility, conservation and improvement of the natural environment, creating conditions for the equitable development of all forms of economic activity, protection of the land rights of legal and natural persons, and strengthening legality in this area, including by preventing corruption offenses.

**The Law "On Environmental Expertise" (2001)** (as amended on 14.09.2018) provides for mandatory expertise on environmental and human health impacts, and serves as the legal basis for expertise;

**The Law "On Waste" (2002, as amended on 10.10.2018)** - deals with waste management, excluding emissions and air and water pollution, and gives the State Committee for Ecology and Environmental Protection the power to inspect, coordinate, environmental expertise and set certain parameters for waste treatment. Enterprises are responsible for their waste but, in the case of recycling, the state may provide assistance from its budget, the National Environmental Protection Fund or voluntary payments. The main purpose of this law is to prevent the negative impact of solid waste on human life and health and on the environment, to reduce the amount of waste and to encourage the use of rational household waste reduction methods.

**The Law "On Protected Natural Areas" (2004)** - The purpose of this Law is to regulate relations in the field of organization, protection and use of protected natural areas. The main objectives of this Law are preservation of typical, unique, valuable natural objects and complexes, plant and animal genetic fund, prevention of negative impact of human activities on nature, study of natural processes, monitoring of natural environment, improvement of environmental education and upbringing.

**The Law "On Environmental Control" (2013)** - The purpose of this Law is to regulate relations in the field of environmental control. The main objectives of environmental control are: (i) to prevent, detect and suppress violations of legal requirements in the field of environmental protection and rational use of natural resources; (ii) to monitor the state of the environment, identify situations that may lead to environmental pollution, irrational use of natural resources, endanger the life and health of citizens; (iii) to determine whether planned or ongoing economic and other activities comply with environmental requirements; (iv) to ensure the observance of the rights and legitimate interests of legal and natural persons and the fulfilment of their obligations in the field of environmental protection and the rational use of natural resources.

**The Law "On the Protection and Use of Vegetation"** of December 26, 1997 (as amended on September 21, 2016) regulates relations in the field of protection and use of vegetation (plants) growing in natural conditions, as well as wild plants grown for their restoration and genetic conservation.

**The Law "On the Protection and Use of Wildlife" (1997)** regulates relations in the field of protection, use, restoration and reproduction of wildlife in order to ensure the conditions for its existence, the conservation of species diversity, the integrity of natural communities and habitats.

**Law "On Protection and Usage Objects of Archeological Heritage"** (2009) regulates relations in the field of protection and usage of objective of archeological heritages, defines ownership rights of such objectives, responsible entities and provides a procedure of archeological investigation of the objectives of archeological heritage.

#### c. Legislation related to nature protection

Most important nature protection normative documents issued by government include:

- "Procedure for the development and execution of draft standards for maximum permissible

discharges of pollutants discharged into water bodies, including sewage" (RD 118.0027719.5-91);

- "Procedure for granting permission for special water use" (RD 118.0027714.6-92);
- "Instruction for determining of damage caused to the national economy by underground water contamination" (RD 118.0027714.47-95);
- State Standard - Water quality. O'z DST 951:2011 – Sources of centralized household water supply. Hygienic, technical requirements and classification code;
- State Standard - Drinking water. O'z DST 950:2011 – Drinking water. Hygienic requirements and quality control;
- "Temporary recommendations on control over groundwater protection in the Republic of Uzbekistan". State Committee on Nature Protection and Uzbekhydrogeology of the Republic of Uzbekistan, Tashkent, 1991
- Resolution of the Cabinet of Ministers "On Approval of the Regulation on State Environmental Control" (№ 49, 3.04.2002);
- Decree of the Cabinet of Ministers "On the Action Program for the Protection of Environment in the Republic of Uzbekistan for 2013-2017" (No 142, 27.05.2013);
- State standard O'z DST 1057:2004 "Vehicles. Safety requirements for technical conditions" and O'z DST 1058:2004 "Vehicles. Technical inspection. Method of control";
- SanPiN RUz № 0179-04 Hygiene standards. List of Maximum Permissible Concentrations (MPCs) of Pollutants in the Air of Residential Areas in the Republic of Uzbekistan, including Annex 1;
- SanR&N RUz No. 0267-09 Admissible noise level into the living area, both inside and outside the buildings;
- SanR&N RUz №0120-01 Sanitarian Norms of allowed level of noise at the construction sites;
- SanR&N RUz No 0088-99 Sanitarian requirements for development and approval of maximum allowed discharges (MAD) of pollutants discharged into the water bodies with waste waters;
- SanR&N RUz No. 0158-04 Sanitarian Rules and Norms on collection, transportation and disposal of wastes contained asbestos in Uzbekistan;
- SanPiN № 0120-01 "Sanitary standards of permissible noise levels at workplaces";
- SanPiN RUz № 0088-99 Sanitary requirements for the development and approval of projects of Maximum Permissible Discharges (MPD) of substances entering water bodies with waste water;
- SanPiN RUz № 0321-15 Hygienic classification of toxicity and hazard;
- KMK (Construction norms and rules) 2.04.02-97 "Water Supply. External network and facilities";
- Decree of the Cabinet of Ministers of the Republic of Uzbekistan on Approval of the collection and disposal of used mercury-containing lamps. No. 266 of 21.09.2011;
- SanR&N # 233-07 On occupational health and environment protection during production and usage of asbestos contained materials
- Regulation on the procedure of burial of toxic chemicals and other toxic substances, as well as protection and maintenance of special grounds" (registered with the Ministry of Justice under №2438 of 20.03.2013);
- Rules for the reception of industrial wastewater and the procedure for the calculation of compensation payments for supernormal discharges of pollutants into the municipal sewerage networks of cities and other localities of the Republic of Uzbekistan (Annex 1 to RCM № 11 of

- 2010);
- GOST-23941-79 "Noise. Measurement methods";
  - Methodical guidelines for measuring and hygienic assessment of noise at workplaces" № 1844-78;
  - SanPiN № 0046-95 "Maximum permissible concentrations (MPC) of harmful substances in the air of the working zone";
  - Instruction on determining the damage caused to the national economy by groundwater pollution". (PP 118.0027719.5-91) (PARAS. 118.0027714.47-95);
  - Sanitary Regulations № 0289-10. Sanitary rules and hygienic requirements in the organization of construction and construction;
  - Sanitary rules and standards for the maintenance and improvement of residential areas in the conditions of the Republic of Uzbekistan (Sanitary Rules and Regulations No. 0329-16)
  - Temporary Recommendations on Groundwater Protection Control in the Republic of Uzbekistan". State Committee on Natural Resources and Uzbek Hydrogeology of the Republic of Uzbekistan, Tashkent, 1991.
  - State standard O'z DSt 1057:2004 "Vehicles. Safety requirements for technical conditions" and O'z DSt 1058:2004 "Vehicles. Technical inspection. Methods of control";
  - SanPiN RUz № 0122-01 Sanitary Regulations on whole-body and local vibration in the workplace;
  - The Order of the Ministry of Health of the Republic of Uzbekistan №300 dated 06.06.2000 "On carrying out the mandatory pre-employment and periodic medical examinations of workers exposed to harmful and adverse working conditions".

#### d. National Requirements for Environmental Assessment

The national ESA procedure is regulated by the Law "on Environmental Expertise "(2000), updated on 14.09.2017, and Cabinet of Ministers Resolution № 541 of 07.09.2020: "On Approval of the Regulation on State Environmental Expertise". In accordance with Article 3 of the aforementioned law, an environmental impact assessment shall be carried out to identify::

- Compliance of the planned economic and other activities with environmental requirements at the stages preceding the decision to implement them;
- The level of environmental hazard from planned or existing economic and other activities which may have or have had a negative impact on the environment and public health;
- Adequacy and validity of the measures envisaged for environmental protection and rational use of natural resources.

The special authorized state body in the field of state environmental expertise is the State Committee on Ecology and Environmental Protection (Goskomekologiya / or SCEEP). The organizational structure of the State Committee on Ecology and Environmental Protection of the Republic of Uzbekistan is discussed in detail in 3.2 Section.

The main organization responsible for the state environmental expertise is the Glavgosexpertiza SCEEP (Main state expertise) (Figure 20).

SUE "Center of State Environmental Expertise" carries out state eco-expertise of EIA of the objects of economic activity belonging to I and II categories of environmental impact (high and medium risk).

The State Unitary Enterprise "Center of State Environmental Expertise" of the Republic of Karakalpakstan and regions carry out environmental impact assessment of economic activity objects belonging to III and IV categories of environmental impact (low risk and local impact).

The Regulation on the Main state expertise describes in detail the procedure for organizing and conducting the SEE (Annex 2).

Environmental impact assessment is a procedure that includes three stages of the EIA:

**Step 1: The Draft Environmental Impact Statement (DEIS / PZVOS)** should be conducted at the planning stage of the proposed project prior to the allocation of development funds and contain the following sections:

- environmental conditions prior to the beginning of the planned activity, population of the territory, land development, analysis of environmental characteristics;
- a situational plan indicating the existing recreational zones, settlements, irrigation, reclamation facilities, farmlands, power lines, transportation, water supply, gas pipelines and other information about the area;
- proposed (planned) main and auxiliary facilities, used machinery, technology, natural resources, materials, raw materials, fuel, analysis of their environmental impacts, environmental hazards of the products;
- expected emissions, discharges, wastes, their negative impact on the environment and methods of neutralization;
- warehousing, storage and utilization of wastes;
- the analysis of alternatives to planned or ongoing activities and technological solutions from the perspective of nature protection, taking into account the achievements of science, technology and best practices;
- organizational, technical, technological solutions and measures that exclude negative environmental consequences and reduce the environmental impact of the facility;
- analysis of emergency situations (with an assessment of their probability and a scenario to prevent their negative consequences);
- forecast of changes in the environment and environmental consequences as a result of the implementation of the object under the expertise.

