

FEDERATION OF BOSNIA AND HERZEGOVINA ROAD SECTOR MODERNIZATION PROJECT

Resettlement Policy Framework (RPF)



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RESETTLEMENT POLICY FRAMEWORK (RPF) FOR THE FBH ROAD SECTOR MODERNIZATION PROJECT

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LIST OF ABBREVIATIONS

BH	- Bosnia and Herzegovina
B/H/S	- Bosnian / Croatian / Serbian (language)
BoE	- Beneficiary of Expropriation
BFC	- Beneficiary Feedback Commission
CE	- Citizen Engagement
CFD	- Central Feedback Desk
EIB	- European Investment Bank
FBH	- Federation of Bosnia and Herzegovina
IFI	- International Finance Institutions
OP	- Operational policy of the World Bank
PAP	- Project Affected Person
PC Roads FBH	- Public Enterprise Roads of the Federation of Bosnia and Herzegovina
PIU	- Project Implementation Unit
RAP	- Resettlement Action Plan
RPF	- Resettlement Policy Framework
WB	- World Bank

LIST OF DEFINITIONS

COMPENSATION	Payment in cash or in kind for an asset or a resource that is acquired or affected by a project. Compensation will be paid before taking possession of the land and assets in all cases, including where this is not possible due to the absence of the owners. In the case of absence of owners the money will be deposited to an escrow account for 3 years.
CUT-OFF DATE	Date of closure of the public announcement in accordance with Art 23. to be published by the expropriation beneficiary in local newspapers, informing all owners and users of the initiation of the expropriation process, the cut-off date and the contact persons who may be contacted by PAPs for further information. Persons who encroach on the area after

	<p>the cut-off date are not entitled to compensation or any other form of resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the cut-off date will not be compensated.</p>
ECONOMIC DISPLACEMENT	<p>Loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, or forest) resulting from the construction or operation of a project or its associated facilities.</p>
EXPROPRIATION	<p>Means deprivation or limitation of ownership rights of property with a compensation pursuant to market value of that property</p>
INVOLUNTARY RESETTLEMENT	<p>Resettlement is involuntary when land is acquired through the application of state powers. Actions may be taken without the displaced person's informed consent or power of choice</p>
LIVELIHOOD RESTORATION	<p>Measures that will be undertaken to assist physically and economically displaced PAPs to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. Assistance must continue after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living.</p>
MARKET VALUE	<p>Market value is calculated based on prices of property in the area in which the particular property is being expropriated, which can be achieved for a particular property on the market, depending on supply and demand at that moment of setting the price.</p>
MOVING ALLOWANCE	<p>The moving allowance is a cash compensation for costs directly associated to moving/relocation of the household</p>
PAP	<p>"Project Affected Person" is any person who, as a result of the implementation of a project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.</p>
PHYSICAL DISPLACEMENT	<p>Loss of shelter or property caused by expropriation of land in connection with the project, which requires the physical shifting of a PAP from his/her pre-project place or residence, place for work or business premises.</p>
REPLACEMENT COST	<p>For houses and other structures, replacement cost is the market cost of the materials to build a replacement structure with an area and quality equivalent to the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labour and contractors' fees, plus the cost of any registration and transfer taxes. For agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes. For houses and other structures, it is the</p>

	<p>market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labour and contractors' fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset. It also includes costs for levelling or other preparation for new construction or use. Costs are calculated based on the time at which the asset is being replaced, if not, inflation is taken into account in calculating costs.</p>
RESETTLEMENT ACTION PLAN (RAP)	<p>The document in which a project sponsor or other responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by an investment project. The RAP should be consistent with the principles and objectives of OP 4.12 and with the RPF.</p>
RESETTLEMENT POLICY FRAMEWORK (RPF)	<p>The purpose of the RPF is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to subprojects to be prepared during project implementation. It contains clear definitions of conditions under which the resettlement (for a specific project, a sector program or within a political entity like a state or a province) will be planned and implemented. It defines issues like entitlement, principles of compensation, grievance processes and other legal procedures. An RPF is required for projects with subprojects or multiple components that cannot be identified before project approval. The RPF should be consistent with the principles and objectives of OP 4.12.</p>
STAKEHOLDERS	<p>Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project.</p>
TRANSITIONAL ALLOWANCE	<p>The transitional allowance is a one-off cash compensation as an additional financial assistance to ensure to cover a period of time for adjustment to the relocated area</p>
VULNERABLE GROUPS	<p>People, especially those below the poverty line, the landless, the elderly, women and children, or other displaced persons who may not be protected through national land compensation legislation, who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.</p>

1. PROJECT BACKGROUND, AFFECTED AREAS AND RPF OBJECTIVES

1.1. PROJECT BACKGROUND AND AFFECTED AREAS

The Public Company “Ceste Federacije Bosne i Hercegovine” (further in the document PC Roads FBH) has initiated an overarching program for the project “Modernization of Main Roads in the Territory of the Federation of Bosnia and Herzegovina” (The Program) to ensure appropriate road infrastructure by 2020. For this purpose, it has been requested from the Government of the FBH to ensure credit funds from international finance institutions (IFI).

In the framework of the abovementioned umbrella Program, PC Roads FBH, a limited liability company wholly owned by the Government of FBH, has initiated the FBH Road Sector Modernization Project (the Project). FBH filed an application for a credit/loan from the European Investment Bank (EIB) and from the World Bank (WB) in total amount of 103,38 million EUR for funding the Project.

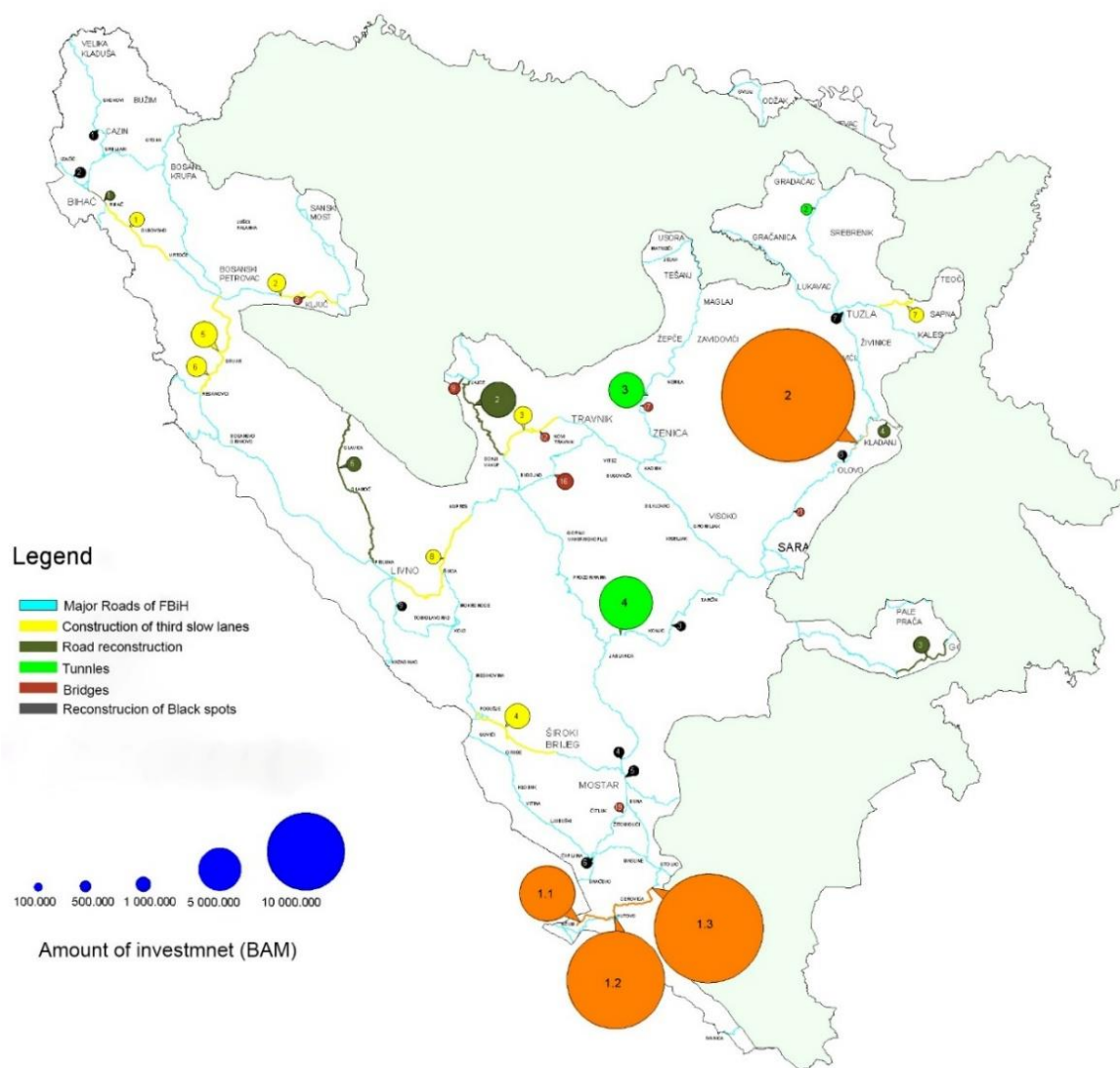
The Project comprises several small and mid-sized investment schemes including:

1. Reconstruction of roads, this component includes:
 - Construction works for completion of the construction of major road M17.3 Neum–Stolac (in total 32,9 km);
 - Construction of third lanes for slow vehicles (in total 40 km on 8 sections of major roads);
 - Reconstruction of roadway, correction of axes (in total 18 km on 5 sections of major roads, where a correction of axes is to be done on one section only in the length of 1 km),
 - Reconstruction of 3 tunnels (with a total length of 1,86 km);
 - Reconstruction of 7 bridges (with a total length of 0,55 km).
2. Interventions on improving road safety: The reconstruction of intersections, which are classified as "black spots" on major roads, 9 in total;
3. Institutional reforms: Road Management in the FBH with a particular focus on sustainability of investments and road safety;
4. Project Implementation Support: Construction supervision and capacity building of the PC Roads FBH.

Figure 1 provides a graphical overview of the sub-projects included in this RPF. Table overview with basic data on sub-projects is presented in Table 3 of this document.

Complete project documents (including detailed design) for all sub-projects have not been finished at this moment, so it is not possible to determine the exact extent of expropriation required, the number of PAPs (whether formal or informal occupants of land), or the magnitude of impact of each sub-project on PAPs.

Based on preliminary assessment, works encompassed by the Project will include permanent and temporary expropriation of land and is likely to result in minor resettlement of local population.

Figure 1. Lookup map of road modernization in FBH

Source: PC Roads FBH, November 2015

1.2. RPF OBJECTIVE

The RPF is prepared for the sub-projects for which exact range or location of resettlement is unknown. The purpose of the RPF is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to subprojects to be prepared during project implementation. It contains clear definitions of conditions under which the resettlement will be planned and implemented. It defines issues like entitlement, principles of compensation, grievance processes and other legal procedures.

Based on this RPF, several RAPs will be produced, two of which are already under preparation: one RAP for the Neum – Stolac road (sections Broćanac – Cerovica – Drenovica) and second integrated RAP for all sub-projects with completed detailed design. RAPs for remaining sub-projects will be prepared once detailed designs for these sections become available.

The RPF and the RAPs will be publicly disclosed and consulted on to allow affected persons to participate in planning and implementation of resettlement programs.

The RPF and the RAPs are prepared in accordance with FBH and BH regulatory requirements and procedures, Operational Policy of the WB on Involuntary Resettlement (OP 4.12) and internationally accepted good practice.

2. LEGAL FRAMEWORK FOR EXPROPRIATION AND RESETTLEMENT

2.1. THE LAW ON EXPROPRIATION OF FBH

The key provisions of the Law on Expropriation of the FBH (Official Gazette of the FBH no. 70/07, 36/10 and 25/12) are summarized below.¹

2.1.1. Public interest and purpose of expropriation

Property can only be expropriated upon the declaration of public interest for the projects that bring grater benefit to the public compared to the benefit of using that property prior to the expropriation (Art. 3 and 5).

The Beneficiary of Expropriation (BoE) can be the FBH, counties, municipalities, public enterprises and public institutions, unless otherwise provided by the Law.

2.1.2. Expropriation process

As a condition, precedent to submit an expropriation proposal, the Law requires satisfactorily evidence that the required funds have been secured and deposited with the bank in the assessed total amount, which approximately equals the amount necessary for payment of compensation, or adequate proof of replacement properties (Art. 24).

The procedure for expropriation commences by submitting the proposal of BoE to the relevant Municipality (the competent expropriation body). The proposal contains data on the property for which expropriation is proposed, the owners of such property and the purpose for which expropriation is proposed.

