



HUMAN
RIGHTS
WATCH

“We Suffered When We Came Here”

Rights Violations Linked to Resettlements for Tajikistan’s Rogun Dam

Summary and Key Recommendations



“We Suffered When We Came Here”

Rights Violations Linked to Resettlements for Tajikistan’s Rogun Dam

The proposed Rogun Dam in Tajikistan has the potential to bring much-needed electricity and heat to people across the country and to bolster Tajikistan’s economy through exports of surplus power. At 335 meters, the Rogun Dam is slated to become the tallest dam in the world. Tajik President Emomali Rahmon has stressed that completing the Rogun Dam is of “life or death importance” for the nation, which suffers from chronic energy shortages in the winter months. But thousands of people have already been compelled to resettle to make way for the dam and more will be resettled in the future. The government has obligations to respect their rights and to ensure that they do not suffer undue hardships and harm.

A row of partially complete, unoccupied houses at the resettlement site in Tursunzoda district. Because many residents construct their own homes in an effort to save money, construction can take several years, during which period individuals travel to and from their old homes.

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The dam will create a massive reservoir that will displace an estimated 7,000 families (about 42,000 people) by the time the project is completed. Between 2009 and early 2014, the government has already resettled approximately 1,500 families out of the reservoir zone to several other locations in Tajikistan.

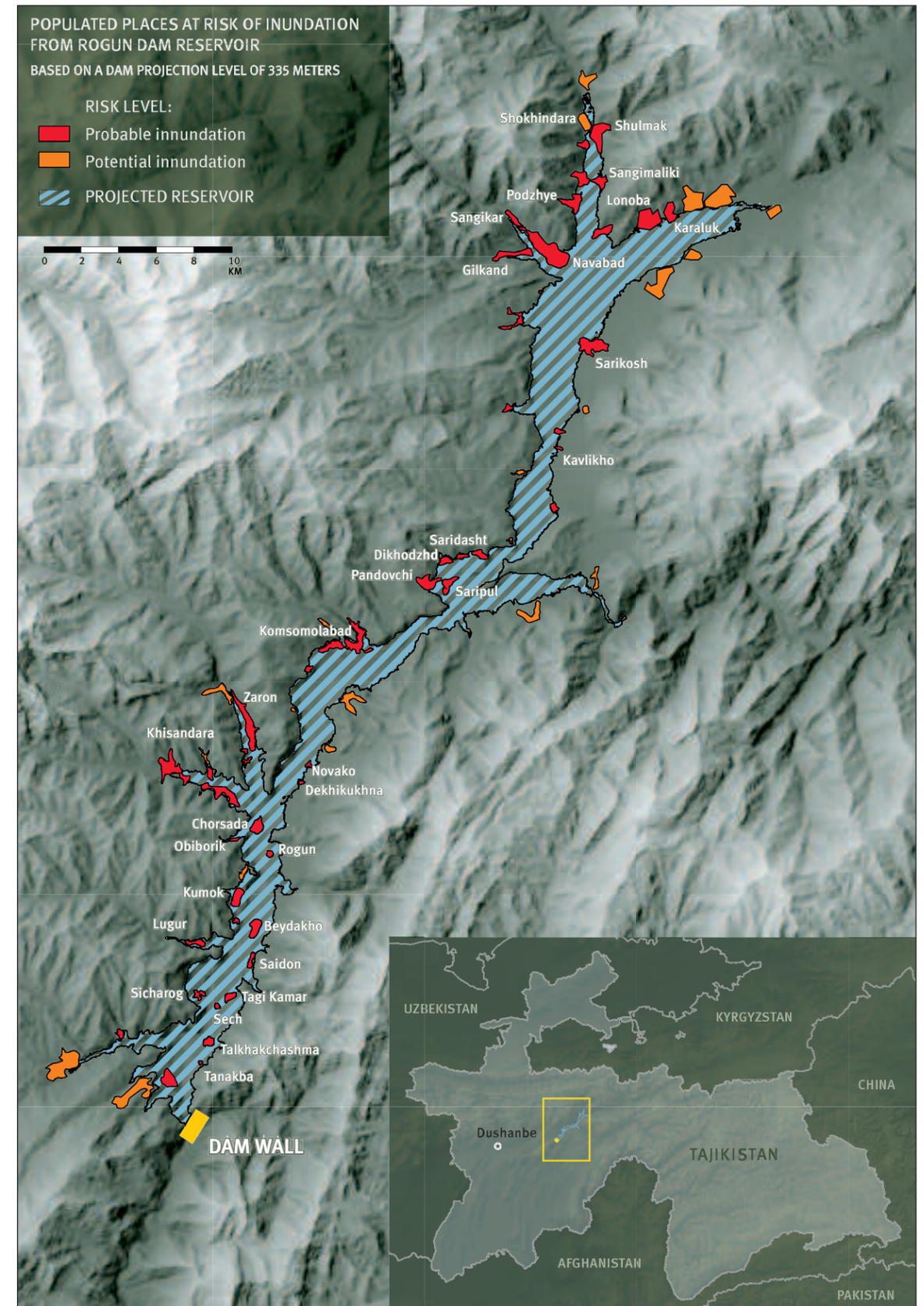
This report documents the human rights violations associated with the resettlement process and makes specific recommendations both to remedy past abuses and to prevent future human rights violations for the tens of thousands of individuals who have yet to be resettled. Based on interviews with people at various stages of the resettlement process, Human Rights Watch has found that the standard of living for many resettled families has seriously deteriorated and that there are a number of barriers that undermine their ability to re-establish the standard of living they enjoyed prior to being resettled. Loss of land for farming and raising livestock, lack of employment, and poor access to essential services in resettled communities have combined to create significant hardship for resettled families, seriously diminishing the exercise and enjoyment of fundamental rights.