**Step 2: Preparing the Environmental Impact Statement (EIS / ZVOS)** - the need for such step is decided at Stage 1 and Glavgosexpertiza shall indicate that additional researches or analyses are needed. The EIS shall be submitted to the Glavgosexpertiza prior to approval of the Project Feasibility Study, prior construction activities. The application shall contain the following:

- assessment of ecological problems of the selected site based on the results of engineering and geological surveys, model and other necessary studies;
- ecological analysis of the technology in relation to the identified problems of the site;
- results of public hearings (if necessary);
- reasoned studies of environment protection measures that prevent negative consequences of implementation of the object of expertise.

**Step 3: Preparing the Statement of Environmental Effects (SEE / ZEP)** is the final step in the SEE process and should be made prior to project implementation. Such documents are necessary only for projects with significant environmental and social impacts. Main sections of the SEE are the following:

- adjustment of design decisions and other measures taken following the review of the draft SCEEP conclusion on the environmental impact, as well as proposals made during the public hearings;
- environmental standards regulating the activities of the object of expertise;
- requirements to the organization of works and implementation of measures for
- environmental support of the facility operation;
- main conclusions on the possibility of conducting business activities.

**Project Categories.** According to the Resolution of the Cabinet of Ministers of Uzbekistan № 541 of 07.09.2020: "On Approval of the Regulation on State Environmental Expertise". All environmental protection activities are divided into 4 categories with varying degrees of impact:

- Category I – “high risk” of environmental impact (SEE is conducted by SUE "Center of

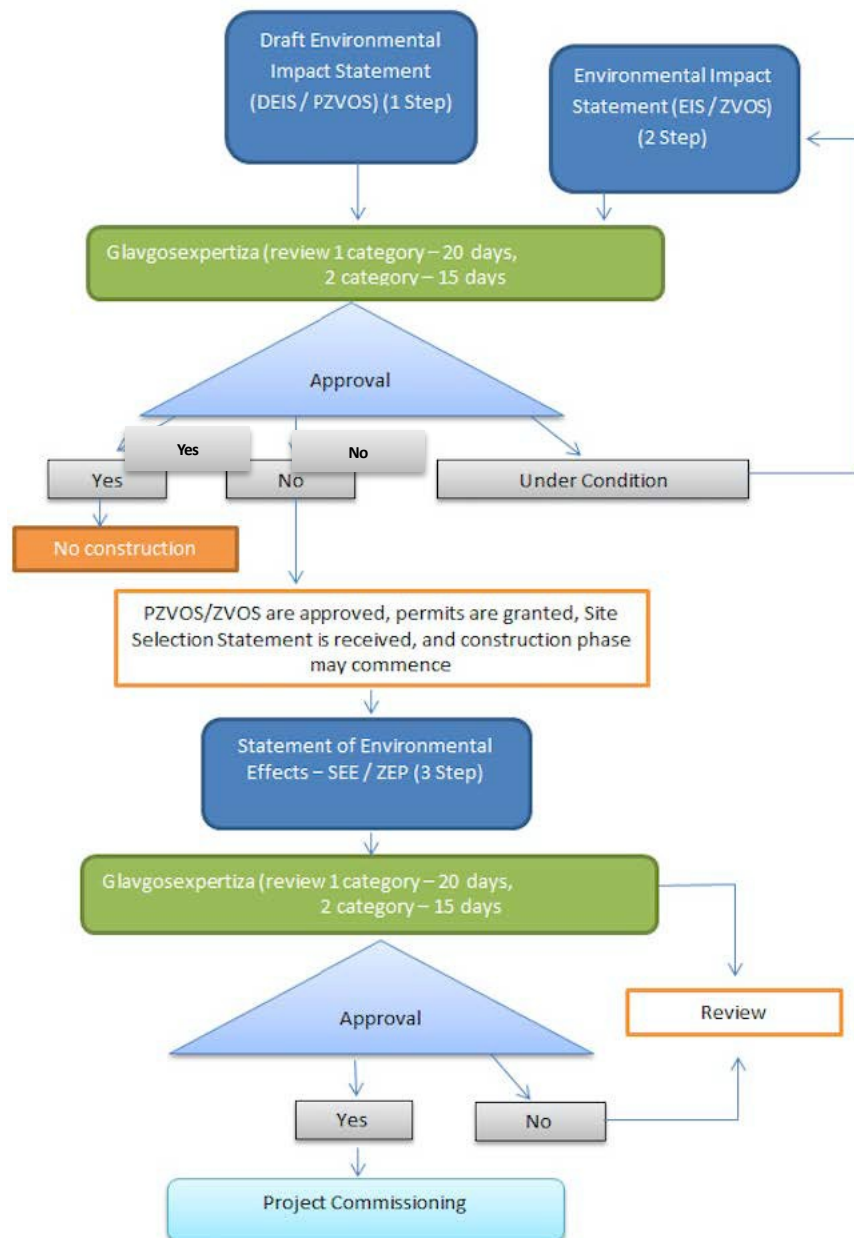
- State Environmental Expertise" within 20 days, all stages of EIA are required);
- Category II - "average risk of environmental impact" (SEE is conducted by the Center of State Environmental Expertise within 15 days, all stages of the EIA are required);
  - Category III - "low risk of impact" (SEE is conducted by regional branches of SUE "Centre of State Environmental Expertise" within 10 days, all stages of EIA are required);
  - Category IV - "minor impact, local" (SEE is conducted by the regional branches within 5 days, only the first stage is required, Draft EIS).

All other projects that do not fall into the various categories are treated as projects with no environmental impact and do not require a state environmental expertise.

According to point 24 "SEE regulations", the positive conclusion of SEE is a mandatory document for the opening of financing by banking and other credit institutions and the execution of legal entities and individuals of the implementation of the object of state environmental impact assessment. The SEE conclusion is valid for three years from the date of its issue. SEE conclusion is sent to the relevant district (city) inspectorates for ecological and environmental control. The EIA procedure for this project is described in more detail in Section 6 of this document.

**Public participation in EA process.** The Constitution of the Republic of Uzbekistan (arts. 50.55) lays the foundation for the participation of citizens and public associations in environmental management. Law of the Republic of Uzbekistan of 09.12.1992. (updated on 18.04.2018) "On nature protection" in Articles 12-13 regulates the right of citizens to unite in public organizations for nature protection, to request and receive information about the state of the environment and measures taken for its protection, as well as the authority of NGOs established. Legislation in the field of ecology and environmental protection provides for public participation as a) an individual citizen or a group of citizens; b) through citizens' self-governance bodies and c) through non-governmental non-profit organizations.

Figure: EIA procedure in Uzbekistan



Direct participation of non-commercial environmental protection organizations is envisaged in the course of EE of documentation for construction of new and reconstruction of existing facilities for management purposes. In particular, Article 27 of the Law of the Republic of Uzbekistan "On Nature Protection", as well as Article 23 of the Law of the Republic of Uzbekistan of 2018. " The SEE law enables NGOs and citizens to carry out public EE in any area of activity that needs to be justified by independent groups of specialists at the initiative of the NGOs themselves and at their own expense or on a voluntary basis. The public expertise may be carried out independently of the state ecological expertise. It is prohibited to hinder the implementation of public EE. It is established that the conclusion of the public EE is of a recommendatory nature.

In addition, during the SEE of the organization-customers of its implementation are obliged to publish an announcement of the environmental impact assessment and information on its results in the media, in

cases where the authorized bodies include the object of construction in the list of important objects.

The Republic of Uzbekistan is party to a series of **international environmental treaties and Regional Agreements** which also contain a series of requirements to be considered while conducting the subprojects ESA. The country is party to the three Rio Conventions: Convention on Climate Change, Convention on Biological Diversity, and Convention to Combat Desertification. Additionally, the country has signed and ratified the following treaties: Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (22.12.1995); Convention on Protection of the World Cultural and Natural Heritage (22.12.1995); Convention on International Trade in Endangered Species of Wild Fauna and Flora (01.07.1997); Bonn Convention on Conservation of Migrating Species of Wild Animals (01.05.1998).

**Cultural heritage.** The Constitution of the Republic of Uzbekistan states that “Concern for the preservation of historical monuments and other cultural values - the chore and duty of citizens of Uzbekistan” (article 49).

The Main Scientific-Production Department (MSPD) on protection of cultural heritages under Ministry of Culture is a specially designated entity responsible for protection of cultural heritages. Scientific-production workshops and number of private companies conduct rehabilitation works. All rehabilitation works need to be implemented in fully compliance with design developed by specialized companies (JC “Tamirshunos”, LLC “Madaniy Meros” and etc.)

The Law of RUz “On protection and use of objects of cultural heritage” (2001) states (para 20) that under “saving of cultural heritages is considered their conservation, repairing, rehabilitation, adopting for current usage and conduction related scientific-production research, design and production works”. An official permission from the Ministry of Culture of the RUz needs to be received prior starting of rehabilitation works. Article 33 was amended to adopt a special procedure for urban planning activities in historical settlements to protect cultural heritage. In these areas, urban planning should be based on a historical-cultural base plan (ZUR-683, April 2021).