The Law expressly supports amicable settlement on the acquisition of ownership rights of a certain property (art. 23). The concluded agreement must include form and amount of compensation as well as a deadline by which the BoE is obliged to compensate (Art. 26.). If agreement on compensation is not reached, the competent court decides on the amount of compensation (Art. 60 to 64).

2.1.3. Information and consultation requirements

Affected owners are informed about expropriation activities and their rights throughout the entire expropriation process. After declaration of public interest, BoE must make an attempt to negotiate voluntary transfer of ownership. According to national legislation, this attempt can be made in form of a public announcement published in local papers. The announcement informs the public of the preparations for initiating the expropriation process and that all registered owners and persons who have a legal interest in the affected area can

¹ The Law is currently being amended, however, the extent and time of completion of the parliamentary procedure is unknown. Once the amendments have been ratified, an annex explaining the relevance, if any, of the amendments to the current Project will be added to this RPF. Depending on the extent of the impact of the amendments, the RPF could be subject to a new round of consultations. The amendments to the Law shall not have retroactive applicability. Once Law with amendments is put into effect, the more stringent principle (amended Expropriation Law of FBH or OP 4.12) shall prevail.

contact the BoE to attempt negotiation of ownership transfer or to get all relevant information about ongoing project within the set deadline (Art 23.). After the submission of the proposal for expropriation, the municipal administrative service must, without a delay, notify the owners of the submitted proposal for expropriation (Art 25.). Before the decision on expropriation is passed, the Municipal office in charge of expropriation has to invite the affected persons with formal legal rights to a meeting to present facts which may be relevant for expropriation (Art. 27).

2.1.4. Types of expropriation

Expropriation can be incomplete and complete.

Complete expropriation allows the BoE to obtain legal title over the expropriated property, while the legal title by the previous owner and other rights of that property cease to exist.

Incomplete expropriation provides the BoE with usufruct rights on the land and structures, as well as the lease of the land for a definite period of time. At the end of the lease, usufruct rights over land are returned to the previous owner. However, the owners that are affected by a partial loss of their real properties are entitled to request complete expropriation and the corresponding compensation, in case that partial expropriation would deteriorate the economic situation of the actual property owner or make the remaining part of the property useless or difficult to use. The right to request expropriation of the complete property may be submitted until the issuance of the Decision on Expropriation in the first instance, as well as during the appeal procedure if the affected owner was not informed of such right (Art. 11).

2.1.5. Compensation entitlements according to the FBH legislation

The subject of expropriation are the properties owned by physical and legal entities (Art. 4).

A general principle of the Law on Expropriation is that compensation is to be provided at market value of the affected property (Art. 12). Market value is calculated based on prices of property in the area in which the particular property is being expropriated, which can be achieved for a particular property on the market, depending on supply and demand at that moment of setting the price (Art. 46).

The Law sets out in detail how compensation is determined for buildings, orchards and vineyards, forest land and trees, agricultural, construction and city land.

According to the Law, the compensation for expropriated property is determined, as a rule, by providing appropriate replacement property (Art. 45). However, compensation may be provided in cash, if the owner of the expropriated property does not accept the replacement property as an equivalent or if BoE cannot ensure such property (art. 46). For the illegally constructed buildings, the constructor is not entitled for any compensation. However, the constructor may demolish the building and take the construction material, otherwise the demolition shall be made at his expense (art. 45).

In the process of expropriation, property owners are entitled to compensation for any losses of benefits they would otherwise have from that property (Art. 54).

Personal and family circumstances of previous owner or the expropriated property are taken into consideration, and so are the circumstances, which may have adverse economic effects, so the established compensation may be increased (Art. 47). The aim of this provision is livelihood restoration beyond the sheer compensation of the lost asset by providing flexibility based on a case-by-case assessment of personal circumstances.

Expropriation procedure costs are borne by the BoE. The BoE acquires possession of the expropriate property on such dates of affectiveness of Decision on expropriation provided the compensation has been paid to the former owner. Access to property can be acquired as well by handing over replacement property at the date of handing over the replacement property.

Table 1 below summarizes compensation entitlements provided during expropriation in FBH, according to the relevant legislation.

Table 1: Summary of compensation entitlements according to FBH Laws

Type of loss	Compensation	Legal framework
FORMAL OWNERS		
Property/Business/Land (general principle)	Option 1: Resettlement Appropriate replacement property of similar size, characteristics, and market value in the same municipality or city. Option 2: Cash compensation Cash compensation at market value.	Law on Expropriation
	Cash compensation	
Orchard land	The compensation is determined the same as the amount of compensation for a nearest meadow.	Law on Expropriation
Land under vineyard and intensive production orchard	The compensation is determined the same as the amount of compensation for a nearest arable land.	Law on Expropriation
Affected vineyards and orchards which already yield	Cash compensation as a net income for the years requires for the trees to grow plus the time needed for development of the tree to bear fruit. + Cash compensation for the technical wood according to the standards for giving compensation for forest trees unless the previous owner keeps the cut trees to himself.	Law on Expropriation
Affected vineyards and	Cash compensation for costs of obtaining, planting	Law on

Type of loss	Compensation	Legal framework
orchards which do not yield yet	and cultivation for these seedlings. + Cash compensation for the technical wood according to the standards for giving compensation for forest trees unless the previous owner keeps the cut trees to himself.	Expropriation
Forest land	The compensation is determined the same as the amount of compensation for a nearest pasture.	Law on Expropriation
Wood mass (mature or nearly mature)	The compensation is determined based on the value of the "wood on the stump" at market value.	Law on Expropriation
Forests without mature wood mass	Cash compensation for the costs of obtaining, planting and cultivation and lost growth because of the early harvest.	Law on Expropriation
Agricultural, construction and urban construction land	Cash compensation at market value.	Law on Expropriation
Infertile, rocky and similar land	Cash compensation at the value of a nearest pasture of the lowest quality in the same cadaster municipality.	Law on Expropriation
	Other entitlements	
Lost benefits	The previous owner is entitled for a compensation of the lost benefits that he would otherwise have gained by using his property in the time between the handover of the previous property until the receipt of the replacement property/ the cash compensation.	Law on Expropriation
Crops	1) The previous owner is entitled to harvest the crops and yields that are ripe in the time of access to the property of the new owner. 2) If the previous owner was not able to harvest the crops and yields by the time of access to property, he is entitled for a cash compensation at market value reduced for basic cost he would have.	Law on Expropriation
Easement title over the property by the BoE (BoE)	In the case of constitution of easements, the compensation shall be in such amount for which the market value of the land has been decreased due to the easement and any damages.	Law on Expropriation Law on Proprietary rights

Type of loss	Compensation	Legal framework
Lease by the BoE	In the case of determination of the lease, the compensation is determined as a height of the lease at a market value. The compensation can be a one-off sum for the whole time of the lessee duration or it can be periodic. The compensation is calculated since the day that the BoE has accessed the site. Duration of the lease is limited to a maximum of five years and BoE is obliged to restore the land to its original condition. This is mainly used for exploration of mineral resources.	Law on Expropriation
Temporary occupation	As above in the case of a lease. With maximum use for one year or longer depending on the purpose. This type of expropriation is mainly used for accommodation of workers and machines.	Law on Expropriation
Vulnerability	Additional compensation shall be given to vulnerable PAPs by taking into consideration their personal and family circumstances.	Law on Expropriation
INFORMAL OWNERS		
Buildings	<p>The constructor is not entitled for any compensation. However, the constructor may demolish the building and take the construction material, otherwise the demolition shall be made at his expense.</p> <p>If the property is a subject to successful legalization then the informal owner become a formal owner and is entitled accordingly.</p>	<p>Law on Expropriation</p> <p>The Law on Construction Land of the FBH</p>
Agricultural land (Owner and the user are different persons)	A cash compensation shall be given to the land user for any improvements made on the land eg. Irrigation, drainage, perennial crops, objects etc.	The Law on Proprietary Rights

2.1.6. Grievance mechanism

The Law prescribes the rights of affected owners to appeal at various stages of the expropriation procedure, beginning with administrative and judicial appeals (i.e. against the decision on determining public interest (Art. 16), the decision on expropriation (Art. 30) and regarding compensation (Art. 60).

2.2. OTHER RELATED LEGISLATION OF FBH

2.2.1. The Law on Proprietary Rights FBH

The Law on Proprietary Rights (Official Gazette of the FBH, No. 66/13, 100/13) stipulates acquisition, use, disposal, protection and termination of ownership rights and other proprietary rights as well as possession rights, including issues of restricting such rights, the right of servitude, co-ownership and joint ownership rights, the procedure for acquiring property rights over land and/or structures build on someone else's land. Protection of ownership rights and other proprietary rights is guaranteed by this Law and their rights can only be limited or taken away in public interest, protection of natural resources etc. and under specific conditions defined by the Law in accordance with principles of international law. A significant provision of the Law is that occupants of property acquire ownership rights upon 10 years of conscientious and legal occupancy, or upon 20 years of conscientious occupancy. In addition, the Law provides that the conscientious builder of a structure on land owned by another person is entitled to acquire such land, if the land owner did not oppose to the construction. The land owner is in this case entitled to request to be compensated for the market value of the land.

2.2.2. The Law on Construction Land of FBH

The Law on Construction Land of the FBH (Official Gazette of FBH, No. 25/03, 16/04, 67/05) allows for the legalization of informally constructed structures on construction land in state ownership on which a structure has been built. This Law enables the subsequent issuing of a building permit, by the Municipal Council, in accordance with the Law on Physical Planning and the use of land on the level of the FBH. Legalization of informally constructed buildings is further regulated by decrees taken at county level, and implemented at municipality level.

2.2.3. The legalization of illegally constructed buildings in FBH

The regulation of legalization of the buildings constructed without the building permit and the buildings of a temporary character in FBH is within the jurisdiction of the Cantons. Some Cantons adopted special decisions on legalization and in some, the issue of legalization is regulated by the cantonal laws on construction and corresponding regulations.²

² For example in Bosnian- Podrinje Canton.

Moreover, in some Cantons, the cantonal law prescribes that the municipalities shall regulate this issue.³

The abovementioned regulations are mainly adopted periodically and they are usually in effect for one year, with a customary practice of extension of the validity or adoption of new regulations.

Legalization entails adoption of the resolution on subsequent urban planning permit, construction approval and building use permit in accordance with the Law on physical planning.

2.2.4. The Law on Extra-Judicial Proceedings of FBH

The Law on Extra-Judicial Proceedings (Official Gazette of FBH, No. 2/98, 39/04) prescribes the rules by which courts act and decide on personal, family, property-related and other rights and legal interests, which are resolved in extra-judicial proceedings, pursuant to the Law. In accordance with this Law, the court in extra-judicial proceedings determines compensation for an expropriated property after it establishes the important facts and approves a decision which defines the form and range, i.e. the amount of compensation. According to this Law, participants may conclude an Agreement about form and range, i.e. the amount of compensation, and the court will then base its decision on their agreement, if the court finds that the agreement is not contrary to the regulations which prescribe the proprietary rights over real estate.

2.2.5. The Law on Administrative Procedures of FBH

The law on Administrative Procedure of FBH (Official Gazette of FBH, No 2/98 and 48/99) regulates the ways of administration bodies acting when they decide on citizens' rights and obligations within the framework of administrative procedures. Decisions by administration bodies are approved in form of a decree, after completing the procedure as prescribed in this Law. The party has the right to appeal against the decision approved in first instance. Only the Law may prescribe that in certain administrative issues appeals are not permitted, if the protection of rights and legality is ensured in some other way.

By means of Article 54, the Law gives the possibility to appoint temporary representative if the party unable to participate in the process does not have a legal representative or if some action is to be taken against a person whose place of residence is unknown, and who does not have a proxy. The temporary representative is appointed by the body which manages the procedure, if urgency of the case requires that. The body managing the procedure will notify the body of custody immediately thereof, and if the temporary representative is appointed to a person whose place of residence is unknown, they will disclose their conclusion on a notice board or in other usual manner (by means of newspapers or other media).

Under the above mentioned conditions, the temporary representative can be appointed to a commercial corporation, institution or other legal entity. The temporary representative

³ For example, the Law on Construction (Official gazette of HNC, No. 04/13), Article 45. stipulates that the units of local self-government (i.e. municipalities) shall regulate the status of buildings built without building permit. Based on this provision Neum municipality made such decision on legalization in September 2015.

can be appointed in case of urgency. The appointed person is obliged to accept the representation and may refuse it only for the reasons as prescribed in special regulations; that person participates only in the procedure for which he was appointed expressly, by the moment when legal representative or agent, i.e. the party in the dispute or their proxy, appears.