Beehives in Sicharog, a village to be submerged in Rogun district, overlook an area where components of the Rogun Dam and Hydropower Plant are assembled.

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Various parties, including the government of neighboring Uzbekistan, have raised other concerns about the Rogun Dam project, such as the feasibility of its height or composition, its potential environmental impacts – including their potential to further harm human rights – potential political consequences, and where Tajikistan will procure the estimated \$2 to \$6 billion required for its construction. These issues have been the subject of much international discussion but are beyond the scope of this report.

Many families compelled to resettle by the government have faced serious hardships in trying to re-establish their lives in new locations, including reduced access to food, water, and education. The government has allocated land to displaced families, but it has not built houses for them on that land nor provided sufficient compensation to all families in accordance with international human rights standards to





A newly completed, government-built medical point (foreground) and school (background right) at the resettlement site in Tursunzoda district. In the resettlement sites in Rudaki and Dangara districts, the government has not yet completed construction of schools and students walk for between 30 minutes and two hours each way to reach class.

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build new homes of a similar size and standard to those they previously owned. In many cases, families suffered undue burdens due to the loss of agricultural lands that provided means of subsistence and income to the majority of families prior to resettlement. The government of Tajikistan should urgently take steps to address shortcomings in the resettlement process and prevent similar types of issues from occurring during future resettlements.

In 2010 the government suspended future resettlements pending the release of two World Bank-sponsored studies on the construction of the Rogun Dam, one of which examines Tajikistan's compliance with the bank's safeguard policies, including its involuntary resettlement policy and the Rogun Dam's effects on those subject to resettlement. However, resettlements continue from initially designated villages in Rogun and Nurabod districts.

The government plans to resettle all families living in the reservoir zone, in addition to those in villages adjacent to the construction site who will be subject to safety risks caused by the construction even though their homes will not be submerged. The government agency in charge of resettlement, the Directorate for the Flood Zone of Rogun Hydropower Plant (Flood Zone Directorate), has prioritized resettlement of families residing in lower lying areas that are among the first to be submerged as well as those closest to the Rogun Dam's construction site. The 1,500 families already resettled now live in purpose-built sites in four locations,

three of which are located between 100 and 200 kilometers from the original villages.