Currently there are no special requirements for construction/rehabilitation companies defining eligibility of company for conduction of such types of works. However, during consultations with the representatives of the Ministry of Culture it was defined that new government regulation on conduction of rehabilitation works on cultural heritages are being developed. The new regulation includes requirements and criteria for companies which will be eligible for conduction these works. Among such requirements will be: (i) at least 3-year experience in conduction construction/rehabilitation works, (ii) company engineers must have at least diploma from lyceum/college with specialization in construction or relevant field and etc. It is expected that the new regulations will be adopted in 2019. Therefore, during implementation of the project’s works related to rehabilitation of existing and registered cultural heritage the new resolution needs to be followed.

In case when construction/rehabilitation works start before adopting new regulation, it will be expediently to include in requirements for sub-contractor’s tender documents the conditions mentioned above (for related experience and specific background).

For objects which could be considered as cultural heritage but which have not been registered yet, a full procedure on registration needs to be implemented in accordance with the Resolution of the Cabinet of Ministries of the RUz (RCM) # 269 dated from June 29, 2002 “About measures on further development protection and usage the historical heritages”. According to this document, during implementation of cities development, protection (buffer) zone of each heritage needs to be strictly followed. The resolution lists type of activities which could be conducted in each zone. Also, the document provides definition of categories of heritages. Based on the category of heritage, types and scope of allowed construction/rehabilitation activities need to be defined.

### **Protection of public and worker safety (Core Principle 3)**

#### e. Legislation of the Republic of Uzbekistan in the field of labor, health and safety

##### **Labor legislation**

The Constitution of the Republic of Uzbekistan (adopted on December 8, 1992) includes a chapter on Economic and Social rights of the citizens. According to it everyone is entitled to:

- “Have the right to work, free choice of work, fair conditions of labor and protection against unemployment in the procedure specified by law. Any forced labor shall be prohibited except for punishment under the sentence of a court or some other instances stipulated by law” (Chapter IX, Article 37);
- The right to rest is included in the Article 38: “Citizens, working on hire, shall be entitled to a paid rest. The number of working hours and paid labor leave shall be specified by law;
- Social security in old age in the event of disease, disability, loss of breadwinner and in other cases stipulated under the law (Article 39);
- Have the right to skilled medical care (Article 40); and
- Equal rights of men and women is guaranteed by the law (Article 46).
- “Have the right, both individually and collectively, to submit applications and proposals, and to lodge complaints with competent state bodies, institutions or public representatives. Applications, proposals and complaints shall be considered in the procedure and within the time-limit specified by law” (Chapter VIII, Article 35).

***The Labor Code of the Republic of Uzbekistan*** introduced on April 1, 1996 incorporates the interests of the employees, employers and the state and fair and safe labor conditions and the protection of the labor rights and health of the workers. This Code governs employment relationships and other relations, directly related, directed to protection of the rights and freedoms of the parties of employment relationships, establishment of the minimum guarantees of the rights and freedoms in the sphere of work. Article 6 of the Labor Code prohibits discrimination and guarantees that all citizens have equal rights to work; discrimination in labor relations is prohibited. Any differences, non-admission or preference, denial of employment, regardless of nationality, race, gender, language, religion, political beliefs, social status, education, property, leading to a violation of equality of opportunities in the field of labor, are prohibited. A person who considers that he/she has been subjected to discrimination at work may apply to the court for the elimination of discrimination and compensation for material and moral damage caused to him. According to Labor Code, labor-management relations should be formalized in a fixed-term or temporary employment contract. The maximum length of a single fixed-term contract is 5 years (with the exception of few specific positions).

The Ministry of Employment and Labor Relations of the Republic of Uzbekistan is the main state institution responsible for labor, employment, and social protection policy making. The ministry is tasked with the development and regulation of labor market and ensuring employment of population, regulation of labor relations and labor protection, provision of social services for population and medical-social rehabilitation of persons with disabilities.

The supervision and monitoring of compliance with Labor Code requirements and protection of labor rights of citizens is implemented by the State Labor Inspection under the Ministry of Employment and Labor Relations, and its territorial subordinate structures according to the Statement on the State Labor Inspection, Appendix 3, Resolution of the Cabinet of Ministers №1066 of 31.12.2018 “On measures to improve the performance of the Ministry of Employment and Labor Relations of Uzbekistan”.

***Forced labor and child labor.*** Article 7 of the Labor Code states that Forced labor, i.e., forced to perform work under the threat of any punishment (including as a means of labor discipline) is prohibited. The right to work is permitted for persons aged 16 and older. However, for internship, it is allowed to hire students from secondary schools, secondary special, professional educational institutions to perform light work that does not harm their health and moral development, and does not interfere with the learning process, in

their free time, when they reach the age of 15 with written consent of one of the parents or their legal guardians (Article 77). No one under the age of 15 is allowed to work under the Labor Code.

Young people aged between 15 and 18 years old have the right to work based on the local legislation, and have the same rights as adult workers with some benefits due to their age (Labor Code, Article 240). People under age of 18 can be employed only after medical examination and further until reaching the age of eighteen are subject to mandatory annual medical examination. People under age of 18 can be employed only for works which have no risk to their health, safety and moral, they are not allowed to lift and move heavy objects (Labor Code Article 241).

Employees aged 15-16 are allowed to work no more than 24 hours a week, and employees aged 16-18 are allowed to work no more than 36 hours a week. Students can be employed only when they are free of study, and their working time may not exceed half of the maximum working time set for the respective age groups, i.e. students aged 15-16 can work only 12 hours a week and students aged 16-18 allowed to work no more than 17.5 hours a week (Article 242).

Articles 49 and 51 of Administrative Code of Uzbekistan impose fines for violation of above- mentioned regulations on forced and child labor. The amended law on 23.08.2019 significantly increases fines for using administrative measures to attract employees to forced labor, which has been practiced previously in the country involving public workers, mostly teachers, health workers and students. The new law imposes fines ranging from 10 to 30 times the minimum wage for using such practices. If the same offence is committed repeatedly, responsible persons will face fines from 30 to 100 times the minimum wage, according to the ministry.

**Wages and deductions.** Contracts and collective agreements establish the form and amount of compensation for work performed. It is forbidden to pay in kind, except in cases established by the Government of the Republic of Uzbekistan (Labor Code Article 153). The Government establishes a minimum wage (Article 155). From September 2019, minimum wage payment was introduced, hence being the lowest national wage for a full-time position, cannot be less than 634,880 UZS (or \$67,40 per month). In areas with adverse climatic and living conditions, district coefficients and allowances for wages are established. There is no established minimum wage for seasonal and daily workers (minimum payment for hour of work).

Employers are obligated to pay workers at least once per half-month (Article 161). Compensations for the payment delays can be included in the collective agreement. Employers also must pay for work- related damage to health or property and families are compensated in case of death. Deductions are allowed mainly for taxes and other obligatory payments set by the Government of Uzbekistan, as well as for specific reasons, but may not exceed 50 percent of the amount owed to the employee, and payment after deductions may not be less than the minimum rate determined by the government (Article 164).

**Women.** Night time work, overtime work, work on weekends and business trips for pregnant women and women with children under the age of 14 (with disabled children up to 16 years old), are allowed only on voluntary basis.. Herewith, recruitment of pregnant women and women with children under 3 years of age for night works is allowed only if there is a medical certificate confirming that such work does not threaten the health of the mother and child (Article 228).

Pursuant to the Presidential Decree № PP - 4235 of March 7, 2019 , men have received the same package of rights related to the childcare since 1 May 2019, only one of the parents (male or female) can decide to take maternity leave. Additionally, the President ordered to revoke the prohibitions on the use of female workers. As a corollary, the list of the professions that excluded the females' presence has been given recommendatory status only (amendment to Article 225).

**Working hours.** The standard work week is 40 hours, with less allowed for those under 18 and for women who have children up to 3 years old. The number of hours per day, and days per week, is established in the contract/agreement between the employer and employee. Employers must provide time off each workday for "rest and food", and also paid time off in case time is needed to cool off, to warm up, or to breastfeed

children. Details of time off are established in contracts/agreements.

**Leave.** In addition to national holidays, employees have to receive at least 15 working days of paid leave per year, with workers under 18 years of age receiving at least 30 calendar days and disabled employees receiving 30 calendar days (Article 134-135). In addition, those who work in unhealthy and unfavorable working conditions receive an additional seven days and those who work in unfavorable climate conditions receive an additional eight days. The list of jobs, professions and positions at enterprises that give the right to additional leave, the duration of vacations, the procedure and conditions for their provision are determined by sectoral agreements, a collective agreement (and if it is not concluded by the employer in agreement with the trade union committee or other representative body of workers) on the basis of methodology for assessing working conditions, approved by the Ministry of Employment and Labor Relations of the Republic of Uzbekistan and the Ministry of Health of the Republic of Uzbekistan. Leave without pay may also be taken by certain groups of people and may also be covered in contracts. At termination of employment, employees are paid for unused leave, or they may use the leave as their last days of employment.

Women are provided maternity leave for up to 70 calendar days, and then are provided 56 days leave after giving birth, in case of complications or giving birth to 2 or more children up to 70 days, with benefits paid from the state social insurance (Article 233). Maternity leave is calculated in total and is paid in a lump sum, regardless of the actual number of days off before giving birth. After giving birth, a mother may take additional leave until the child is six months old, again paid by social insurance. She may take unpaid leave until the child is three years of age. Her position is guaranteed upon her return from all these types of leave.