2.2.6. The Law on Land Registration of FBH

The Law on Land Registration of FBH (Official Gazette of FBH, No. 19/03 and 54/04) regulates keeping, maintaining and setting up Land Registries, as well as registration of real estate and rights over real estate in land registries of the FBH.

Proprietary rights and other rights over real estate arise only upon registration in land registry. The decision of the expropriation is the legal basis of registration. In addition to that, expropriation may be registered in form of conditional registration.

2.2.7. The Law on Land Survey and Cadastral of Property in FBH

The Law on Land Survey and Cadastral of Property in FBH (Official Gazette of SRBH, No. 22/84, 12/87, 26/90 and 36/90) and (Official Gazette of SRBH, No. 4/93 and 13/94), which is applied as a federal regulation on the basis of Article IX.5.(1) of the Constitution of the FBH and the Law on Land Survey and Cadastral Registry of Property (Official Gazette of SRBH, No. 14/78, 12/87 and 26/90) regulates survey of land, buildings and other structures, creation and maintenance of registry of land, buildings and other structures, records and registration of property. Records of property possessors are kept in the land registry. Survey as work of geodets in the sense of this Law is performed for the purpose of expropriation. Approval of the new Law is currently ongoing.

2.2.8. The Law on the Fundamentals of Social Protection, Protection of Civil Victims of War and Protection of Families with Children FBH

The Law on the Fundamentals of Social Protection, Protection of Civil Victims of War and Protection of Families with Children (Official Gazette of FBH no. 36/99, 54/04 and 39/06) prescribes the fundamentals of social protection of citizens and their families fundamental rights of civil victims of war and members of their families, fundamentals of protection of families with children in the FBH.

2.2.9. Law on gender equality in Bosnia and Herzegovina

The Law on gender equality in BH (Official Gazette of BH 16/03, 102/09) promotes and protects the equal treatment of sexes and guarantees equality of opportunity for all in both the public and private domain and prohibits direct and indirect discrimination on the grounds of gender.

2.3. APPLICABLE WORLD BANK POLICIES

Projects which are funded by the WB and which include land acquisition and involuntary resettlement are subject to the Operational policy and Procedures of the Bank WB OP 4.12 (revision from April 2013). This policy is not applied only in the case of physical resettlement, but also upon appearance of any loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, or forest) resulting from the construction or operation of a project or its associated facilities.

This RPF prepared in compliance with national legislation and WB OP 4.12 covers direct economic and social impacts of the Project, particularly:

- a) Expropriation of land (and anything that grows or is situated permanently on the plot of land, for example buildings or crops), which causes as follows:
 - a. Resettlement or loss of shelter;
 - b. Loss of assets or access to assets; and
 - c. Loss of source of income or means of livelihood, regardless of whether the affected person must be resettled to a different location.

The policy applies to all components of the Project that cause involuntary resettlement, regardless of the source of project funding. It also applies to other activities that cause involuntary resettlement, which are:

- a) Directly and significantly connected with this Project;
- b) Necessary to achieve the goals defined in Project documents; and
- c) Which are implemented or are planned to be implemented together with the Project.

Overall goals of the policy are as follows:

- 1) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- 2) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- 3) Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

WB OP 4.12 differentiates the following categories of persons who are entitled for compensation and assistance:

- 1) Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);

- 2) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets--provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan; and
- 3) Those who have no recognizable legal right or claim to the land they are occupying.

Special attention should be paid to vulnerable groups, including those below the poverty line, elderly, women and children, ethnic minorities etc.

Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

Resettlement policy is based on the following basic principles:

- Displaced persons will be informed about their options and rights referring to resettlement;
- Displaced persons will be consulted and offered the choice and provision of technical and economically sustainable alternative for resettlement;
- Displaced persons will be ensured fast and effective compensation at full replacement cost for the property loss as a direct consequence of the project. Preference should be given to resettlement strategies based on replacement land rather than compensation in cash payment with a particular attention when agricultural cultivated land is affected and to the displaced persons whose livelihood are land based;
- If the impacts include physical resettlement, displaced persons will be provided such assistance as compensation for relocation during the resettlement, residential building or residential location, or, if necessary, agricultural location for which combination of production potential, location benefits and other factors have at least the same benefits as the former location had;
- Displaced persons will, on top of compensation for the taken property, achieve all rights for additional assistance as defined in this RPF;
- Displaced persons will be provided support after relocation, for the transitional period of time, on the basis of a reasonable assessment of time that might be necessary for renewal of living standard;
- Displaced persons will be enabled grievance mechanism i.e. accessible and available procedures for settling expropriation dispute by third persons;
- Resettlement activity will be monitored by the Project Implementation Unit (PIU).

For sub-projects that will be realized as part of Project implementation, the Bank requires preparation of RAPs, which are consistent with this RPF and OP 4.12.

2.4. GAPS BETWEEN THE NATIONAL AND WORLD BANK LEGAL REQUIREMENTS

The key gaps between local legislation and OP 4.12 are:

- The local legislation does not recognize the rights of informal owners/users – they are rarely entitled for any compensation;
- The cash compensation in local legislation is calculated on a basis of market value while the OP 4.12 requires cash compensation at replacement cost; and
- The local legislation does not take into account the administrative fees or any additional support for displaced persons.

More detailed gaps between local legislation and OP 4.12 are presented in *Table 2* below.

Table 2: Summary of gaps and key measures for bridging them

Subject	FBH laws	WB OP 4.12	Gaps and measures for bridging the gaps
Providing compensations in general	Compensation is provided at market value	Compensation is provided at replacement cost (see list of definitions).	The persons who suffered losses will receive compensation at full replacement cost. OP 4.12 shall prevail.
Additional assistance to PAP	No particular legal provision.	It is necessary to provide assistance during relocation, including all types of additional help with particular attention to be paid to poor and vulnerable individuals and groups.	Displaced persons as well vulnerable individuals and groups will receive compensation for costs of relocation and any additional costs regarding relocation for the purpose of livelihood restoration and bridging the transitional period after resettlement or by virtue of vulnerability. OP 4.12 shall prevail.
Livelihood restoration and assistance	In general, PAPs are only entitled to cash compensation at market value. No additional help is provided.	OP 4.12 provides that the resettlement plan or policy include measures to ensure that the displaced persons are (i) offered support after displacement for a transitional period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standard of living; and, (ii) provided with development assistance in	OP 4.12 shall prevail.

Subject	FBH laws	WB OP 4.12	Gaps and measures for bridging the gaps
		addition to compensation measures, such as land preparation, credit facilities, training or job opportunities.	
Preparation of RAP	The only document prepared for expropriation is Expropriation study. However, it does not deal with socio-economic issues.	Preparation of individual RAP.	Expropriation study and RAPs shall be prepared.
Public consultations	None. The PAPs are contacted in the very process of expropriation, but there is no public discussion.	Meaningful consultations with affected persons and communities, local authorities, and, as appropriate, nongovernmental organizations (NGOs) need to be carried out beginning in the earliest stages of the project.	OP 4.12 shall prevail.
Cut-off date for eligibility and census	The PAPs and their assets are identified in the Expropriation study and in the Declaration of public interest, and further during the negotiation and expert evaluation.	The PAPs, their assets and socio-economic features are identified early in the project phase through RAP preparation.	Census and assets inventory will be prepared for site specific RAPs. The cut-off will be date of closure of the public announcement to be published by PC Roads FBH (as the BoE) in local newspapers, informing all owners and users of the initiation of the expropriation process, the cut-off date and the contact persons who may be contacted by PAPs for further information. The cut-off date will also be publicly disclosed, on notice boards in local communities and municipalities and at consultation meetings, with an accompanying explanation. The public announcement will also be posted, as necessary, on frequently visited locations throughout the affected areas.
Timing of compensation of payments	The compensation should be provided before construction work start	The compensation should be provided before construction work start	No gaps.

Subject	FBH laws	WB OP 4.12	Gaps and measures for bridging the gaps
	and before taking possession of the assets.	and before taking possession of the assets.	
Resettlement of formal owners	Option 1: Resettlement Appropriate replacement property of similar size and characteristics in the same municipality or city.	Option 1: Resettlement Replacement property of equal or higher value and similar productivity. + Moving and transitional allowance. + Administrative fees.	Option 1: Resettlement The local legislation does not cover moving and transitional allowances neither administrative fees ⁴ . OP 4.12 shall prevail.
	Option 2: Cash compensation Cash compensation at market value.	Option 2: Cash compensation Cash compensation at replacement cost.	Option 2: Cash compensation Replacement cost is higher than market value. OP 4.12 shall prevail.
Resettlement of informal owners of buildings	The constructor is not entitled for any compensation. However, the constructor may demolish the building and take the construction material, otherwise the demolition shall be made at his expense.	PAP is entitled to cash compensation at replacement cost with additional moving and transitional allowances.	OP 4.12 shall prevail.
Resettlement of informal users of agricultural land	PAP is entitled to cash compensation for any improvements made on the land eg. Irrigation, drainage, perennial crops, objects etc.	PAP is entitled to cash compensation for any improvements made on the land eg. Irrigation, drainage, perennial crops, objects etc.	No gaps
Resettlement of the lessee	PAP is entitled to cash compensation: for any improvements made on the land; for the lost crops, plants, vineyards, trees at market value.	PAP is entitled to replacement cost.	OP 4.12 shall prevail.
Annual and perennial crops (owner, lessee)	PAP is entitled to harvest the crops or to receive a cash compensation at market value.	PAP is entitled to replacement cost, including the informal owner.	OP 4.12 shall prevail.
Orchards and vineyards already yielding (owner, lessee)	Cash compensation as a net income for the years needed to trees to grow plus the time needed for	PAP is entitled to collect the fruits and technical wood and to replacement cost, including the informal	OP 4.12 shall prevail.

⁴ Tax exemptions are prescribed for former owners of the expropriated property if a new property is being bought. Taxes on purchasing new real estate are regulated by Cantonal laws and they are not identical. If this right is not granted to former owners, BoE will take over these obligations.

Subject	FBH laws	WB OP 4.12	Gaps and measures for bridging the gaps
	development of the tree to bear fruit. + Cash compensation for the technical wood.	owner.	
Orchards and vineyards not yet yielding (owner, lessee, informal owner)	Cash compensation for costs of obtaining, planting and cultivation for these seedlings.	Cash compensation for costs of obtaining, planting and cultivation for these seedlings plus time needed to reproduce a replacement orchard/vineyard.	OP 4.12 shall prevail.
Loss of business	Replacement premises, Or Cash compensation at market value.	Replacement premises, Or Cash compensation for relocation plus and moving allowance.	OP 4.12 shall prevail.
Loss of benefits	Cash compensation for loss of income during the period of resettlement.	Cash compensation for loss of income during the period of resettlement.	No gaps.
Grievance mechanism and dispute resolution	The Law prescribes the possibility of appealing throughout expropriation phases but only within the existing institutions and with statutory limits.	Accessible and appropriate grievance mechanism must be enabled for PAPs and local communities at the whole period of project implementation.	Appropriate, accessible and affordable grievance mechanism shall be established
Monitoring of resettlement implementation	No particular legal provision.	Credit beneficiary is responsible for appropriate monitoring of the activities, which were defined in the RPF and RAPs.	This RPF defines the plan of monitoring and reporting
Vulnerable groups	The Law on Expropriation mentions the vulnerable groups and their entitlement to additional cash compensation. The implications of this provision are very unclear.	Acc. to the OP 4.12 a special attention must be given to vulnerable groups. They are entitled to additional compensation, legal assistance during resettlement and help during physical relocation. As well, these PAPs are given a priority of employment.	OP 4.12 shall prevail.

3. SCOPE OF POTENTIAL IMPACTS AND RISKS

The Project will require expropriation of land particularly for the purpose of construction of the new Neum-Stolac road, construction of third lanes and reconstruction of black spots. The exact scope of such activities will be known only after the Expropriation studies⁵ for all sub-projects are prepared in accordance with the provisions of the Law on Expropriation of the FBH.

Based on current information (*Table 3*), 7 objects (not categorized) will be affected by expropriation. This implies limited displacement of persons. Thus, the total impact on displacement is considered low. Additionally, the land to be expropriated for all sub-projects is largely categorized as infertile and woodland with the exception of Neum-Stolac road where fertile agricultural land will be affected. Total impact on resettlement is considered to be low.

According to the Law on Expropriation of FBH, expropriation can be incomplete or complete:

- **Complete expropriation** allows the BoE to obtain legal title over the expropriated property, while the legal title by the previous owner and other rights of that property cease to exist.
- **Incomplete expropriation** provides the BoE with usufruct title on the land and structures, as well as the lease of the land for a definite period of time. However, the owners that are affected by a partial loss of their real properties are entitled to request complete expropriation and the corresponding compensation, in case that partial expropriation would deteriorate the economic situation of the actual property owner or make the remaining part of the property useless or difficult to use. At the end of the lease, rights over land are returned to the previous owner. Examples of such expropriation are loss of access road, loss of annual or perennial crops, losses of business income for duration of works.