To resettle families out of the flood zone, the government first appraised each house, including its fences, fruit-bearing trees, and other structures such as barns. The government then determined compensation awards to be paid in three installments. Because all land in Tajikistan is by law the property of the state, residents do not receive compensation for land, but the government allocates a land plot to each family at the resettlement site of their choice. Because the government does not begin to distribute compensation payments until it allocates land, most residents have waited for several years between the assessment and the time that they receive their first compensation payment.

Most villagers within the flood zone engage in farming or raise livestock and other animals, either on their household land or on additional lands known as *dekhan* farms. They grow wheat and cultivate vegetable gardens and orchards of varying sizes that produce apples, pears, mulberries, apricots, cherries, and walnuts. People used produce from the land as well as eggs, milk, and meat from poultry and livestock as a major food source and, in some cases, as a supplemental source of income. Very few resettled individuals have applied for or begun cultivating *dekhan* farms, in part because they do not know whether the government has made *dekhan* land available in their new communities.

In addition to losing *dekhan* farmland, resettled families have been awarded significantly smaller household land plots. Over 85 percent of resettled families interviewed by Human Rights Watch stated that they had lost access to land or described feeling compelled to sell livestock due to lack of adequate land in the resettlement sites and the need to raise additional funds to finance home construction. Although multi-family households receive one plot per family, the size of each plot is such that a house occupies much of it, leaving little room for livestock or farming. People who had previously relied on their lands to provide food reported that, after resettlement, they had to purchase most or all of their food at markets, leaving less money for other household needs.

Government representatives have acknowledged the importance of farmland to people facing resettlement. The Flood Zone Directorate has allocated 100 and 80 hectares of land for farms and pastures in two of the resettlement sites, Saidon y Bolo and Yoli Garm Oba, respectively, close to existing villages near the dam site that were under construction when Human Rights Watch visited in early 2014. However, those resettled to some other sites will not have access to farm and pasture land.

Resettled people also reported few prospects for formal, long term employment. Resettled people in some communities complained that, despite government promises of job placement and assistance, they have not been able to



High capacity power lines bypass unfinished buildings in the resettlement community in Tursunzoda district to supply Tajik Aluminium Company's (TALCO) aluminum plant that consumes roughly 40 percent of Tajikistan's total electricity supply each year. Homes in the resettlement community in Tursunzoda receive electricity for only a few hours per day in the winter, as is common in much of rural Tajikistan.

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secure employment. For example, according to Paiman J., who resettled to the community in Tursunzoda district from Sech village in early 2013, "Employment is the biggest problem we have here. I am an experienced plumber, but I can't find work here. My wife and [adult] daughter recently got jobs as cleaners in the new school, but they earn only 100 somoni [about US\$20] each per month. There are no jobs here." Unemployment is prevalent throughout Tajikistan, but resettled people often face particular hardship because they have been uprooted from communities where they were able to produce their own food through farming and raising livestock.

Some people who had worked in Russia told Human Rights Watch researchers that they could not migrate for work until they finished building their houses, a process that can take

several years. Hundreds of thousands of migrant laborers from Tajikistan work in other countries each year, and remittances from migrant work comprise nearly half of Tajikistan's GDP. Resettled individuals who would otherwise earn income from employment abroad are faced with the dilemma of leaving their families in an unfinished home to earn money for construction or staying while spending their savings.

In some resettled communities visited by Human Rights Watch, residents faced water shortages that left them without sufficient water for drinking and other household needs and prevented them from growing even a small amount of food. Prior to resettlement, families typically had continual access to water via mountain springs. In certain resettled communities, they often receive water supplied by electric pumps for only a few hours a day. To compensate for the lack of reliable water supply, resettled families collect water in bottles and tanks to use throughout the day for drinking and household tasks, but when mechanical problems interrupt the water supply, they must walk several kilometers to a canal or river and carry containers of water home. Resettled residents also stated that water shortages made it difficult to mix concrete or make clay bricks used to build their homes, slowing construction times.