**Overtime work.** Overtime compensation as specified in employment contracts or agreed to with an employee's trade union, which can be implemented in the form of additional pay or leave. The law states that overtime compensation should not be less than 200 percent of the employee's average monthly salary rate (broken down by hours worked). Additional leave time should not be less than the length of actual overtime work (Article 157).

**Layoffs and staff reductions.** The Labor Code and subordinate labor legislation differentiate between layoffs and firing. Employees can terminate their employment by filing two-week prior written notice, or apply for leave without pay. Layoff or temporary leaves without pay can be initiated by an employer due to worsening of the economic situation as below. For firing (severance), the employer should personally give two months' advance notice in the case of corporate liquidation or optimization, two weeks' advance notice in the case of an employee's incompetence, and three days' advance notice in the case of an employee's malpractice or unacceptable violations. In case of severance caused by corporate liquidation or optimization, an employee should receive compensation, which should not be less than two average monthly salaries paid during their employment plus payment for unused leave (if another form of compensation was not agreed to in the employment contract).

**Labor disputes.** The general court system, where civil and criminal cases are tried, is responsible for resolving labor-related disputes. This can be done on a regional or city level. Formally, workers can file their complaints through the Prosecutor General's Office. The Ministry of Employment and Labor Relations should provide legal support to employees in their labor disputes.

Disputes may be adjudicated by commissions that are created "on a par with employer and agencies representing the interests of employees..." (that is, with equal representation of employee/employees and employer), if such commissions are provided for in labor agreements/contracts (Article 262). Commissions must consider issues within 10 days. If the employer, employee, or their representatives disagree with decisions by a commission, or if the commission does not consider applications within 10 days, any of the parties may appeal to the courts, but that must be within 10 days of the decision (or no decision).

Enforcement of Labor Code is implemented by the State Labor Inspection under the Ministry of Employment and Labor Relations, and its territorial subordinate structures according to the Statement on

the State Labor Inspection, Appendix №3, Resolution of the Cabinet of Ministers №1066 of 31.12.2018 “On measures to improve the performance of the Ministry of Employment and Labor Relations of Uzbekistan.

### ***Occupational Health and Safety***

Occupational Health and Safety (OHS) legislation comprises the Labor Code, the Law on Occupational Health and Safety, the decrees of the President of the Republic of Uzbekistan, Occupational Health and Safety standards, decisions of executive government agencies taken within their competence in the form of decrees, executive orders, regulations, directives, rules, etc.

More than 30 articles of the Labor Code are directly linked with issues of occupational health and safety.

They include:

- Occupational safety and health requirements (Article 211); Compliance with occupational health and safety regulations, rules and instructions (Article 212);
- Provision of instruction and training to workers in labor protection (Article 215);
- Regulation of working hours in hazardous industries for workers performing special work and workers under the age of 18 (Articles 116, 117 and 118);
- Conditions for the employment of disabled persons in various jobs (Article 220);
- Provision of milk, therapeutic and prophylactic food and personal protective and hygiene equipment to workers (Article 217);
- Provision of first aid to workers and their transportation to medical and preventive treatment facilities (Article 221); and
- Registration and investigation of accidents at work (Article 222) etc.

***The Law “On Labor Protection”*** in the new edition was signed by the President of Uzbekistan on September 22, 2016. The law is aimed at further improvement of labor protection system, strengthening responsibility of employer and workers to execute requirements in this area, defining public authorities’ powers to ensure proper monitoring of working conditions and safety, increasing efficiency of public control in this field, bringing certain provisions of the current law in accordance with the requirements of the newly adopted legislative acts in modern market economy.

The Law introduces new concepts, regulates clearly issues of certification of workplaces on working conditions, audit of the OHS management system, investigation and registration of accidents at work and occupational diseases. It establishes specific mechanisms for public and trade unions participation in implementation of public control in this field, secures their rights related directly to OHS activities.

***The Law “On Occupational Safety in Hazardous Production Facilities”*** passed on August 25, 2006 sets down the legal, economic and social terms of ensuring safe exploitation of hazardous production facilities and is aimed at preventing accidents and building the capacity of enterprises to liquidate their aftermath.

Under the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan № 60 of February 11, 2005 Rules of Compensation by the Employer of the Damage Caused to Employees by Injury, Occupational Disease or other Work-Related Impairment of Health were introduced. Under the law “On Occupational Safety and Health” a worker who has been fully or partially disabled through the fault of the management as a result of an occupational accident or professional disease is entitled to a lump sum allowance and compensation of damage to health paid by the enterprise. The lump sum allowance is determined by the collective contract (agreement) and may not be less than the annual wages of the victim.

The enterprise is obliged to compensate the victim for the cost of treatment, prosthetic work and other types of medical and social assistance and ensure retraining and reemployment of the victim in accordance with the medical report or pay the cost of the same. In the event of the death of a worker the enterprise pays material damage to the persons entitled to it as well as a lump sum in the amount of

not less than six average annual wages of the deceased.

In addition to the main legislation the Republic has national normative documents addressing the issues of occupational health and safety. They include the Sanitary Rules and Norms (SanPiN), State Occupational Safety Standards (GOST, SSBT), Construction Norms and Rules (SNiPs), standards of the content of harmful substances (maximum allowable concentrations and levels), normative methodological documents on individual issues setting forth concrete requirements to occupational safety in hazardous facilities, when manufacturing or applying various products, etc. In addition to state normative documents various sectors of industry enforce departmental and interdepartmental norms, requirements and rules of occupational safety and health.

Enforcement of OHS legislation. The main state bodies responsible for the implementation of OHS policy are:

- the Ministry of Employment and Labor Relations, including the State Labor Inspection under the Ministry with territorial branches distributed all over the Republic;
- the State Inspection for Safety in Industry, Mining and Housing and Utilities Sector;
- the Department of State Sanitary Epidemiological Supervision under the Ministry of Health of the Republic of Uzbekistan.

The Ministry of Employment and Labor Relations has an OHS directorate and the State Labor Inspection and its regional branches in the Republic of Karakalpakstan, Viloyats (regions), the Tashkent city and district directorates and branches on labor, employment and social security. They constitute a single system of supervision and monitoring compliance with OHS requirements at the ministries and agencies, institutions, organizations, industrial and agricultural enterprises, with the exception of hazardous facilities that are under the jurisdiction of the State Inspection on Safety in Industry, Mining and the Housing and Utilities Sector.

The structural units of the State Inspection for Safety in Industry, Mining and the Housing and Utilities Sector are sectoral inspections:

- for supervision of the coal and mining industries;
- for supervision of the oil and gas industry;
- for supervision in the chemical, metallurgical and oil and gas processing industry;
- for gas supervision;
- for boiler and underground structures supervision;
- for geological prospecting supervision;
- for nuclear industry supervision;
- for transport and storage of petroleum products supervision;
- for supervision of the carriage of hazardous cargoes;
- for supervision of subsoil resources, processing of mineral raw materials and geological and surveying control;
- for supervision of compliance with the technological rules of grain storage and processing;
- for supervision of the work of power stations, substations and networks; and
- for supervision of the housing and utilities sector.

Sanitary supervision is carried out in the name of the state by the agencies of the Ministry of Health in accordance with the basic laws of the Republic of Uzbekistan: The Constitution, the Laws on Protecting the Health of Citizens and On State Sanitary Supervision (Gossannadzor) and other regulations.

According to the Statement on the Procedure for the Creation and Organization of Labor Protection Services in organizations, Appendix №5, Resolution of the Cabinet of Ministers №1066 of 31.12.2018 “On measures to improve the performance of the Ministry of Employment and Labor Relations of Uzbekistan” each organization must have Labor Protection personnel which is responsible for: i) organization of work to ensure that employees comply with labor protection requirements; ii)

monitoring compliance by employees with laws and other regulatory legal acts on labor protection, regulatory documents in the field of technical regulation on labor protection, the collective agreement, labor protection agreements, and other local regulatory acts of the organization; iii) the organization of preventive work to prevent occupational injuries, occupational diseases and diseases caused by occupational factors, as well as work to improve working conditions; iv) informing and advising the employer and employees of the organization on labor protection issues, introducing best practices and scientific developments on labor protection, promoting labor protection issues; v) implementation of measures for the organization of induction trainings, trainings, retraining and advanced training of employees of the organization on labor protection issues.

And if organization have employees less than 50 people, this organization should have at least on labor protection specialist or one of the managers combine work of the labor specialist, and for organizations with employees more than 50 people, labor protection service needs to be created within the organization.

The Law of Uzbekistan №210 of 16.04.2009 “About mandatory insurance of civil liability of employer” obliges employers, under the conditions and in the manner established by the Law, to insure its civil liability for compensation for harm caused to the life or health of the employee in connection with work injury, occupational disease or other health damage associated with the performance of his/her labor duties.

#### **Land Acquisition and Physical and Economic Displacement (Core Principle 4)**

##### **f. Legal Framework for Land Acquisition and Resettlement**

###### ***Applicable legislation of Uzbekistan on Land Acquisition and Involuntary Resettlement.***

In Uzbekistan, land expropriation is provided for the public needs under the Land Code (LC) and Law # 781 of the Republic of Uzbekistan on “Procedures of land acquisition with compensation for the public needs”. Expropriation in this context refers to the taking away of private land for a public purpose by the government with or without the owner’s consent subject to laws of eminent domain, which stipulates prompt and adequate compensation. In Uzbekistan, Law # 781 of the Republic of Uzbekistan regulates land acquisition and resettlement for the public needs along with different Resolutions, Acts and Codes as described below.