It is likely that it will be necessary to temporarily occupy private land plots for the purpose of construction of access roads and placement of staff, machines and material. Such plots will be identified after the completion of the Main project and will be a part of Expropriation studies. The Entitlement Matrix from this RPF will apply to the plots of land expropriated in this manner.

The RAPs will include detailed descriptions the areas that are under direct or indirect impact of the Project which will cause resettlement.

For each sub-project and each location, a socio-economic census must be carried out. Contents of this document are thoroughly defined in *Chapter 6.3. (Preparation of Individual RAPs and Implementation)*.

⁵ *Expropriation study is a document based on which a public interest is determined, and based on which the process of expropriation for construction is carried out i.e. the resolution of property-right matters. This study is made based on the Main Design. This study contains geodetic and cadastral plan of the area of expropriation, information on assets for which the public interest is proposed, evaluation of assets, the aim of expropriation and other data relevant for the determination of the public interest.*

Table 3 provides an overview of currently available data on the expected expropriation for individual sub-projects considered for financing under the Project.

Table 3. Expropriation estimates per sub-project

Road	County	Section	Expropriation		EXPROPRIATION RANGE ⁶		
			Study	Procedure	No. of plots	No. of buildings	Land type
CONSTRUCTION OF ROAD – IMPROVEMENT OF ELEMENTS WITHIN THE EXISTING CORRIDOR							
M 17.3	HNK	Neum-Stolac:					
		Neum - Babin Do - Broćanac	exists	In preparati on	189	0	asphalted/infertile
		Broćanac - Hutovo - Cerovica, L = 11,2 km	exists	No	208	0	infertile/fertile
		Cerovica - Drenovac, L = 15,3 km	exists	No	cca. 259	0	infertile/fertile
		Total area for expropriation: 66.87 ha					
CONSTRUCTION OF LANE FOR SLOW VEHICLES							
M 5	USK	Ripač - Vrtoče 2	No	No	27	0	Woodland,infertile
M 5	USK	Gornje Bravsko - Ključ	No	No	5 state-owned	0	Woodland,infertile
M 5	SBK	Donji Vakuf 1 - Turbe	No	No	34	0	Woodland,infertile,bush
M 6.1	ZHK	Posušje - Široki Brijeg	No	No	68	0	Woodland,infertile
M 14.2	USK	Bos.Petrovac - Pasjak	No	No	cc 6 state-owned	0	Woodland,infertile
M 14.2	K10	Pasjak – Resanovci	No	No	cc 4 state-owned	0	Woodland,infertile
M 18	TK	Priboj 2 - Simin Han 1	No	No			
M15	K10	Livno - Šuica - Kupres	No	No	cc 25 state-owned	0	Infertile,rocky ground
M15	K10	Gromiljak - Blažuj	No	No	unknown		
RECONSTRUCTION OF ROAD AND ROADWAY, CORRECTION OF AXIS							
M5	USK	Bihać 4 - Ripač; correction of road axis	In preparati on	No	cc 44 small	6	infertile
M5	SBK	Jajce south – Donji Vakuf 1; road reconstruction	No	No			

⁶Note: Expropriation range provided in table above is approximate and not all buildings were processed, so there are not sufficient data at this moment.

Road	County	Section	Expropriation		EXPROPRIATION RANGE ⁶		
			Study	Procedure	No. of plots	No. of buildings	Land type
M20	BPK	Ustikolina – Goražde 8; reconstruction of road and crossroads Vitkovići	exists	No	2	0	infertile
			Total area for expropriation: 9.570,0 m ²				
M19.2	TK	Vitalj – Vlasenica (Gr.entiteta); Road reconstruction	n/a	n/a			
M15	K10	Priluka - Glamoč - Baraći; Road reconstruction	n/a	n/a			
TUNNEL REHABILITATION							
M1.8	TK	Pelagićevo - Srebrenik; rehabilitation of tunnel Ormanica, 16+210	n/a	n/a			
M17	ZDK	Topčić polje - Lašva; rehabilitation of tunnel Vranduk II, 7+416	n/a	n/a			
M17	HNK	Konjic - Jablanica 1; Crnaja, 15+082	n/a	n/a			
BRIDGES REHABILITATION							
	SBK	Gornje Bravsko - Ključ; bridge over the Sana River, Ključ	n/a	n/a			
	SBK	Rogolji - Jajce South, bridge over the Pliva River in Jajce	n/a	n/a			
	SBK	Donji Vakuf 1- Turbe; bridge over a deep obstacle, Komar	n/a	n/a			
M16.4	SBK	Bugojno - Nević polje; bridge over the Vrbas River, Bugojno	n/a	n/a			
	ZDK	Nemila 0 - Lašva 0; bridge over the Bosna River, Bosna IV	n/a	n/a			
	HNK	Tasovčići - border RH; bridge over the Bregava River, Tasovčići	n/a	n/a			
	KS	Olovo - Semozovac; bridge over the Ljubin River	n/a	n/a			
RECONSTRUCTION OF BLACK SPOTS AND DANGEROUS PLACES							
M4.2	USK	Skokovi - Srbljani; reconstruction of black spot "Mala Lisa", km 11+230	exists	In preparati on	11	0	infertile
			Total area for expropriation: 1.314,29 m ²				
M5	USK	Granica BiH/RH (Izačić) - Bihać; reconstruction of dangerous place Kamenica (M5 and R403a)	In preparati on	No	62	0	infertile
M17	HNK	Tarčin - Konjic; reconstruction of black spot, km 16+800 - km 17+600	n/a	n/a	cc 2 state-owned	0	infertile
	HNK	Potoci - Mostar center, reconstruction of black spot north entrance to Mostar. km	No	No			

Road	County	Section	Expropriation		EXPROPRIATION RANGE ⁶		
			Study	Procedure	No. of plots	No. of buildings	Land type
	HNK	7+800					
		Mostar center - Gnojnice, reconstruction of black spot south entrance to Mostar, km 1+640	n/a	n/a	3	0	Infertile
	HNK	Tasovčići - Čapljina; reconstruction of black spot crossroads M6 and M17, km 0+000	n/a	n/a	10	1	Infertile
M18	TK	Šićki Brod 3 - Živinice1; reconstruction of black spot "Husino", km 2+500	exists	In preparation	22	0	Infertile
			Total area for expropriation: 12.426,0 m ² (where 11.517,0 is a state owned land)				
	ZDK	Vitalj - Olovo; reconstruction of black spot Olovske Luke - "Nula" km 20+600	No	No	14	0	Infertile
M6.1	K10	Livno - Karlov Han; reconstruction of dangerous place Lopatinac	No	No			

Source: PC Roads FBH, November 2015

4. KEY PRINCIPLES FOR LAND ACQUISITION AND COMPENSATION

The following principles must be strictly complied with during the land acquisition process:

1. Land acquisition will be carried out in compliance with the Law on Expropriation of the FBH, and other relevant local laws and in accordance with the WB OP 4.12 and other good international practice.
2. All PAPs (owners and formal and informal users) will be informed and consulted during Project preparation and implementation.
3. After Cut-off date, any persons who settle in the Project area after the cut-off date will not be eligible for any compensation, but will be given sufficient advance notice, requested to vacate premises and dismantle affected structures (if any) prior to Project implementation. Their dismantled structures materials will not be confiscated and they will not pay any fine or suffer any sanction..
4. All owners and users of affected land at the time of the cut-off date are eligible for compensation at replacement cost.
5. Temporary occupation of land for construction purposes will be compensated in accordance with the Law on Expropriation of the FBH and OP 4.12, as stipulated in the Entitlement Matrix (*Table 5* of this document).
6. Standard of living and/or livelihoods of PAPs shall be improved or as minimum restored on the level prior to resettlement, as soon as possible.
7. All issues related to payment of cash compensation will be discussed and agreed upon with PAPs. Cash compensation will be paid in full or in installments as agreed upon with the PAPs and as defined by contracts, to the bank accounts specified by the owners, with an internal agreement of all affected members of the household. In cases where there is more than one owner of property (i.e. co-ownership of married couples), compensation amounts will be divided and paid to the bank accounts they specify. In such cases owners/users have the right to decide if the cash compensation will be paid to only one owner/user or will it be equally divided amongst owners/users. A co-owner/co-user has the right to waive his part of the compensation in the name of other co-owners/co-users. In case the owner/user wants to use this right, a legal statement must be made and an authorization to the other co-owners/co-users must be given to receive compensation on their behalf.
8. PC Roads FBH will monitor the implementation of the land acquisition and livelihood restoration processes, both through internal, official institutional channels as part of agency's End of Term Impact Assessment.
9. The official assessment of property i.e. improvement on the plot of land will be performed by official assessors, who will be selected according to the legal procedure.
10. Special attention should be paid that vulnerable groups receive appropriate access to information and assistance depending on their needs. It is necessary to examine case by case with help of the competent municipal social service.

11. All PAPs eligible to receive compensation must be compensated fully prior to access to site and assets.

5. ELIGIBILITY CRITERIA, METHOD OF EVALUATION AND ENTITLEMENT MATRIX

5.1. ELIGIBILITY CRITERIA

According to the Law on Expropriation of the FBH, other relevant local laws and WB OP 4.12 the following persons are entitled for compensation:

- PAP who is a formal owner or a lessee or an informal owner of the affected land or part of the land;
- PAP who is a formal owner or a lessee or an informal owner of the affected crops;
- PAP who is a formal owner or a lessee or an informal owner of the perennial plants and trees such as fructuous trees and vineyards;
- PAP who is a formal owner or a lessee or an informal owner of affected vineyards and orchards that have not given yield yet;
- PAP who is a formal owner or a lessee or an informal owner of the nursery which has not yield yet and is affected by the project ;
- PAP who is owner of the affected non-agricultural business on the whole plot or a part of it;
- Workers, agricultural possessors and farmers on the affected property whose incomes and livelihoods are temporarily under the impact of the project;
- Communities or households whose access to their buildings and usual village resources are affected by the project;
- PAP who is a formal owner or a lessee or an informal owner and who is affected by the project because of the temporarily occupation of the their land;
- Vulnerable PAPs (Persons below the poverty line in accordance with national laws, women led households, single parents, elderly, disabled persons or those with long-term health problems) which are affected by the project;
- PAP who is a formal or informal owner (building constructed without building permit on one's own plot of land or someone else's or state-owned plot) or a lessee of the building (residential, commercial, industrial, institutional, auxiliary), remaining buildings or a part of the building that is affected by the project; and
- PAP's whose losses cannot be determined or foreseen at this stage of the Project.

5.2. CUT-OFF DATE

The cut-off date for the establishment of eligibility will be the date of closure of the public announcement on initiation of the expropriation process by PC Roads FBH (as the BoE) in local newspapers, informing all owners and users of the initiation of the expropriation process, the cut-off date and the contact persons who may be contacted by PAPs for further information. The cut-off date will also be publicly disclosed, on notice boards in local communities and municipalities and at consultation meetings, with an

accompanying explanation. The public announcement will also be posted, as necessary, on frequently visited locations throughout the affected areas.

5.3. METHODS OF EVALUATING THE AFFECTED ASSETS

Compensations for buildings and land

Compensation for an expropriated building or land is generally defined by providing another appropriate real property, which corresponds to replacement cost plus costs of resettlement.

Cash compensation at replacement cost (including all connected costs of transaction, for example, costs in land registries or in cadaster, administrative fees and fees for transfer of ownership), will be provided for plots of land and buildings if the owner does not accept the replacement property or if the beneficiary cannot ensure such property.

The compensation will also be provided for all possible damages caused by construction Activities.

In addition to that, PAPs have the right to take salvage material from demolished buildings, without deduction from the compensation amount.

Compensation for crops and trees

During the expropriation, it is preferable to comply with the rule that access to site is performed only after all remaining annual crops are collected, whenever possible. For annual crops harvested before access to site the compensation will not be paid. Annual crops that cannot be harvested prior to access to site the compensation shall be provided at replacement costs. The PAP shall have the choice to harvest the crops even after the access to site if possible.

Compensation for perennial plants and trees will be ensured at a replacement cost. Determining full replacement cost requires consideration not only of yield, but also of costs of setting up the plantation from the start (seedlings, ground preparation etc.), as well as income lost during the period necessary to achieve yield again.

Compensation for other losses

If it comes to a loss or resettlement of other production sources (for example beehives), such persons will be compensated for a loss of production of one season plus reasonable costs in relation to relocating production resources.