The government is responsible for building schools in each resettled community, but despite Flood Zone Directorate representatives emphasizing plans to prioritize building schools, the communities in Rudaki and Dangara have been without a local school for several years. Children and parents in those areas reported that children spent as much as two hours walking to school, due to the long distances. During certain times of the year, children as young as seven years old must walk to or from school in the dark. Some parents told Human Rights Watch that they keep their children home from school in the cold or inclement weather and reported that their children resisted attending school because of the long walk. Parents in both resettled and yet to be resettled communities reported that children with disabilities did not attend local schools, and only a few went to specialized education programs in Dushanbe for a few weeks per year.

People in all resettled communities reported that the authorities promptly built small healthcare facilities known locally as “med-points” to address routine, basic medical care and that these facilities functioned reliably. Med-points distribute prescriptions, treat minor injuries or illnesses, and send a healthcare practitioner into the surrounding neighborhoods to visit people who cannot leave their homes. As is common throughout rural Tajikistan, however, those with

Salt leaches into the foundation of a home at the resettlement site in Dangara district. In some parts of the community, poor drainage has brought groundwater and salt to the surface where it has damaged foundations and hampered residents’ efforts to grow crops.

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serious medical conditions or disabilities must travel to the capital, Dushanbe, for specialized care.

Some people awaiting resettlement remain in the villages closest to the Rogun Dam construction site, where workers accumulate vast amounts of earth and stones to be used as building materials for the dam and associated structures. People still living in these communities stated that blasting for these materials has damaged their homes, shattering all of their windows and cracking their walls. According to all resettled people Human Rights Watch interviewed, the government has not awarded compensation to any residents for this damage.

Some of the difficulties that resettled people face, such as lack of local employment and limited access to electricity and water, mirror nationwide issues affecting millions of people in Tajikistan. The government should nonetheless take steps to address these issues in resettled communities because it was

Containers used for gathering water in the resettled community in Nurobad district, where water reaches only a few shared open taps in each neighborhood. Residents in this community reported making multiple trips per day to gather water for drinking and household use.

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government action that caused or exacerbated their effects with respect to resettled people. For instance, people in the resettled communities in Rudaki have been without a local school or an adequate, reliable water supply for several years, marking a significant and long lasting reduction in their standard of living and social and economic rights that the government has an obligation to rectify.

People at all stages of the resettlement process reported that the government did not provide sufficient compensation for the homes that they must leave behind. Most people told Human Rights Watch that they had to spend considerable amounts of their own money in order to build a house of similar size and quality to their former home. Residents stated that they were compelled to contribute their own funds to construction not only due to the amount of compensation awarded but also due to significant delays between assessment and compensation, during which time the cost of

construction materials increased significantly due to inflation. Most people reported taking several years to complete construction of their main house and needing to repeatedly travel long distances from their existing homes to resettlement sites to do so.

In addition, outside of the summer months, the government provides electricity to resettled communities for only a few hours per day. While this is common throughout Tajikistan, including in some of villages where families were moving from, people reported that the absence of electricity for lighting and power tools was increasing construction times.

While the authorities responsible for resettlement have developed an assessment and compensation system based on actual measurements and what they term “market value,” as required under Tajik law, they award compensation that does not reflect the actual cost of building materials for a new home, let alone the cost of hiring qualified builders. Human Rights Watch documented some instances where some individuals in female headed households or households containing a person with a disability stated that they lacked adult relatives to help with construction and that they therefore required practical or financial assistance from the government.

Government representatives told Human Rights Watch that they had built a number of homes for people needing special assistance, such as for widows, war veterans, and people with disabilities. But when researchers visited those houses and spoke with residents, they found that only government employees (who did not have disabilities) lived there and that the houses were in any event not wheelchair accessible.