###### ***Civil Code (29 August 1996)***

The Civil Code (CC) defines the legal status of participants of civic relations, the grounds, and procedure of implementation of property rights and other proprietary rights, rights on the intellectual property, regulates the contractual and other obligations, as well as other property and related personal non-property relations. The CC defines general rules of property seizure, determination of property cost and rights for compensation, terms of rights termination.

The CC provides that: a person whose right has been violated may demand full compensation for damages unless the law or the contract provides compensation for losses in a smaller size (Article 14, Clause 1). The Civil Code (Article 14, Clause 2) also specifies that losses are understood as:

- expenses that the person whose right is violated, made or must make to restore the violated right;
- the loss of or damage to property (real damage);
- the revenues that this person would have received under normal conditions of civil turnover if his right had not been violated (lost profits)

According to article 14, Clause 3 “If the person has violated the law, revenues received as a result of this, the person whose rights were violated, has the right to demand compensation along with other losses, lost profits in the amount not less than such profits”.

According to article 7 “If an international treaty or agreement stipulates other rules than those stipulated by civil legislation, rules of the international treaty or agreement.” This rule is a common rule for all of Uzbekistan’s laws.

According to Article 8, Clause 3, the rights to the property which are subject to state registration shall arise upon the registration of the relevant rights to it, unless otherwise provided by law. Article 84, Clause 1 provides that the right of ownership and other real property rights, creation, transfer, restriction, and termination of these rights are subject to state registration. This means that without registration the right to real estate property does not enter into the force. This statement is very important for the further understanding of LAR processes related to land acquisition and building’s demolition.

### ***Land Code (30 April 1998)***

The Land Code (LC) is the main regulatory framework for land-related matters in Uzbekistan. The LC regulates allocation, transfer, and sale of land plots, defines ownership and rights on the land. It describes responsibilities of different state authorities (Cabinet of Ministers, regional, district and city khokimiyats) in land management; rights and obligations of the land possessor, user, tenant, and owner; land category types, land acquisition, and compensation issues, resolution of land disputes and land protection. The LC also defines the terms of rights termination on land plot, seizure and land acquisition of land plot for state and public needs, and terms of seizure of land plot in violation of land legislation.

The LC provides that:

- Withdrawal of the land or part thereof for state and public needs is made by agreement with the land user and tenant with decision respectively by khokim of district, city, region or by the decision of the Cabinet of Ministers (Article 37, Clause 1). In case of disagreement by the land user or tenant of the land with a decision by district (city, region) khokim, or the decision of the Cabinet of Ministers to withdraw the land, this decision may be appealed in court (Article 37, Clause 2);
- Losses caused by violation of the rights of land users, tenants and landowners (including lost profits), shall be reimbursed in full (Article 41, Clause 3);
- The withdrawal of the land for state or public needs may be produced after allocation to a land user or tenant an equivalent land plot and the compensation of all losses including lost profits (Article 41, Clause 4);
- The LC (Article 36, Clause 1) specifies instances when the right to the land can be terminated. Termination of the right of possession and the right of permanent or temporary use of land is made by decisions, respectively, by khokims of districts, cities, regions or by the decision of the Cabinet of Ministers regarding the proposal by the bodies exercising state control over the use and protection of land, on the basis of supporting documents justifying the termination of the rights. In case of disagreement with the decisions of the Cabinet of Ministers and the officials of the termination of the right of possession, the right of permanent or temporary land use, the natural and legal persons may appeal to the court (Article 36, Clause 4).

According to Article 39, Clause 1 land user, tenant, and landowner have besides others the right to reimbursement of losses (including lost profits), in case of withdrawal of land or compensation costs for voluntary renunciation of land (Article 39, Clause 1, sub-Clause 7).

The LC (Article 86, Clause 1) specifies the cases where losses of land users must be compensated in full including lost profits:

- seizure, redemption or temporary occupation of land;
- the restriction of their rights in connection with the establishment of water protection zones, coastal strips, sanitary protection zones of water bodies, zones of formation of surface and underground water, zones of resort areas, public areas of biosphere reserves, protected zones around national parks, game reserves, national nature monuments, sites

of cultural heritage, discharges, roads, pipelines, communication and power lines.

According to the Article 87, Clause 1 losses of agricultural and forestry production, caused by the withdrawal of agricultural and forest land, including agricultural land, owned and used by individuals to use them for purposes not related to agriculture and forestry, restrictions on the rights of land users and tenants or deterioration land due to the impact caused by the activity of enterprises, institutions and organizations, shall be reimbursed in addition to the indemnity provided for in Article 86. Losses of agricultural and forestry production are compensated by legal and natural persons:

- which removes withdrawn agricultural and forest lands for purposes not related to agriculture and forestry;
- around objects for which protection sanitary and protection zones are established with the exclusion of agricultural and forest lands from the turnover or through transferring them into less valuable lands' category.

***Law No. ZRU-781 (June 2022)***

Law No. ZRU – 781 “On Procedures of Land Acquisition for Public Needs with Payment of Compensations” is a progressive legislation that deals with withdrawal of land plots for public needs (on the basis of right to lifetime inheritable possession, permanent possession, permanent and temporary use or lease). It recognizes principles of LA based-on principles of (i) legality; (ii) priority to ownership rights; (iii) openness and transparency; and (iv) guarantee of compensation. It provisions compensation as per market value for immovable property (whether registered or unauthorized) and their right to the withdrawn land, value of perennial plantations and seasonal crops, moving expenses including temporary renting of another property, loss of lease rent and lost profit for the period between vacating and restoration of activity and a one-time payment (5 percent of market value) as compensation for the inconvenience caused (Article 23). Persons occupying a premises for 15 years with no title documents, but who have been paying related taxes are also made eligible for compensation, provided it is located on permissible land categories. For increased transparency, ZRU 781 provides fresh land allotments through electronic auctions and public disclosure of land acquisition notifications by local hokimiyats.

***Resolution of Cabinet of Ministers № 146 (25 May 2011) with amendments based on Resolution of Cabinet of Ministers №1024 (20 December 2019)***

This Resolution previously named “About the Measures of Improvement the Order of Provision of Land Plots for the Implementation of Urban Development Activity and for Other Non-Agricultural Needs” and renamed in late 2019 into the “Regulation on the procedure for compensation for losses of owners, users, tenants and possessors of land, as well as losses of agricultural and forestry production” is aimed to improve the procedure for granting land plots, protecting the rights of legal entities and individuals on land and improving the architecture of settlements and the efficient use of their (settlements) land for construction by the Land Code and the Town Planning Code. This resolution has approved two Regulations: (i) Regulation on the procedure for granting land for urban development and other non-agricultural purposes, (ii) Regulation on the procedure of compensation for land possessors, users, tenants, and owners, as well as losses of agriculture and forestry. The Regulation on the procedure for granting land for urban development and other non-agricultural purposes contains the following provisions:

- Order of land plot location, preparation and approval of site selection and land allocation documents without approved planning documentation;
- Order of placement, selection and land allocation with approved planning documentation,
- Order for rejection in the selection and land allocation for construction;
- Provision (sale) of land plots for individual housing construction;
- Elements of urban planning documents and development regulation lines.
- Based on Regulation №498 (14 June 2019) point №19. In the resolution of the Cabinet

of Ministers of May 25, 2011 No. 146 "On measures to improve the procedure for the provision of land plots for urban planning and other non-agricultural needs" (SP of the Republic of Uzbekistan, 2011, No. 5, art. 40): losses of possessors, users, tenants and owners of land, as well as losses of agricultural and forestry production are to be determined by the UzDavYerLoyiha Institute, or by cadaster bodies or by departments of the Ministry of Construction with the involvement of the evaluating agency. The defined sizes of losses are to be considered, respectively, by the commissions under the Cabinet of Ministers or khokimiyats and subject of the approval by public authorities along with materials for the selection and allocation of land plot(s).

The Regulation on the procedure of compensation for possessors, users, tenants and land owners, as well as losses of agriculture and forestry includes the following:

- Compensation for losses of owners, users, tenants and landowners located on the agricultural lands;
- Compensation for losses of agriculture and forestry;
- Cost of irrigation and developing the equal new land plot in return for seized irrigated agricultural land;
- Cost of fundamental improvement of grassland and pasture;
- Scheme for determination of losses of land possessors, users, tenants, and owners, as well as losses of agriculture and forestry;
- Coefficients on the location of seized land plots (Not active since January 1, 2020).

The losses of land possessors, users, tenants, and owners, as well as losses of agriculture and forestry, should be compensated before granting of documents certifying rights on land plot. The regulation also orders that demolition of the house or building shall be done only after agreeing on compensation and providing replacement premises — the regulation orders that compensation has to be paid before starting any construction work. The land possessors, users, tenants and owners, whose land plots are seized and to whom land plots are granted, can in case of disagreement with a defined amount of losses, appeal to the court. In case of acquisition and temporary occupation of land plot or part thereof, the following would be subject to compensation:

- Cost of the land plot, owned by individuals and legal entities;
- Cost of residential houses, constructions, and installations, including incomplete constructions, and also located outside of the allocated plot, if its further utilization is impossible due to seizing of the land plot.
- Cost of fruits and berries, protection and other perennial plants;
- Cost of incomplete agricultural production;
- Lost income.

Above described Laws and Regulations mention that non-titled and squatters on land and building/structures are ineligible for any compensation.

Collectively, these regulations provide a sound basis for acquiring land for public purposes and for compensating land users according to the registered user of the land in Uzbekistan.