5.4. ENTITLEMENT MATRIX

Table 4: Entitlement matrix

Type of loss	Application	Person with rights	Compensation policy
ECONOMIC RESETTLEMENT			
Loss of land	All land losses independently of severity of loss (independently whether it is partial or complete loss)	a) Owner with formal title	Replacement land of equal or higher value and similar productivity in direct proximity or in the surroundings of the expropriated land together with all costs of resettlement and administrative fees needed for transfer of ownership rights, or cash compensation at replacement costs.
		b) Lessee with valid documents of the right of lease who cultivates land pursuant to agreement	Compensation for all improved plots of land (such as irrigation or construction of facilities/buildings) constructed on the land. Compensation will be paid at replacement cost. + Costs of relocation of equipment and installations. + Transitional allowance.
		c) PAPs without formal title	PAPs without a formal title who were in possession of the land on cut-off date will not receive compensation for the land, but will be compensated for any investments such as infrastructure, crops etc. + Transitional allowance. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of

Type of loss	Application	Person with rights	Compensation policy
			resettlement assistance.
Unviable land	Unviable land	Land owner	In case the remaining area of land is not viable, ⁷ it can be expropriated upon PAPs' request. Compensation shall be provided in line with this matrix.
Easement/Servitude	Easement/Servitude	Land owner	Cash compensation which equals the value of damages as determined by an accredited expert + Cash compensation equaling an easement fee equaling the amount for which the property value has decreased due to burdening by easement/servitude.
		b) Lessee with a formal title cultivating land	Cash compensation which equals the value of damages as determined by an accredited expert
		c) PAPs without formal title cultivating the land	Cash compensation which equals the value of damages as determined by an accredited expert
Loss of annual crops	Grown crops which could not have been harvested ⁸	a) Owners of affected crops	Cash compensation which equals the value of expropriated crops including the value of time needed to produce such crop, as well as costs of possible investment (labor input).
		b) Lessee with a formal title cultivating land	Cash compensation which equals the value of expropriated crops including the value of time needed to produce such crop, as well as costs of possible investment (work and labor force), if he proves that he borne costs of purchasing seedlings and planting perennial plants and vineyards.

⁷ Economic viability shall be assessed by an accredited expert on a case-to-case basis.

⁸If possible, the date of land expropriation and entering into possession can be set so that the existing crops, regardless of maturity date, can be collected prior to the beginning of construction works.

Type of loss	Application	Person with rights	Compensation policy
		c) PAPs without formal title cultivating the land	Cash compensation which equals the value of expropriated crops including the value of time needed to produce such crop, as well as costs of possible investment (work and labor force), if he proves that he borne costs of purchasing seedlings and planting perennial plants and vineyards.
Loss of perennial plants and trees (fructuous trees, vineyards and fructuous plants)	Affected plants and trees	a) Owners of affected plants and trees	<p>The right to collect fruits and technical wood.</p> <p>+</p> <p>Cash compensation which equals the replacement cost on the basis of sort, year and productive value, including the value of time needed to produce such crop, as well as costs of possible investment (work and labor force), to plant a new vineyard, orchard or similar, till the moment it reaches the full fructuous potential.</p>
		b) Lessee with a formal title cultivating land	<p>The right to collect fruits and technical wood.</p> <p>+</p> <p>Cash compensation which equals the replacement cost on the basis of sort, year and productive value, including the value of time needed to produce such crop, as well as costs of possible investment (work and labor force), to plant a new vineyard, orchard or similar, till the moment it reaches the full fructuous potential, if he proves that he borne costs of purchasing seedlings and planting perennial plants and vineyards.</p>
		c) PAPs without formal title cultivating the land	<p>The right to collect fruits and technical wood.</p> <p>+</p> <p>Cash compensation which equals the replacement cost on the basis of sort, year and productive value, including the value of time needed to produce such crop, as well as</p>

Type of loss	Application	Person with rights	Compensation policy
			costs of possible investment (work and labor force), to plant a new vineyard, orchard or similar, till the moment it reaches the full fructuous potential, if he proves that he borne costs of purchasing seedlings and planting perennial plants and vineyards.
Affected vineyards and orchards not yet fruit bearing	Small vineyards and orchards not yet fruit bearing	Formal owner, Lessee, informal owner	Cash compensation for the investment in planting a new vineyard or orchard, including the value of time needed to reproduce a replacement vineyard or orchard.
Wood mass (mature or nearly mature)	Land with forest/ wood masses on it of various types	Formal owner, Lessee, informal owner	The replacement cost determined based on the value of the “wood on the stump” at market value.
Forests without mature wood mass	Land with forest/ wood without maturity of various types	Formal owner, Lessee, informal owner	Cash compensation for the investment in planting a new forest, including the value of time needed to reproduce a replacement forest.
Loss of nursery	Nursery not yet yielding	Formal owner, Lessee, informal owner	Cash compensation for the investment in planting material (nursery and other reproductive material).
Loss of non-agricultural businesses	Business	Owner	<p>Cash compensation for relocating the business, including compensation for inventory and replacement cost of investment.</p> <p style="text-align: center;">+</p> <p>Cash compensation on a one-time basis (Transitional allowance) in the amount of three average month earnings.</p>

Type of loss	Application	Person with rights	Compensation policy
			<p>+</p> <p>Relocation costs.</p> <p>+</p> <p>Any registration taxes.</p> <p>+</p> <p>Appropriate level of support for improving the skills which will be established on the occasion of social research, if necessary to perform restoration of income source (livelihood).</p>
Loss of public infrastructure	Infrastructure (roads, water supply, sewage system etc.)	Relevant agencies	Public infrastructure will be replaced before destruction by infrastructure of the same or better specifications.
Loss of commerce, income or occupation	Impact on agricultural or commercial payment and employment	Workers, agricultural possessors, farmers on the property	<p>In case of temporary disturbance of income source compensation on a one-time basis will be paid in the amount of three average month earnings on the level of the affected activity. If the temporary disturbance of income lasts longer than three months the compensation shall be extended to compensate to cover the period of disturbance (case to case basis), but not longer than 6 months.</p> <p>+</p> <p>Training for alternative jobs if possible.</p> <p>+</p> <p>Priority in employment on the project. if possible and on a case by case basis (In accordance with social assessment processed in RAPs).</p>
Loss of access to usual resources and buildings	Loss of access to usual village resources and conveniences	Communities or households	Replacement of public ownership or conveniences (roads and the like). Access to equal conveniences or services.

Type of loss	Application	Person with rights	Compensation policy
	in the household		
Temporary impacts caused by temporary occupancy of land and any damages to the property	Affected land	Affected PAPs	<p>Market price of lease for duration of the lease. The land must be returned to original condition. Improved quality of the land due to top soiling work should not be removed, except if agreed upon differently with PAP.</p> <p>+</p> <p>Replacement cost in accordance with this matrix for affected crops, orchards, nurseries etc.</p> <p>+</p> <p>Compensation for any damages to the property.</p>
Project impact on vulnerable groups	Impact on vulnerable groups	Vulnerable PAPs: persons below the poverty line in accordance with national laws, households led by a woman, single parent, elderly, disabled person or those with long-term health problems.	<p>On top of all rights defined in this matrix, vulnerable PAPs will be provided additional assistance in sense of an allowance of three-month earnings on the level of average salary in the FBH, including legal assistance and help during physical relocation.</p> <p>These PAPs are given priority of employment on the project if that is possible.</p>
PHYSICAL RESETTLEMENT			
Buildings ⁹ (Residential, commercial, industrial or institutional, auxiliary etc.)	Full loss of building or partial loss where the remaining structure is not in usable state.	a) Owner with formal title	<p>Replacement of property of similar size and characteristics,</p> <p>or</p> <p>cash compensation for building at full replacement cost¹⁰</p> <p>+</p> <p>Payment for relocation costs (moving allowance) and</p>

⁹ Transitional allowance isn't applicable for auxiliary objects, and is only applicable for physical displacement of residential structures.

¹⁰ Replacement cost denotes market value of property plus legal expenses of acquiring other property, such as taxes and fees relating to the purchase of other property, registration in land registry and the like (see definition section) and administrative fees needed for transfer of ownership rights.

Type of loss	Application	Person with rights	Compensation policy
			compensation for other costs during relocation and cash compensation on a one time basis in the amount of three average monthly earnings (transitional allowance).
		b) Informal owner (building constructed without building permit on one's own plot of land)	1) If subject to successful legalization Same rights as for legal owners
			2) If legalization is not possible Cash compensation for the building at replacement cost of the structure ¹¹ . + Payment for relocation costs (moving allowance) and compensation for other costs during relocation and cash compensation on a one time basis in the amount of three average monthly earnings (transitional allowance).
		c) Informal owner (building constructed without building permit on someone else's or state-owned plot of land)	Cash compensation for the building at replacement cost of the structure + Payment for relocation costs (moving allowance) and compensation for other costs during relocation and cash compensation on a one time basis in the amount of three average monthly earnings (transitional allowance).
		d) Lessee of the affected building	Payment of resettlement costs and compensation for other costs caused by relocation and cash compensation on a one-time basis in the amount of three average month earnings.
Unviable buildings	Unviable buildings	All persons eligible to receive compensation for loss of	In case that the remaining building is not viable or under a physical impediment for physical use can be

¹¹ Cost of construction material at market value and labor to build elsewhere as assessed by an accredited Court expert.

Type of loss	Application	Person with rights	Compensation policy
		buildings	expropriated upon PAP's request ¹² . Compensation is provided in the way as prescribed for that type of building in accordance with this matrix.
UNDETERMINED IMPACT			
Undetermined impact	Permanent or temporary loss	Owner or formal beneficiary	Any undetermined impact will be mitigated in accordance with principles and aims of the RPF.

¹² The physical use the and /or physical impediment shall be assessed by an accredited expert on a case-to-case basis.

6. EXPROPRIATION PROCEDURE OF THE RPF

Expropriation procedure is implemented by the PC Roads of the FBH in accordance with the Law on Expropriation and other relevant laws and WB OP 4.12 as presented in table below. The table highlights key steps requires for each phase of the expropriation process.

Table 5: Expropriation procedure of the RPF

Procedure phase	Legal framework	Activities	Note
Pre-expropriation phase	Law on Expropriation	Expropriation study	For further information on Expropriation study see footnote 5 of this document.
Pre-expropriation phase	OP 4.12	RAP	Based on this RPF, several RAP documents for sub-projects are going to be made.
Pre-expropriation phase	Law on Expropriation	Declaring public interest	Requirement for the process of expropriation to commence.
Pre- expropriation phase	OP 4.12	Informing and public discussions	Requirement fulfilled in line with WB OP 4.12.
Pre- expropriation phase	Law on Expropriation	Amicable settlement of transfer of ownership rights	Appropriate way for settling disputable or problematic cases (for example, case of constructing a building without obtained permits and approvals).
Commencement of expropriation phase	Law on Expropriation	Filing a proposition	<p>The proposition of expropriation must specify: the BoE the property for expropriation (data from land registry), the property owner and the object i.e. works due to which the expropriation is proposed</p> <p>The following must be attached to the proposition: decision on constructing an investment building, evidence that the BoE has ensured financial funds for paying the compensation on a special account at the bank, evidence on determining public interest and evidence that the applicant tried to settle the issue of acquiring ownership rights of that property with the owner.</p>
Expropriation phase	Law on Expropriation Administrative Procedure Law	Establishing ownership rights	<p>If there is non-compliance of the land registry and the factual state of the property right, the municipal office shall discuss property right as the previous issue pursuant to provisions of Art. 27, Paragraph 3 of the Law.</p> <p>This prescribed possibility is extremely important considering that it authorizes the above-mentioned office to priory discuss i.e. establish the ownership right, which is a significantly more efficient way in comparison</p>

Procedure phase	Legal framework	Activities	Note
			with special procedures which are conducted before other bodies.
Decision-making phase	Law on Expropriation	Expropriation of the remaining part of the property	Upon the owner's request, expropriation of the remaining part of the property can be performed after it has been established that the owner does not have commercial interest to use that part, i.e. if current existence on that part has been made impossible or significantly deteriorated or if normal use of the remaining properties has been made impossible. This request can be made until the first-instance decision on expropriation.
Decision-making phase	Law on Expropriation	Entry into possession of the expropriated property	It can be only entered into possession upon legal validity of the decision on expropriation.
Decision-making phase	Law on Expropriation Administrative Procedure Law	Withdrawal of the proposal for expropriation	Termination of proceedings.
Second-instance administrative procedure on the appeal	Law on Expropriation Administrative Procedure Law	Decision on the appeal against the decision on expropriation	Resolved by the Administration for geodetic and property rights affairs on entity level.
Administrative dispute (third instance)	Law on Expropriation Administrative Procedure Law Administrative Disputes Law	Decision on the appeal against the decision on expropriation	Decision is made by a County Court of the FBH.
Completion of expropriation	Law on Expropriation Law on Land Registry	Registration of ownership and other property rights	Registration of ownership and other property rights on the expropriated property, as well as on the property, which was given to prior owner as compensation, is performed based on a legally valid decision on expropriation and evidence on the paid compensation, i.e. evidence on acquiring the rights of previous owner of a different appropriate real property.
Completion of expropriation	Law on Expropriation Administrative Procedure Law	Determining the amount of compensation in an administrative procedure	Amicably, at the municipal office for property-rights affairs

Procedure phase	Legal framework	Activities	Note
Legal action (extra-judicial proceedings)	Law on Expropriation Extra-judicial proceedings Law	Determining the amount of compensation in a legal action	Municipal court's decision on the amount of compensation
After decision effectiveness	Law on Expropriation Administrative Procedure Law	Request for de-expropriation of property	Upon the request of the previous owner legally valid decision on expropriation can be canceled if the expropriated property, within the period of three years, was not used by BoE for the purpose for which it was expropriated.