Those who built their own houses told Human Rights Watch researchers that they spent on average three years building the main house, plus additional time constructing outbuildings such as a kitchen, bathing room, food storage shed, and toilet, consistent with their previous living structures and typical households in Tajikistan.

Longer construction times often compelled families who resettled quickly to new villages to live in half-completed houses, sometimes cooking outdoors or bathing in unfinished basements. In other cases, families remained in their original homes while male relatives regularly traveled distances of up to 200 kilometers to complete construction of new homes, often spending significant amounts of money on transportation. Men reported spending as much as a month at a time away from their families, sleeping in tents, neighbors' homes, or in their unfinished houses while building their new homes. Many families in this situation noted the significant costs of running two households at once. Others expressed satisfaction that they were able to continue using their old homes and farms while construction was ongoing.

The government has not taken sufficient steps to provide families awaiting resettlement and those who have already resettled with timely, accurate, and specific information about certain aspects of the resettlement process such as compensation procedures, complaint mechanisms, availability of land for farms and pastures, employment opportunities, and other assistance. Nor did the government provide people with an opportunity to meaningfully participate in the crafting of the proposed resettlement plan or facilitate legal, technical and other advice to people about their rights and options. For instance, many residents told Human Rights Watch that they had no idea whether farmland was available in their new communities or how to apply for it. Similarly, people with other concerns reported not understanding the complaint process or the roles of the many government agencies involved in providing particular services or resolving problems. In many cases, residents expressed resignation and a sense of futility with respect to interacting with the government about any aspect of the resettlement process.

The government does not have an on-the-ground monitoring or outreach system to assess resettled people's needs, to determine whether officials and agencies are fulfilling their duties, or to provide assistance to people in crisis. Instead they rely on an opaque complaint system to settle issues on a case-by-case basis. The government's

approach does not address structural flaws in the resettlement process, and it risks overlooking serious harms that may occur as consequences of resettlement to marginalized individuals such as widows, divorced women, and persons with disabilities. Inadequate compensation, lowered standards of living due to inadequate housing as well as loss of access to food, water and education may impact these individuals disproportionately. Marginalized individuals may also face specific challenges when bringing complaints. In addition, it has not always recognized many of the particular negative impacts marginalized people might suffer as a consequence of resettlement.

Tajikistan's government has a unique opportunity to address problems with the resettlement process before they impact thousands more families. It should re-examine its policies and practices to ensure that it respects human rights and makes changes that address the violations documented in this report. Further, it should provide adequate remedies to those who have already suffered violations because they were resettled.

On June 17, 2014, the World Bank published the final draft of its Rogun Dam studies for consultation, as well as its own draft paper, "Key Issues for Consideration on the Proposed Rogun Hydropower Project". The World Bank acknowledged that the required resettlements would be a major impact of building the Rogun Dam, that the project would result in economic, as well as physical displacement, and that restoring livelihoods during and after resettlement would be a critical element of the resettlement process. However, while the draft Environmental and Social Impact Assessment importantly considers international environmental treaties and international water laws, it does not consider relevant international human rights instruments regarding resettlement. As these studies are finalized, the World Bank, its consultants, and its economic and social panel of experts should be guided by international human rights standards.

While the World Bank has not committed to funding the Rogun Dam itself, it and other international actors should provide financial assistance to the resettlement process, including funding for effective monitoring to ensure that human rights standards are being met.

The government of Tajikistan has obligations under the constitution of Tajikistan as well as under international law to protect people's rights to adequate housing, food, water, health, work, and education. It must also avoid taking any steps that would negatively impact or cause a regression in people's realization of these rights. In the context of involuntary resettlement, the government must ensure fair compensation for all losses that resettlement imposes upon people forced to resettle and ensure that people do not bear an undue burden as the result of being resettled. The government must provide timely and adequate information to



and consult in advance with residents facing resettlement and provide access to effective remedies if rights violations occur.