***Resolution of Cabinet Ministers №317 (21 September 2016)***

The resolution "On amending and adding to some decrees of the Republic of Uzbekistan, aimed the further improvement of registration of cadastral document on real property" defines responsible design institution which calculates the agricultural and forest-related losses belonging to legal land users, tenants. This institute is "UzDavYerLoyiha" and its branches in the regions.

It defines that in case of the following type of construction works, compensation for agricultural and forest-related losses will not be compensated:

- individual housing construction and maintenance of a residential house;
- the construction of pre-school, general secondary, secondary special, professional

- educational and medical institutions;
- construction of water management facilities, land reclamation facilities and hydraulic structures;
- the formation of protected natural areas.

By this resolution, the Government defined the procedure of legalization of cadastral document of titled and not titled (illegal) land users. The main requirements for the legalization of non-titled land users are to provide i) explanation of circumstances of informal use of land, ii) certificate from local self-governed bodies on possession of last 15 years, iii) payment of land tax for the last five years.

Compensation mechanism of agricultural and forest-related losses is updated by this resolution.

***Resolution of Cabinet Ministers №3857 (16 July 2018)***

The resolution “On measures to improve the effectiveness of preparation and realization of projects with participation of international financial institutions and foreign government financial organizations” partly provides that payment of compensation for the land acquisition, demolition of houses, other structures, plantings within the framework of projects with the participation of International Financial Institutions (IFIs), if it is agreed and stated in agreements, then will be carried out by authorized bodies in accordance with the requirements of IFIs or Foreign Governmental Finance Organizations (FGFOs).

***Decree of the President of the Republic of Uzbekistan №5490 (27 July 2018)***

The Decree “On measures to further improvement of the system for protecting the rights and legitimate interests of business entities” has established a Centralized Fund under the Cabinet of Ministers of the Republic of Uzbekistan for compensation of losses to citizens and business entities in connection with the seizure land plots for state and public needs, as well as the procedure for mandatory coordination with this fund of land acquisition for state and public s needs.

***Decree of the President of the Republic of Uzbekistan №5495 (1 August 2018)***

Decree “On measures on cardinal improvement of investment climate in the Republic of Uzbekistan” partly provides that the adoption of decisions on the seizure of land for state and public needs is allowed only after an open discussion with interested parties whose land plots are planned to be seized, as well as assessing the benefits and costs; demolition of residential, industrial premises, other structures, and structures belonging to individuals and legal entities, with the withdrawal of land plots is allowed after the full compensation of the market value of immovable property and losses caused to owners in connection with such withdrawal.

***The Law of the RoU “On Privatization of Non-agricultural Land” №552, August 13, 2019***

This normative document regulates the procedures, rules and mechanism of privatization of non-agricultural land. According to the Law, the following land plots are subject for privatization: (i) land plots on which the buildings and structures belonging to legal entities, industrial infrastructure facilities are located, as well as the land adjacent to them in the extent necessary for the conduct of production activities; (ii) land plots provided to Uzbekistan citizens for individual housing construction and its upkeep; (iii) free land plots; (iv) land plots that are provided to the Urban Development Fund under the Ministry of Economy and Industry of the Republic of Uzbekistan.

The Law forbids privatization of land plots that are: (i) located in territories that do not have approved and published layout plans; (ii) that are part of the lands of environmental, recreational, recreational and historical-cultural purposes, as well as lands of forest and water funds, general use of cities and towns (squares, streets, driveways, roads, embankments, squares, boulevards); (iii) infected with hazardous substances and susceptible to biogenic infection; (iv) provided to residents of free economic and small industrial zones.

Within implementation of this project the order of compensations payment to these persons in case of loss of property and other objects of property is also governed by the following standard and legal documents:

- a. Law of the Republic of Uzbekistan "On Evaluation Activity" as for 19.08.1999. № 811-I;

- b. Decree of the President of the Republic of Uzbekistan "On further improvement of activity of evaluation companies and increases of their responsibility for the quality of rendered services" (№ UP-843 as for 24.04.2008).

***Resolution of Cabinet of Ministers № 1047 (26 December 2018)***

This resolution "On the procedure for the formation and use of centralized funds for the compensation to affected individuals and legal entities for the expropriation of land for the state and public needs" appoints Republican Centralized Fund (RCF) under the Cabinet of Ministers for land acquisition compensation payments to affected households and affected entities in course of the projects to be implemented for the needs of the state and society. RCF will be established for the projects that are accepted on the Governmental level. This resolution establishes the procedure of compensation payments to affected physical and legal entities. The Supervisory Board is established under RCF, and its decisions are compulsory to execute. The Board will also monitor the allocation of funds to AHs during the resettlement implementation period. Local managing bodies (khokimiyats) should start the process by application to RCF on the allocation of necessary funds for LAR. This application will be reviewed by the Board, and the necessary decisions will be accepted. The Decree on the allocation of compensation is issued by regional khokimiyats based on the decision of RCF. The Decree serves legal instrument to pay compensation to affected physical and legal entities.

***Decree of the President of the Republic of Uzbekistan №-5491 (August 5, 2019)***

The Decree "On Additional Measures to Unconditionally Guarantee the Right of Ownership of Citizens and Business Entities" governs the procedures, mechanism of making decisions on the seizure of land for state and public needs which is (i) allowed only after an open discussion with interested parties whose land is planned to be withdrawn, as well as assessing the benefits and costs; (ii) the demolition of residential, industrial premises, other buildings and structures belonging to citizens and business entities upon the seizure of land is permitted after full compensation of the market value of real estate and losses incurred by the owners in connection with such seizure; (iii) Losses caused to citizens and business entities as a result of the unlawful administrative act of a state body (official) are subject to compensation by the state, primarily at the expense of extra budgetary funds of the relevant bodies, followed by recovery from the guilty person in recourse. According to this Decree, from August 5, 2019, the seizure of land and the demolition of real estate owned by citizens and businesses for state and public needs, as well as for other purposes, is carried out in the order consisting of the following steps: (i) at the first stage, a collection of materials on the territory planned for demolition is submitted to the Cabinet of Ministers of the Republic of Uzbekistan by the chairman of the Council of Ministers of the Republic of Karakalpakstan, khokims of the regions and the city of Tashkent; (ii) at the second stage - in the Cabinet of Ministers of the Republic of Uzbekistan, an opinion is prepared on urban planning requirements and for financial calculations; (iii) at the third stage - the prepared opinion is submitted to the Prime Minister of the Republic of Uzbekistan for consideration and decision.

There is the personal responsibility of local authorities for full compliance with legislative acts when seizing land, in particular for: (i) notification of owners in the prescribed manner and terms of the relevant decision on the seizure of the land and the demolition of residential, industrial and other buildings, structures and plantings located on the land; (ii) prevention of demolition of houses, other buildings and structures on confiscated land plots before preliminary and full compensation of losses at market value; (iii) the provision in the prescribed manner of temporary housing for the period of development of the land provided as compensation to displaced citizens for up to two years, as well as for compliance with other requirements.

***Resolution of Cabinet of Ministers № 911 (16 November 2019)***

On November 16, 2019, the Cabinet of Ministers approved the "Regulation on the procedure for seizure of land plots and providing compensation to the owners of real estate objects located on the seized land plot". This Regulation determines the procedure for the seizure of a land plot for the State and public

needs. The Regulation shall apply if the land plot *is in possession, use or temporary use of individuals or legal entities (individual entrepreneurs, citizens of Uzbekistan, foreign citizens, business entities, NGOs) and does not apply to land plots owned (private property right) by individuals and legal entities.* In this regard it is not clear whether this regulation is not applicable only to lands, that will be privatized in accordance with the Law “On Privatization of Non-agricultural Land” №552 (August 13, 2019).

This key LAR related document envisages the introduction of new regulations pertaining to the compensation procedure for land seizure for public needs and replaces Resolution of Cabinet of Ministers № 97. To date, the process has not been transparent and lacked adequate protection for property owners. This regulation applies to cases where land occupied by real property is owned based on the rights of permanent or temporary use.

The document clearly defines the term "State and public needs", which, among others, includes implementation of investment projects aimed at improving infrastructure facilities.

As per the procedure introduced by the document, land seizure is allowed given that both of the following conditions are met:

- c. the owner/user/leaseholder explicitly provides his/her consent and;
- d. the project is approved by the local Kengash (Council) of Peoples’ Deputies, or an investment project is specially mentioned in the Presidential Decree or by a Resolution of the Cabinet of Ministers.