6.1. SPECIFIC PROCEDURES

Certain specific situations may occur during the expropriation process. These situations and procedures on how to deal with them are presented below in text:

1) *The legal owner is absent*

When the legal owner is absent and their residence is unknown, a temporary legal representative is appointed by the municipality¹³. The appointed representative is disclosed on the municipality notice board. The appointed representative takes part in all the steps of the expropriation procedure. It is their duty to protect the rights of the absent owner; and he has the same rights as the owner (eg. right to appeal and similar) except for the right to receive the compensation. All stated previously is in accordance with the Law on Administrative Procedure of FBH (section III, Art. 54).

Considering that the temporary representative cannot receive the compensation, the same is submitted to a Court deposit (escrow account). The funds can be withdrawn from the Court within three years. The statutory for this claim is 5 years, after which the deposit becomes state property and is submitted to the municipality. Information provided in his paragraph is in accordance with the Law on Extra-Judicial Proceedings of FBH (section V, Art. 203-216).

2) *The land to be expropriated is under legal dispute*

If the land, which needs to be expropriated, is a subject to legal dispute, the case will be settled by the competent court. The funds for compensation must be reserved for the completion of dispute settlement.

3) *The negotiations with the owner fail during expropriation process*

If the negotiations with the owner fail, within two months of resolution on expropriation, the case is taken over by the competent court. The funds for compensation must be reserved for the completion of dispute settlement.

¹³ Before the appointment of a legal representative the municipality must attempt to contact/locate the owner. This is done by: (i) checking all public records, (ii) going physically to the last known address of the owner and by interviewing the neighbours about owner's whereabouts. AS well, the owner is notified about the expropriation process by the obligatory Public announcement in local papers.

7. GRIEVANCE MECHANISMS

7.1. BENEFICIARY FEEDBACK /GRIEVANCE REDRESS MECHANISMS

Besides the institutionally available ordinary and extraordinary legal remedy, and existing institutional channels, PC Roads FBH will form special Beneficiary Feedback/Grievance Redress Mechanisms in accordance with the WB OP 4.12 and Citizen Engagement Requirements for Investment Project Financing¹⁴ in collaboration and direct involvement of those municipalities under whose administrative authority the project is carried out. These mechanisms will inform affected communities about Project related activities, prevent and address community concerns, reduce risks, and assist the larger processes of enhancing positive social change.

Nevertheless, at all times, complainants may seek other legal remedies in accordance with the legal framework of FBiH.

Given the type and magnitude of Project impacts, the Project will have two complementary grievance redress mechanisms: 1) the **Central Feedback Desk (CFD)** at the level of the implementing agency PC Roads FBH and 2) **Beneficiary Feedback Commissions (BFC)** at the level of local governments. The CFD shall serve as both Project level information center and grievance mechanism, available to those affected by implementation of all Project sub-components. The BFC is proposed as an additional information and grievance platform for **Neum** and **Stolac** beneficiaries, the two municipalities most affected by the Project's expropriation activities. Whilst the CFD will be applicable for all Project activities, the BFCs focus on local communities affected by all project activities implemented on the section M 17.3 from Neum to Stolac.

Both CFD and BFCs shall be responsible for receiving and responding to grievances and comments of the following two groups:

- a) A person directly affected by the project including the impact due to land acquisition,
- b) Residents interested in and/or affected by the project living in the affected municipalities.

PC Roads FBH will ensure that PAPs are fully informed of the grievance mechanism by communicating the role and existence of the BFCs, the availability of the Central Grievance Log (i.e., CF), its function, the contact persons and the procedures to submit a complaint in the affected areas. Information on the BFC and CFD will be available on:

- the website of PC Roads FBH (www.jpafbih.ba),
- brochures distributed to affected communities,
- the notice board and website of the Municipality of Neum (www.neum.ba),
- the notice board and website of the Municipality of Stolac (www.stolac.gov.ba).

¹⁴ World Bank, 2014. *Strategic Framework for Mainstreaming Citizen Engagement in WB Operations*. Washington, DC. https://consultations.worldbank.org/Data/hub/files/consultation-template/engaging-citizens-improved-resultsopenconsultationtemplate/materials/finalstrategicframeworkforce_4.pdf

7.2. METHODS FOR RAISING GRIEVANCES

The CFD and BFCs offer a variety of approaches to commence the grievance procedure. The person addressing the grievance/comment should decide which approach to use.

Grievances addressed to the CFD can be logged in writing with PC Roads FBH, with the Contractor, by phone, by fax, and by e-mailing it to the designated e-mail address zalbena@jpcfbih.ba,¹⁵ or by mailing the grievance to the address Terezija 54, 71000 Sarajevo. Provided that in FBH, Municipalities are responsible for implementing expropriation activities, to the extent desired by PAPs, grievances related to land acquisition will continue to be channel through the Municipality in all Project sub-components requiring expropriation. In the Municipalities Neum and Stolac, all project related grievances can be logged in writing and in-person with the BFCs established particularly for these two municipalities.

The CFD is tasked with keeping comments/grievances received through the BFC and directly from interested parties through a Central Grievance Log. All the grievance reception entry points shall liaison at all time with PC Roads FBH and submit records of the grievances received to allow PC Roads FBH to keep an updated Log.

7.3. ADMINISTRATION OF GRIEVANCES

The Grievance Registration Sheet as print out shall be available at all affected municipalities as entry points in the form as presented in *Appendix 1* of this document and for download on the website of PC Roads FBH (www.jpcfbih.ba).

The Registration logs administered by the BFC/CFD shall be kept separately for the grievances filed in respect to the resettlement process and for those registered by members of community impacted by any activity linked to the Construction works in all its sequences. The Grievance Log sheet shall have all necessary elements to disaggregate the grievance by gender, age etc. of the person logging it as well as by type of grievance. The centralized log shall be kept with PC Roads FBH.

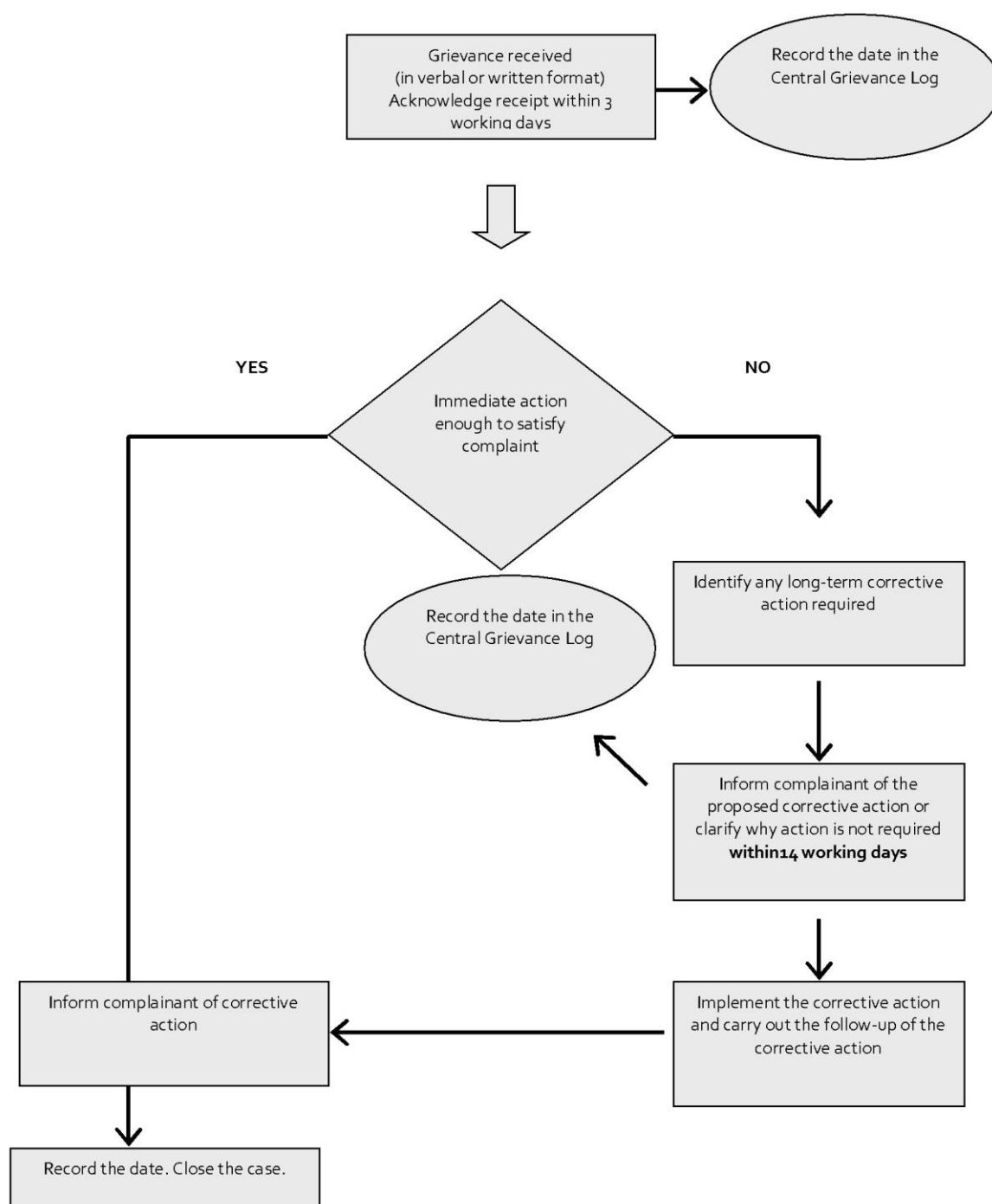
The BFC/CFD shall, within three days after the day of receipt, acknowledge such receipt and take another 14 days to decide on the grievance/complaint or inform the complainant why the grievance/complaint cannot be resolved within the given time. Additional time frame shall then be set by the BFC/CFD depending on the type of grievance and activities to be undertaken in order to allow decision making process to be in line with the key principles. The Project will monitor the number of grievances that were addressed within the indicated time-frame.

If the grievance/complaint is vague and not clear enough, the BFC/CFD is obliged to help and provide guidance and even help in redrafting the submission, in order for the grievance/complaint to become clear, for purposes of an informed decision by the BFC, in the best interests of persons affected by the project. To ensure that the feedback/grievance mechanism are addressing the needs of those affected, the Project will monitor the

¹⁵ Further contact details will be presented in detail in RAPs.

percentage of people satisfied with the outcome/response provided to their grievances/comments (gender-disaggregated).

Figure 2. Flowchart for Processing Grievances



7.4. GRIEVANCE/BENEFICIARY FEEDBACK REPORTING

The role of the CFD, in addition to addressing grievances, shall be to keep and store comments/grievances received through several channels and keep one Central Grievance Log administered by the implementing entity. In order to allow full knowledge of this tool and its results, quarterly updates from the CFD shall be available on the PC Roads web-site (www.jpdcfbh.ba).

Additionally, the BFC shall compile and deliver quarterly reports to PC Roads FBH about the number and type of grievances/complaints addressed and closed-out. This Report shall be disaggregated by gender, type of grievances /complaints. In order to have continuous dialogue, quarterly public meetings shall be held in Neum and Stolac to discuss the outcomes of grievances, in general, discuss the grievance/complaints report and inform the community about current Project activities.