As it moves forward with the Rogun Dam project, the government of Tajikistan should respect and uphold the United Nations Basic Principles and Guidelines on Development-Based Evictions and Displacement, the international human rights standards that they are based on, and the World Bank's Involuntary Resettlement Policy. With over 4,500 families yet to be resettled, the government has an opportunity to effect a positive change on many lives in the near future.

A demolished home in Nurobad district. Families are required to destroy their homes in order to receive their final installment of compensation.

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The garden of a household in Nurobad district that is in the process of resettlement. Before resettlement, many families relied on produce from household lands as a source of food and supplementary income.

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(top) A spring provides continuous water for drinking and household use to the courtyard of a home in Nurobad district. The family living in this home is in the process of resettling to one of the resettlement sites.

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(above) The courtyard of a traditional home in Nurobad district. The family that lives here faces resettlement. In Tajikistan, houses consist of a main building that contains living areas, plus additional outbuildings such as a kitchen, storehouse, bathhouse (banya), and latrine-style toilet.

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(opposite) A mountain stream passes a home in Nurobad district. Before being relocated, many communities utilized nearby streams and rivers to irrigate crops. In some resettlement sites, the lack of an accessible natural water supply, combined with insufficient water service, has made it difficult for resettled households to grow crops.

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KEY RECOMMENDATIONS

TO THE GOVERNMENT OF TAJIKISTAN

- Fully compensate all resettled individuals for the full replacement cost of their homes and other property, including the cost of hiring qualified laborers, and ensure that their livelihoods are restored to pre-resettlement levels.
- Provide continuous access to services such as water, electricity, health care, and education to people at all stages of resettlement. Promptly fill any gaps in such services and ensure that these services are functional in all future resettlement sites before residents relocate to those sites.
- Engage in systematic monitoring and outreach to individuals at all stages of the resettlement process. Periodically inform residents about the availability of land and the process by which to apply for it, as well as complaint mechanisms.
- Allow civil society free access to areas from which residents are being resettled as well as to resettlement sites to enable them to independently monitor and report on the resettlement process and assist people in filing complaints
- Provide special assistance in ensuring housing and essential services to marginalized groups such as people with disabilities, widows, and divorced women.

TO THE WORLD BANK AND OTHER POTENTIAL DONORS

- Fund the resettlement aspect of the Rogun Dam construction project if this would ensure that human rights standards are being met.
- Engage in regular monitoring of the resettlement process and work with the government to promptly address all violations of human rights or international standards.
- Urge the government to facilitate civil society representatives' access to areas from which residents are being resettled as well as resettlement sites and enable them to independently monitor and report on the resettlement process and assist people in filing complaints.

“We Suffered When We Came Here”

Rights Violations Linked to Resettlements for Tajikistan’s Rogun Dam

Tajikistan’s proposed Rogun Dam and Hydropower Plant is projected to bring much needed electricity to people across the country and bolster Tajikistan’s economy. However, the dam will also displace roughly 42,000 individuals from its construction zone and reservoir. While the government has taken some steps to improve the relocation process, many of the 1,500 families recently relocated have experienced substantial decreases in their standard of living and diminished access to essential services.

“We Suffered When We Came Here”: *Rights Violations Linked to Resettlements for Tajikistan’s Rogun Dam*, is based on interviews with 156 relocated and yet to be relocated individuals and documents the impacts of the construction on residents, including: insufficient land in relocated communities to allow residents to engage in farming and raising livestock, insufficient compensation for demolished houses, and in some cases limited access to water and to education.

Human Rights Watch calls on the government of Tajikistan to ensure adequate compensation for lost homes; support relocated families in restoring their lost livelihoods and securing long-term employment; and guarantee access to water, food, education and other services. The government should halt all further relocations until they can be carried out in a manner consistent with international human rights law.

Human Rights Watch calls on the World Bank and other potential donors to provide practical and financial assistance to the government, and to ensure that the rights of all people are respected throughout the relocation process.



A construction site for the proposed Rogun Dam.

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