According to this resolution:

- (i) both local municipalities (khokimiyats) and investors may initiate land seizure following the procedures provided in the regulations;
- (ii) if there is a need to withdraw the land plot, an open discussion is to be held with the participation of the khokimiyat representatives and investors and owners;
- (iii) preliminary valuation of losses will be carried out by the khokimiyat or by cadastral bodies. The Regulation mentions that “the full list of immovable property objects, located on the plot is to be prepared as well as other information is to be provided in regards of the immovable property”. Trees and standing crops are not mentioned as a subject of valuation and further compensation, thus, the Resolution of the Cabinet of Ministers №146 (25/05/2011) will be applied for the compensation of these assets);
- (iv) the Kengashes of people’s deputies will consider the benefits and costs of the seizure of land, and, if there are sufficient resources, as well as in case of excess of benefits and costs, a decision will be made on the seizure of land.
- (v) evaluation of the property that is going to be seized is done at the expenses of the initiator. When 75% of property owners provide their consent to land seizure, the initiator has the right to apply to court in order to get a compulsory sale order for the rest 25% of the owners. In such cases, the compensation is to be determined in a court ruling rather than by a compensation agreement. This procedure, anyhow, guarantees a full replacement cost.
- (vi) new objects being part of a compensation for seizure must be provided within 2 years, otherwise fines are applied for each day of delay.
- (vii) demolition of real estate objects is permitted only after their owner is compensated in full as provided in a compensation agreement (or a court decision in case of a dispute). Khokimiyats are not authorized to make decisions on the seizure of land;
- (viii) the khokimiyat or the investor and the owners, and this agreement is notarized;
- (ix) an initiator and an owner of a property must conclude the relevant compensation agreement subject to notarization. The agreement must include the type of compensation(s), its amount and terms of payment and/or provision of other compensatory measures;

- (x) The demolition of real estate objects without the agreed compensation is not allowed. After providing agreed compensation to the owners:
  - (i) real estate/property is released by the owner
  - (ii) the draft resolution on the demolition is sent by the khokimiyats to the justice bodies for the issuance of a conclusion. The resolution on demolition of real estate is accepted only in the presence of the positive conclusion of justice departments
  - (iii) Transfer of the real estate objects located on the withdrawn land plot to another person is allowed only if there is a written consent of the initiator after signing of the Agreement, or in case of termination of the Agreement (in the order provided by the Agreement, with the consent of the parties or in court).
  - (iv) The owner who has acquired the object of real estate subject to demolition is the legal successor of the rights and obligations of the previous owner arising from the Agreement concluded in accordance with this Provision.
  - (v) Control over execution of requirements of the legislation at withdrawal of the land plots, demolition of objects of real estate, resettlement of citizens, and also granting of compensations is carried out by bodies of Prosecutor's office.
  - (vi) The owner, based on agreement with the initiator/investor, now has the right to carry out at his own expense the demolition of the property/structures with the further removal of all materials (salvages) and construction waste and with the proper cleaning of the territory for construction needs.

This procedure come into force on January 1, 2020. It is important to mention also that in case of untimely or incomplete provision of compensation by the project initiator, khokimiyat must provide compensation with a subsequent appeal to the court to recover compensation from the guilty persons. A possibility to keep salvage materials is a very important issue for relocated households (because they can use salvages for the construction of new houses). The previous Resolution №97 (25 May 2006) defined that all the salvages are the property of the investor (after the compensation is provided in full to relocated AH). However, even with this strong requirement, the vast majority of the projects supported by IFIs in Uzbekistan (including WB financed projects) allowed relocated Affected Peoples to keep salvages as an additional protection measure.

***Resolution of Cabinet of Ministers № 44 (15 February 2013) with amendments based on Resolution of Cabinet of Ministers №1046 (28 December 2019)***

This resolution determines the procedure for the appointment and payment of Makhalla allowances for: a) low-income families with children under the age of 14 years, b) allowances for low-income parents for child care until the age of two years and c) allowance for low-income families. According to this resolution the following types of families are entitled to allowances:

- families where the average monthly income does not exceed 52,7% of minimum wage per person during the last three months. Along with incomes household members gain officially, additional factors are also to be considered by makhalla committee members, including the availability of land, employment status of family members, and presence of persons in need of care;

The preferential rights for makhalla allowances have families:

- who have lost both parents and children are in care of relatives;
- families where one or both parents are disabled;
- widow(er), raising two or more children under the age of 14, living separately from other relatives;
- family with disabled children;
- mothers or fathers who are bringing up the children in a single-parent family. In this case

- the fact of child rearing mother (father) in an incomplete family established by makhalla;
- families in which one or both parents are unemployed who have been registered at state employment bodies (regional and city departments of the Ministry of Employment and Labor Relations) as job-seekers;
- single retired persons.

#### ***Resolution of Cabinet of Ministers №165 (30 March 2017)***

Uzbekistan’s legislation does not define compensation as targeting the rehabilitation of APs’ livelihood. They focus on paying compensation for measurable physical impacts or incomes. The Presidential Resolution №3857 of 2018 (described above) requires that the donor-funded projects follow the specific safeguards requirements of the donor. This resolution theoretically removes any disparity between the country’s legislation on LAR issues and WB’s requirements under ESS5. However, there are still questions to EAs from state budget controlling authorities that are related to the amount of the rehabilitation allowances provision.

This Regulation №165 determines the procedure for the allocation of a one-time financial allowance to needy families in the Republic of Karakalpakstan and the Khorezm region, primarily, single retirees, families with a disabled breadwinner and other low-income groups and families. This allowance to needy families can be appointed by a special decision of makhalla Social Protection Commissions to families (citizens) who find themselves in difficult life situations. The definition of a difficult life situation includes among others the damage to property as a result of emergency circumstances or force majeure. The specific amount of this one-time financial assistance is determined by the Commission for each case individually, taking into account the complexity of the “difficult life situation”. According to regulation №UP-4086 since 28 December 2018, the minimum and maximum amount of this allowance are annually regulated by a special Decree of the President of Uzbekistan. For the year 2020, this amount was determined in the Decree of President №UP-4555, Annex 2 (December 30, 2019) and vary from 434,000 UZS and up to 1,085,000 UZS.

#### ***Tax code***

The Tax Code (TC) is a regulatory framework for taxation related matters of individuals and legal entities. This law regulates compensation for a vulnerable group of people regarding applying for discounts or exemption from property taxes, land tax, income tax and other taxes stipulated in this TC.

The national legislation of Uzbekistan, instead, limits the matter to the payment as mandated by the Labor Code of fixed employment termination indemnities due by an employer to his employees and to the obligation of the project proponent to reimburse the employer of the cost of those indemnities mandate by the Civil Code. Such an approach excludes informal employees without a declared salary (and confirmed payments of taxes) from job loss compensation, applies only to permanently affected jobs and does not automatically guarantee that the APs receive their job termination dues.

#### **Inclusion of Vulnerable Groups (Core Principle 5)**

In the last few years, Uzbekistan has managed to close some **gender gaps** in social and political participation, but several significant gaps still persist. The gender gap in labor force participation is still about 33 percent (WDI, 2022); participation of women in employment and their achievement on human development indicators still lags behind comparable middle-income countries. This gap in key attainments not only leads to a high degree of exclusion, but also contributes to slow growth of the economy, with a significant population not being able to participate in its economic development.

The existing definition of sexual exploitation and abuse and sexual harassment (SEA/ SH) at workplace and does not provide for prohibition of discrimination based on sexual orientation or gender identity, which leads to poor identification of such risks and their prevention. Sexual harassment at a workplace is also not covered by the existing **Labor Code**. While various laws prohibit sexual harassment against women,

there is no uniform prohibition on sexual harassment against women and men, and legal or other remedies are not easily accessible to the victims.

This poses a higher risk for women at workplace, since legal provisions related to gender-based discrimination in employment have only recently been introduced and awareness related to them is still quite low. As a result, the country experiences high incidences of Gender Based Violence (GBV) due to inadequate enforcement and also owing to existing social norms due to which much of this is accepted, goes unreported and uncontested. Women also face many barriers to accessing economic opportunities- both in the form of paid employment and as entrepreneurs.

Lack of state-sponsored skilling support to women also denies them access to livelihood earning opportunities and skills relevant to the markets. Recognition of women as a distinct constituency, with their own unique needs is absent from most national policies and hence remains invisible within the operating policy environment. As a result, whether it is public consultations to plan resettlement for those impacted by physical or economic displacement or ensuring grievance redress systems responsive to their needs, in most policies, women are not acknowledged as important stakeholders. Women also face obstacles in accessing justice, particularly in cases of gender-based discrimination. Barriers such as lack of legal awareness, limited access to legal aid, and societal stigma hinder women from seeking redress through the legal system.

**The land acquisition procedures of the state** do not mandate the presence of women, and other marginalised groups from the project affected households, to participate in resettlement-related consultations nor are separate, dedicated consultations to understand their distinct needs provisioned in policy. Similarly, affirmative measures to address the added vulnerabilities that women and other marginalised groups face are not covered through any additional resettlement assistance. Owing to low awareness about procedures and the importance of registration, many informal property users/owners and those with partial ownership/lease titles are women. Combined with this, the barriers they face in accessing public services, prevent them from taking the benefit of periodic amnesties or fulfilling the requirements to formalize their ownership.

Citizens' engagement in development projects tends to be low, and wherever such public engagement is required by procedures, women's needs are not sufficiently analysed or addressed. For example, **the national Environmental Impact Assessment policy** does not require consultations with women at the time of the SEE. The Public Environmental Expertise, while provisioned and allowed, is rarely used, and the extent of women's involvement in it depends on the orientation of the civil society organisation leading it. Similarly, **appeals/grievance redress systems** – both national and sector specific – do not create procedures for handling GBV-related grievances, creating referral pathways, and ensuring anonymity of the complaints. The capacity of the staff managing to identify and address various forms of vulnerabilities and their inter-sectionality in specific contexts, and adopting inclusive and participatory processes, is quite limited.

**Persons with disabilities** experience challenges in accessing employment due to stigma, lack of accessibility, and possible discriminatory attitudes among employers. While there are specific policies in place to ensure inclusive employment especially with regards to women and persons with disabilities (PwDs), the enforcement and its monitoring is weak.

The use of **informal workers**, especially in the agriculture and private sector, is very widespread. Most informal workers belong to the poor and vulnerable groups (often rural communities) and due to weak regulatory mechanisms to secure compliance with labor laws their use is rampant. This includes sectors

and industries considered hazardous and with high OHS risks where use of informal workers is high. Job insecurity, lack of awareness and effective provisions to safeguard workers from exploitation and abuse tends to push them towards informal labor markets.