7.5. COMPOSITION OF BFC AND CFD

The BFC shall consist of five members, two of whom will be representatives of PAPs, two officials from the respective municipality and one representative of PC Roads FBH not directly involved in the process of expropriation or Project to ensure full impartiality. A requirement under this RPF is that at least one of the representatives of project affected persons and one of the officials from the municipality shall be woman. The Municipality shall make sure the PAPs elect their representatives to represent the affected persons most adequately.

The CFD shall consist of five members as well but all from PC Roads FBH not directly involved in the process of expropriation or Project, since it is not possible to ensure presentation of PAP's from all affected municipalities. The CFD shall though have to be physically accessible meaning they will have to visit PAPs in accordance with the Project dynamics and PAP's needs.

8. INSTITUTIONAL FRAMEWORK AND MONITORING

In accordance with corresponding requirements as defined in WB OP 4.12 and with the best international and local practice, in this Chapter institutions and organizations will be defined which are connected with the resettlement process.

Successful implementation of this document is conditioned by the fact that current situation in the FBH is such that it facilitates functioning and coordination of all institutions among political and administrative divisions.

Efficient expropriation and resettlement depend on dedication and capacities of all institutions responsible for preparation and implementation of the process of expropriation. PC Roads FBH is currently the subject for implementation of expropriation and will be the beneficiary of the assets.

PC Roads FBH has a lot of experience in the implementation of the expropriation process and it is expected that the implementation of this document to the subject project will be successful. On behalf of PC Roads FBH a responsible person will be appointed, who will be in charge of the preparation of the expropriation process and resettlement and who will coordinate the activities of expropriation between line agencies, municipalities and ministries.

PC Roads FBH will also keep a Database of Expropriation with all information about persons and property, with all cases of expropriation and a detailed list of all completed phases (submission of expropriation proposition to the competent municipality, compensation offer, agreements regarding the compensation, compensation payment, and payment of assistance during relocation etc.).

The RPF will be adopted by PC Roads FBH subject to the WB's no objection and as such will become mandatory in all aspects for PC Roads FBH, as well as for all participants in implementation of the Project Modernization of main roads.

Table 6: Organization and responsibilities

Task	Responsibility
Information disclosure to all PAPs during the preparation of the RPF	PC Roads FBH
Information disclosure to all PAPs about the procedure of the beginning of expropriation and during all phases of expropriation	PC Roads FBH and local municipality
Communication and consultation with PAPs	PC Roads FBH and local municipality
Activities prior to commencement of works	PC Roads FBH and local communities
Providing assistance during resettlement	PC Roads FBH and social services of local communities

Compensation payment	PC Roads FBH
Grievances management	PC Roads FBH – BFC and CFD
Monitoring and reporting about expropriation	PC Roads FBH
Monitoring and reporting after commencement of works	Contractor

8.1. MITIGATION MEASURES

According to the operational policies of the WB, it is necessary to take all possible measures in order to avoid involuntary resettlement by means of project correction. If it comes to resettlement anyway, it is necessary to take mitigation measures in order to improve living conditions of the affected population, or, if that is not possible, at least to keep the living condition on the previous level.

In order to achieve the above, it is necessary to arrange meetings with the affected population as soon as possible (particularly with vulnerable groups), to achieve a satisfactory agreement. By means of interviews with the population, one can obtain detailed information coupled with secondary data on individual case and approve correct decision on mitigation. Population must be included in all phases of expropriation.

OP 4.12 of the WB particularly highlights assistance to displaced persons by means of compensations for resettlement and compensation for other costs regarding the resettlement.

The accent lies on vulnerable population groups (assistance to disabled persons, assistance in purchasing new residential units, assistance for access or programs of self-employment and the like). It is recommended to hire a social worker and/or a lawyer for this type of assistance, so that this person would Law in the best interest of vulnerable persons.

8.2. IMPACT ON GENDER AND MITIGATION MEASURES

The project must pay special attention and make sure that the women who lead households are clearly denoted as beneficiaries of compensation and renewal of the way of life or business activity, according to provisions of this document and individual RAPs. In order to ensure information on the basis of gender during the process of assessment and consultation, the following measures will be taken:

- Assessment of impact on PAPs which suggests the total number of families and persons shall be stated also by gender in order to accentuate the number of project affected women and to be able to determine their state before the beginning of the project.
- Women should be facilitated to participate in the processes of consultations and individual meetings on the occasion of processing and negotiations regarding compensation and implementation of RAPs also with the organization of separated meeting where needed.

- During RAPs monitoring and assessment special attention is to be paid on the impact of resettlement on women and other vulnerable groups.

8.3. PREPARATION OF INDIVIDUAL RAPs AND IMPLEMENTATION

Based on this RPF, RAPs for sub-projects requiring expropriation will be prepared once detailed designs for these become available.

RAPs will define the procedures that PC Roads FBH will follow with an aim of correct resettlement and provision of compensations for PAPs. RAPs in their contents must include the exact number and description of all properties that will be subject to expropriation, as well as all owners i.e. persons and/or households which are likely to be affected by land acquisition and involuntary resettlement. This will be achieved by the obligation that for creation of RAPs methodology census is applied i.e. a socio-economic census will be undertaken to collect information about the number, location, type of loss and household members including education, source of livelihood, etc). In addition to the census a qualitative approach will be undertaken to collect relevant information on social and cultural aspects about attitudes of population toward the project, preferences etc. using focus groups and key informant interviews addressed to small groups constituted by age, gender, income amount, profession etc. with a special attention to be paid to women and those vulnerable.

Goals of the RAPs are as follows:

- To minimize possible adverse impacts of resettlement of population and goods,
- To mitigate adverse social and economic impacts of expropriation and temporary or permanent losses by providing compensation for losses of property on the basis of replacement costs and ensure implementation of the activities of resettlement with appropriate data disclosure, consultations and participation of project affected persons;
- Re-establish or even improve sources of income and living standards of resettled persons on the level before Project impact,
- To establish organizational systems and procedures for monitoring the realization of resettlement plan and to take corrective measures,

For the preparation of the RAPs it is necessary to carry out a socio-economic census for each sub-project, in order to identify the following:

- a) Current beneficiaries of the area in the scope of the Project, in order to establish fundamentals for creating the resettlement program and to avoid additional requests of people for the benefit of obtaining compensation and assistance during resettlement,
- b) Standard characteristics of household, including description of production system, work and organization of household, with the basic information about livelihood (including, if relevant, level of production and income obtained from formal and informal economic activities) and standard of living (including health condition),

- c) Range of expected loss of property (total or partial) and range of resettlement, whether physical or economic,
- d) Information on vulnerable groups, particularly those below the poverty line, old and infirm persons, women and children, ethnic groups and other resettled persons who are not protected by the Law on Expropriation, and for whom special measures must be taken,
- e) Measures for regular update of information on resettled persons and their livelihood and living standards, so that at the right moment, i.e. when the resettlement begins, the latest information are available. If updated information differ significantly from the original ones, measures will be defined how to record these changes and to update the settlement program, in the way which is in accordance with the originally approved program.

Proposition for the survey for carrying out the socio-economic census is provided in *Appendix 2* to this document.

RAP is to contain a detailed budget and schedule of compensation distribution. RAPs will be submitted to the World Bank for review and clearance. No activities on construction works can commence until and unless compensation has been paid or replacement property administered to PAPs.

Implementation of RAPs is an obligation of PIU within PC Roads FBH. Duty of the PIU is to monitor overall implementation, to collaborate with the municipalities in whose territory the works are taking place, collaborate with contractors and disclose information to all project affected persons and communities.

Activities on the preparation of site-specific RAPs will be disclosed in the way to enable significant participation of PAPs. That assumes the phase of preliminary preparations, disclosure of preparations for population census, disclosure of census results while respecting personal data in accordance with the relevant Law on the Data Protection (Official Gazette of BH, No. 76/11), disclosure of social assessment, as well as disclosure of RAP drafts. The purpose of public disclosure and discussions is to ensure significant participation of PAPs in the process of preparation, implementation and monitoring of resettlement instruments.

8.4. RESETTLEMENT PROCESS MONITORING

PC Roads FBH i.e. PIU will conduct internal periodical (monthly or quarterly depending on the external reporting required by the financing institutions and the stage of expropriation process) monitoring so that in every moment efficiency of the expropriation process and level of satisfaction of project affected persons could be assessed.

Indicators for implementation of monitoring are as follows:

- Number of public discussions and consultations on RAPs;
- Number of completed expropriation studies;
- Percentage of purchased land in relation to needed land acquired for the purposes of the Project;

- Number of completed compensation payment;
- Number of replacement properties given and houses provided;
- Number and amount of payment for loss of income;
- Number and type of assistances provided to vulnerable groups of PAPs; and
- Number and type of grievances, including legal actions arising from expropriation (submitted cases, resolved cases, time needed for their resolution).

A Resettlement Completion/Impact Evaluation Report will be prepared after the finalization of a resettlement process (minimum one impact assessment per RAP).

8.5. COST ASSESSMENT AND BUDGET

Expropriation costs are funded by PC Roads FBH and the expropriation process cannot begin, according to the Law on Expropriation, without evidence that the necessary funds were ensured and deposited at a bank, on a special account, in the amount which is approximately necessary for awarding compensations for the properties proposed for expropriation and costs of the expropriation procedure, i.e. evidence on other appropriate property.

It is not possible to provide detailed information on the range of expropriation in this document, because detailed information are not yet available for all sub-projects.

Detailed budget will be defined after creating expropriation for all sub-projects, i.e. costs will be defined in each individual RAP.

8.6. PUBLIC CONSULTATIONS

Public hearing for the RPF was held in Sarajevo after the WB and PC Roads FBH approved the draft of the RPF document. After the finalization of the documentation, it shall be disclosed again.

. The draft RPF document was disclosed and available to the public in a local language on the PC Roads FBH website on February 4th 2016. Public consultations were announced on the website PC Roads FBH on February 26th 2016¹⁶ and on February 29th 2016 in local newspapers (Večernji list and Dnevni avaz). The public consultations were held on March 7nd 2016 in Sarajevo, and the Minutes of the Public Discussion on RPF is an Appendix 3 of this document.

Additional consultations are also recommended, depending on the scope of the project:

- Public meetings with advisory groups, which are recommended occasionally for the time of project creation and implementation. Such consultations may assist if a problem is encountered during project design or implementation, advises and remarks can lead to the best solution.

¹⁶ http://www.jpdcfbh.ba/ba/novosti/saopcenja_zajavnost/0080_26.02.2016.shtml

- Meetings with local communities with an aim to include all comments and concerns of PAPs (individuals, households, business subjects) in the earliest stages of the project into the project.
- Individual meetings with PAPs regarding specific cases. These meetings can be organized when needed upon request by PC Roads FBH or upon request by PAP.
- Public discussion on draft of this document. Minutes of the public discussion will become constituent part until final document and all grievances raised during the discussion shall be recorded in the Registry of Grievances.

8.7. DISCLOSURE OF DOCUMENTS

RPF will be disclosed together with Environmental and Social Management Framework (ESMF) in a local B/H/S language and in the English language. Both documents must be available to the public. The English version will be published on the WB website, and local language version will be published on the web-site of PC Roads FBH (www.jpcfbih.ba) and on the web-sites of the affected municipalities.

The documents shall be presented individually to PAPs in the process of expropriation, particularly to vulnerable groups, and project impact on their property and their rights must be explained, as mentioned in previous chapters. Hard copies of the documentation shall be available in the affected municipalities.

PIU is responsible for disclosure of the documents.

9 . APPENDICES

Appendix 1 – Grievance form

	REFERENCE NUMBER (Filled by the office)	
CATEGORY OF COMPLAINTS	A) Affected by expropriation	
	b) All others	
PARTICIPANT INFORMATION OF GRIEVANCE		
FULL NAME		
YEAR OF BIRTH		
GENDER	M	F
ADRESS		
TELEPHONE/MOBILE NUMBER		
E-MAIL		
Description of Incident for Grievance (What happened? Where did it happen? Whom did it happen to? What is the result of the problem?)		
Date of the Incident?		
<ul style="list-style-type: none"> One-time incident/grievance – Date: _____ Happened more than once (How many times?) _____ On-going (currently experiencing problem) 		
What would you like to see happen?		
DATE:	SIGNATURE:	

Please return this form to either of the following:

PC Roads FBiH

Attention: Head of PIU
Public Company "Roads of FBiH"
Address: Terezija 54, 71000 Sarajevo
T: +387 33 250 370, F: +387 33 250 400
E-mail: zalbena@jpcfbih.ba

Municipality of Neum

Address: Kralja Tomislava bb,
88390 Neum
T: +387 36 880 214
F: +387 36 880 248

Municipality of Stolac

Address: Kralja Tomislava bb,
88360 Stolac
T: +387 36 853 101
F: +387 36 853 229

Appendix 2 – Socio-economic Survey Questionnaire

QUESTIONNAIRE FOR BUSINESSES

Questionnaire
number

Survey date:

Surveyor name:

Municipality:

Location:

Address:

Cadastral plot reference:

Photograph of affected property (number):

1. GENERAL INFORMATION ON THE SURVEYEE (REPRESENTATIVE OF THE BUSINESS ENTITY CONCERNED)

1.1. Respondent's name and surname:

1.2. Position the respondent holds within the business entity:

1.3. Ethnic group:

1.4. Phone number:

2. GENERAL INFORMATION ON AFFECTED BUSINESS ENTITY

2.1. Type of business activity:

2.2. Year of establishment:

2.3. Owner (co-owner):

2.4. Legal form of the business entity:

2.5. Business entity is formally registered: YES / NO

2.6. Is the structure where business entity operates, legalized? YES / NO

(if not, clarify _____)

2.7. Number of full time employees: _____ and number of part-time employees: _____

3. INFORMATION ON BUSINESS INCOME

3.1. In average, over the last three years:

Total income (KM annually)

Note: If the business entity has been operating for less than 3 years, provide information for the last year.