The use of **forced and child labor** has traditionally been high in the country, although in recent years the country has done commendable work to eliminate such labor from the cotton sector where their use was rampant. However, there are other sectors and industries where child labor their engagement persists even though legally prohibited. There is lack of orientation on the social-legal aspects related to use of forced and child labor among the enforcement agencies and their capacities to identify their deployment is weak; this combined with the lack of real powers to take disciplinary action against such employers means that their use goes unchecked.

### **Avoidance of Exacerbating Social Tension (Core Principle 6)**

#### **Overview**

Uzbekistan's navigation from its post-Soviet trajectory has been eventful, particularly in terms of community engagement and governance. The gradual transition from a centrally planned system to one that emphasizes transparency and community involvement is significant. The acknowledgment of the importance of involving communities in development planning and implementation reflects a broader global trend towards participatory governance.

Efforts to empower local institutions like Mahalla Committees are crucial for fostering community-driven development initiatives. By providing these institutions with resources and authority, the government can better address the diverse needs of its citizens and ensure that development projects are more responsive to local realities. While Uzbekistan may still need to take steps to fully embracing proactive engagement with public stakeholders, the recent initiatives aimed at enhancing governance and accountability are promising steps forward. Building trust between the government and its citizens is essential for fostering a more inclusive and responsive society.

Since 2017, there has been a perceptible change in the legal environment related to public participation and citizen engagement through the introduction of several laws and resolutions that mandate public participation, make provisions for the conduct of open meetings and public hearings in matters related to the roll-out of development projects that have beneficial or adversarial impact on local communities to inform the community about the proposed projects and seek their feedback and suggestions. People's Reception Offices of the President of Uzbekistan have been opened at various tiers of the government as well as Virtual Reception to receive appeals and grievances from the citizens and to ensure their consideration by various state bodies and organisations. However, despite all these steps, most laws and policies do not provide for full participation and seek meaningful and effective engagement. As a result, stakeholder engagement, in most cases, remains limited to an exercise of token presence of community representatives in meetings/ hearings, and their feedback is not necessarily considered during project design or site selection, and the impacts are not adequately scoped during the identification of mitigation measures.

### **PEOPLE'S PARTICIPATION AND CONSULTATION**

- a) **Constitutional Provisions** – The Constitution of the Republic of Uzbekistan through Chapter VII on Personal Rights and Freedoms protects the right of freedom and inviolability (Article 27) and under Chapter VIII on Political Rights provides all citizens the right to participate in the management and

administration of public affairs directly, through representation, referendums or other democratic formations (Article 36). Under Chapter X on Guarantees of Human and Civil Rights and Freedoms it protects the rights of people with disabilities and elderly and other socially vulnerable categories and promises to improve their quality of life and enable them to fully participate in social and public life, have full access to services and obtain information without hinderance (Article 57). Article 58 goes on to declare equal rights for women and men and provide equal rights and opportunities for them in administration of public and state affairs and in other spheres of social and state life.

- b) **Civil Code** – The code is based on recognition of the inviolability of ownership, freedom of contract, impermissibility of arbitrary interference by anyone in one’s private affairs and guarantees restoration of any violated rights and their judicial protection and allows citizens and legal entities to exercise their civil rights as per their will, in their interest (Article 1).
- c) **Law No. ZRU 781:** In the context of land acquisition ‘Procedures for Withdrawal of Land Plots for Public Needs with Compensation’ mandate that preliminary review meetings of Kengash on decision to withdraw a land plot be held openly with participation of media and public representatives (Article 17). Open discussions are to be organized by the initiator with participation of two-thirds of right holders, or their representatives. The initiator is responsible for familiarizing them about the purpose of land withdrawal, listen to their opinion and document the list of participants and opinions expressed (Article 20). ZRU 781 says that while considering the draft decision on land withdrawal, participation of representatives of the initiator and right holders, should be ensured. The right holders shall have the right to express their opinions, raise objections and receive appropriate explanation (Article 21). It also provides that meetings of the Compensation Commission allow participation of right holders and the general public (Article 27).

#### **INFORMATION DISCLOSURE**

- a) **Constitutional Provisions** – Article 33 guarantees freedom of thought, speech, and convictions and recognises their right to seek, obtain and disseminate any information. It restricts citizens right to seek, obtain and disseminate information, if it comes in the way of public safety and public order. It also provides that state entities and self-governing bodies allow everyone access to documents, resolutions, and other materials, relating to their rights and legitimate interests (Article 34).
- b) **Law on Guarantees and freedom of access to information (April 1997 amended in April 2021)** – This law regulates a person’s constitutional right to freely seek, receive, study, pass on and disseminate information and guarantees access to information (Article 3, 5) which can be done both in writing and orally. The written enquiry needs to be duly registered and responded to within 15 days (subject to its permissibility) from its receipt, while oral requests need to be answered without delay. In case the organization does not deal with the subject they are obliged to share name of the organization or official dealing with the subject matter with the applicant within 7 days (Article 6). All State and self-government bodies, public establishments are obliged to ensure that everybody has an opportunity to familiarise themselves with documents and information related to their rightful interests and access to this information shall be provided through publication and dissemination of materials (Article 7). In case of its violation, or inaction by state agencies/ bodies, citizens have the right to appeal in court (Article 12).

- c) **Presidential Decree on “ Additional Measures to Ensure Transparency of State Bodies and Organisations and Effective Implementation of Public Oversight” (June 2021, as amended June 2022)** – Through this decree, the President has approved a “ List of Socially Significant Information” to be posted on portals and websites as open data by all state authorities and is a move towards improved transparency. The decree brings banks, courts, and organisations with public participation under its purview and specifies which data is to be subject to proactive disclosure.

#### **GRIEVANCE REDRESSAL**

- a) **Constitutional Provisions** – Chapter VIII of the Constitution on Political rights provides that everyone shall have the right, both individually and collectively, to submit applications, proposals, and to lodge complaints with competent state bodies and organizations, citizens’ self-governing bodies, officials and public representatives and they shall be considered by the latter in accordance with the procedure and within the time-limit prescribed by law (Article 40).
- b) **Law No. ZRU-445 On Appeals of Individuals and Legal Entities (August 2017)** – As per ZRU-378 On Appeals of Individuals and Legal Entities, the President’s Office has been made the overall nodal office for its implementation and the People’s Reception offices are operated under direct supervision and as representatives of the President’s Office. Article 12 of the law provides that Reception offices of the President coordinate with the state bodies, request and receive documents and information from them on issues within their powers, make site visits to assess the implementation of the decisions made based in response to the grievances, help improve procedures for consideration of appeals, remove roadblocks in the redressal and take action against persons violating procedures or posing barriers to redressal. The President’s Office needs to ensure compliance with the law, while ensure public order, safety and national security and also ensure uninterrupted implementation and also track the status of redressal by their categories and relevant areas. Through Virtual Reception the President’s Office allows for real time appeals and their consideration with the presence of the aggrieved individuals and legal entities and the subject matter experts for prompt redressal (Article 13)
- c) This extensive legislation covers conditions under which citizens can file appeals for redressal of grievances and seek public accountability based on principles of legality, timeliness, uniformity of consideration, recognition of the rights and interests of individuals, and transparency by state bodies (Article 4). The head of each institution has to organise systems for receipt (reception) of such appeals and designate officials for it (Article 9). It also provides for the creation of People’s Reception offices of the President for effective consideration of such appeals in President’s Office, Karakalpakstan, regions, Tashkent city, districts, and cities as well as a Virtual Reception at the President’s Office to receive, systematize appeals and monitor their timely and satisfactory consideration (Article 10). The Reception Offices are expected to a) organize full, objective, and timely consideration of appeals, b) ensure systematic monitoring (Article 34). It guarantees citizens a right to appeal to state bodies, individually or collectively and covers non-citizens, stateless persons, minors, people with disabilities (PwDs), and prevents discrimination on the basis of gender, race, nationality, language, location, religion, social origin, beliefs or social status (Article 15,16) and puts the onus of officials of state bodies to restore the violated rights and mandatorily accept appeals (Article 18). Additional clarification from the petitioner can be sought within 5 days or be asked to physically present their position/ opinion on the appeal in the presence of specialists and representatives of concerned organizations (Article 25, 26). Such appeals are to be considered within 15 days, and when

additional information/ investigation is required, up to 30 days (Article 28). Any additional clarification on the response sought by petitioner needs to be provided within 10 days of its receipt. In case of unlawful refusal to consider the petition, an individual can appeal to their higher authority or go to court (Article 32). State entities can also seek court intervention for recovery of expenses incurred on verification of an appeal containing false information (Article 33), while the individual impacted by unlawful decisions are to be compensated for damages and costs incurred related to the complaint or seek compensation for moral damages in court (Article 37).

- d) **Miscellaneous laws related to Environmental Assessment and Nature Protection related to participation and information access** – The Law “On nature protection” (2018) regulates the right of citizens to unite for nature protection, to request and receive information about the status of environment and measures taken for its protection. It provides for environmental protection as a right for citizens, self-governing bodies and through Non-Governmental Organizations (NGOs). The Law on Environmental Expertise requires developers to publish details of the project after the environmental assessment and allow for its public review, directly, or through NGOs (Article 23). It also provides for public hearings and needs to document in the Environmental Impact Statement how people’s suggestions and objections were addressed. In case of Category I and II projects, as per Environmental screening, Law “On State Environmental Expertise” (2001) makes public consultation mandatory. It also allows for Public Environmental Expertise to be carried out by civil society at their own cost and provide recommendations for the consideration of State Expertise.