4. COMPENSATION PREFERENCES

4.1 What do you envision your main problems will be if you end up being affected by the project implementation?

Loss of customers (business)		Obstruction of business activities due to works		Equipment damages		Other (specify):	

(1: most important, 2 second most important, etc. – 0: not significant or not applicable)

4.2 What would be the most appropriate type of compensation for you?

QUESTIONNAIRE FOR HOUSEHOLDS

Questionnaire number	
----------------------	--

Survey date: _____

Surveyor's name and surname: _____

1. GENERAL INFORMATION ON AFFECTED HOUSEHOLD

1.1. Location: _____

1.2. Municipality: _____

1.3. Cadastral plot reference: _____

1.4. Full name of the respondent: _____

1.5. Ethnic group: _____

1.6. Phone number: _____

1.7. Whole plot affected: Yes/No

1.8. If no, specify the size of the non-affected part: _____ m²

2. GENERAL INFORMATION ON AFFECTED PROPERTY (PLOT)

2.1. Total size: _____ m²

2.2. Location of the cadastral plots, total number per location and cadastral reference

Location	Total number of cadastral plots	Cadastral plot reference	Current use <i>Tick applicable use</i>
1.			Mainly residential Mainly agricultural Forest Pasture Mainly business Unused
2.			Mainly residential Mainly agricultural Forest Pasture Mainly business Unused

3. AGRICULTURAL ACTIVITIES

3.1. Crops observed on the affected part of the plot at the time of the survey: _____

3.2. Perennial / annual species: _____

3.3. If perennial: Year of plantation: _____

3.4. Average yield on this plot according to farmer: _____ (specify measurement unit)

3.5. Overall land holdings of the farmer, including this plot and all others: _____ hectares

Including farm lands, pastures, forests, arid and unused land – Include all land available to the farmer regardless of ownership

3.6. Of which farmed this year: _____ hectares

4. GENERAL INFORMATION ON AFFECTED STRUCTURE

4.1. Detached building: YES / NO

4.2. Apartment in a larger house: YES / NO

4.3. Apartment in a building: YES / NO

4.4. House: YES / NO

4.5. Outside dimensions (main building) m x m

4.6. Built in year: _____

4.7. General condition (main building):

Exterior:

Interior:

1: new or very good

2: fair

3: poor

4: ruin, unusable

4.8. Auxiliary structures		4.9. Build of solid materials	
Summer kitchen		YES	NO
Garage		YES	NO
Pantry		YES	NO
Stall		YES	NO
Other (specify):		YES	NO
Other (specify):		YES	NO

Tick applicable box

5. OWNERSHIP ISSUES

5.1. Owner: Yes No

5.2. User: Yes No

5.3. Ownership details		
With fully registered title		
Legalization in progress		What stage is the legalization process in:
Formal lease of public property		Owner
Formal lease of private property		Owner (contact details):
Informal lease		Owner (contact details):
Fully informal		How did the owner take possession of the above mentioned plot?
Shared ownership YES / NO		If yes, name other co-owners:

Tick applicable box

6. GENERAL INFORMATION ON AFFECTED HOUSEHOLD MEMBERS

6.1. Information on household members

	Name and surname	Relationship with Head of Household	Year of Birth	Gender	Occupation	Education (degree of vocational education)

1	HH	HH		M	F		
2				M	F		
3				M	F		
4				M	F		
5				M	F		

7. VULNERABILITY

7.1 Is any of the household members suffering from one of the following problems:	7.2. Social benefits (yes or no, if yes which kind of assistance)
Physical handicap	
Mental handicap	
Chronic disease requiring regular medical attention	
Chronic disease requiring hospitalization	
unemployed or without regular income	
Elderly and/or elderly and single	
Member of ethnic minority (e.g. Roma)	
Other problem (specify)	

Indicate the number of affected household members in section 2 in the relevant table

8. AFFECTED HOUSEHOLD (HOUSING)

8.1. How long have you been living here (year when you settled here):

8.2. Where did you live before?

8.3. Under what circumstances did you settle here?

9. SOCIO-ECONOMIC DETAILS ABOUT THE AFFECTED HOUSEHOLD

9.1. Total household income

Which of the following categories does the average total monthly income of your whole household fall in:	
Less than 500 KM	
Between 500 and 1,000 KM	
Between 1,000 and 1,500 KM	
More than 1,500 KM	

In case there are several household members earning the income, please consolidate them together

Amongst the following, what are your main sources of income:			
Salaries		Pensions	
Personal agricultural production		Government or other assistance	
Small business		Other (specify):	
Remittances		Other (specify):	

(1: highest, 2 second highest, etc... – 0: not significant or not applicable)

9.2. Are you satisfied with your economic situation?

Highly satisfied	
Satisfied	
Neither satisfied nor dissatisfied	
Dissatisfied	
Highly dissatisfied	

Tick applicable box

10. DISPLACEMENT

10.1. What do you envision your main problems will be if you end up being affected by the project implementation?

Loss of livelihood		Loss of social connections		Loss of property		Other (specify):	
Male member of the household							

Female member of the household								
--------------------------------	--	--	--	--	--	--	--	--

(1: most important, 2 second most important, etc. – 0: not significant or not applicable)

11. COMPENSATION PREFERENCES

11.1. Resettlement (relocation to another house in an unaffected area) YES / NO

10.2. What would be most important for you in the selection of a resettlement location (please rank)?

	Proximity to schools	Proximity to health care centers	Proximity to relatives	Proximity to social networks (specify)	Proximity to place of work
Male member of the household					
Female member of the household					
	Other (specify):	Other (specify):	Other (specify):	Other (specify):	Other (specify):
Male member of the household					
Female member of the household					

(1: most important, 2 second most important, etc. – 0: not significant or not applicable)

10.3. Compensation in cash YES / NO

10.4 Do you have another house that you could relocate to? YES / NO

QUESTIONNAIRE FOR LANDOWNERS

Questionnaire
number

Survey date

Surveyor's name and surname:

Municipality:

Location:

Address:

Cadastral plot reference:

Photograph of affected property (number):

Whole plot affected: YES / NO

If no, specify the size of the non-affected part: m²

1. GENERAL INFORMATION ON THE RESPONDENT

1.1. Respondent's name and surname:

1.2. Owner or user of land plot:

1.3. Ethnic group:

1.4. Phone number:

2. GENERAL INFORMATION ON AFFECTED PROPERTY (PLOT)

2.1. Location of the plots, total number per location and cadastral reference

Location	Total number of plots	Cadastral plot reference	Current use <i>Tick applicable use</i>
1.			Arable land Forest Pasture Unused
2.			Arable land Forest Pasture Unused

3. OWNERSHIP ISSUES

3.1. Owner: Yes No

3.2. User: Yes No

3.3. Ownership details

With fully registered title		
Legalization in progress		What stage is the legalization process in:
Formal lease of public property		Owner
Formal lease of private property		Owner (contact details):

Informal lease		Owner (contact details):
Fully informal		How did the owner take possession of the above mentioned plot?
Shared ownership YES / NO		If yes, name other co-owners:

Tick applicable box

4. AGRICULTURAL ACTIVITIES

4.1. Crops observed on the affected part of the plot at the time of the survey: _____

4.2. Perennial / annual species: _____

4.3. If perennial: Year of plantation: _____

4.4. Average yield on this plot according to farmer : _____ (specify measurement unit).

4.5. Overall land holdings of the farmer, including this plot and all others: _____ hectares

Including farm lands, pastures, forests, arid and unused land – Include all land available to the farmer regardless of ownership.

4.6. Of which farmed this year: _____ hectares

5. INCOME FROM AGRICULTURAL ACTIVITIES

5.1. Do you sell crops _____

5.2. If yes, what is your average annual income generated by selling crops: _____

5.3. Do you use crops to meet your own needs (consumption): _____

5.4. Did you have any plans referring to the affected part of the plot? YES or NO

5.5. If YES, what were your intentions? _____

6. COMPENSATION PREFERENCES

6.1. Compensation in cash YES / NO

6.2. Would you prefer plot for plot exchange? YES/NO

6.3. Would you buy another property instead of this land plot? YES/NO

Appendix 3 – Report on Public Discussion

LIST AND CHRONOLOGY OF THE INVITATIONS FOR
The Public Discussion on topic *Resettlement Policy Framework and*
***Environmental and Social Management Framework* for The Project of**
Modernization of the road sector of the FBH

No.	WHO WAS NOTIFIED	THE METHOD OF NOTIFICATION	DATE
1.	Agency for Watershed of the Adriatic Sea, Mostar	Fax: 036 397 883	February 25, 2016.
2.	Federal ministry of Environment and Tourism of the FBH	Fax: 033 726 747	February 25, 2016.
3.	Federal ministry of Agriculture, Water Management and Forestry	Fax: 033 726 669	February 25, 2016.
4.	Ministry of Trade, Tourism and Environmental Protection HNC	Fax: 036 552 806	February 25, 2016.
5.	Ministry of Agriculture, Water Management and Forestry of HNC	Fax: 036 445 901	February 25, 2016.
6.	Department of Physical Planning; B.Petrovac	Fax: 037 881 012	February 25, 2016.
7.	MUNICIPALITY OF BIHAĆ	Fax: 037 222 220	February 25, 2016.
8.	Department for Housing and Utility Services, Renewal and Development of Local Communities; Bugojno	Fax: 030 251 222	February 25, 2016.
9.	Department of Urban Planning and Environmental Protection; Cazin	Fax: 037 514 314	February 25, 2016.
10.	Department of Physical Planning and Construction, Čapljina	Fax: 036 805 983	February 25, 2016.
11.	MUNICIPALITY OF DRVAR	Fax: 034 819 001	February 25, 2016.
12.	Mayor Office, MUNICIPALITY OF FOČA	Fax: 038 210 097	February 25, 2016.
13.	MUNICIPALITY OF GLAMOČ	Fax: 034 206 153	February 25, 2016.
14.	Department of Planning Housing and Communal Affairs and Displaced Persons; Goražde	Fax: 038 228 551	February 25, 2016.
15.	MUNICIPALITY OF JABLANICA	Fax: 036 753 215	February 25, 2016.
16.	The service of Construction/urban planning, physical planning, of geodetic, cadastral and property rights matters; Jajce	Fax: 030 658 013	February 25, 2016.
17.	Department for Geodetic, Property - Legal Affairs; Kalesija	Fax: 035 631 286	February 25, 2016.

18.	Mayor Office, MUNICIPALITY OF KISELJAK	Fax: 030 871 708	February 25, 2016.
19.	MUNICIPALITY OF KLADANJ	Fax: 035 621 150	February 25, 2016.
20.	Department of Economics, Construction, Urban Development and Utility Affairs; Kupres	Fax: 034 276 333	25.2.2016.
21.	MUNICIPALITY OF LIVNO	Fax: 034 200 315	February 25, 2016.
22.	MUNICIPALITY OF MOSTAR	Fax: 036 447 445	February 25, 2016.
23.	MUNICIPALITY OF OLOVO	Fax: 032 829 568	February 25, 2016.
24.	MUNICIPALITY OF POSUŠJE	Fax: 039 681 041	February 25, 2016.
25.	MUNICIPALITY OF SREBRENİK	Fax: 035 369 163	February 25, 2016.
26.	MUNICIPALITY OF STOLAC	Fax: 035 369 163	February 25, 2016.
27.	MUNICIPALITY OF ZENICA	Fax: 032 241 614	February 25, 2016.
28.	OSCE (Organization for Security and Co-operation in Europe, Mission to B&H) (NGO)	Fax: 033 442 479	February 25, 2016.
29.	Environmental and Rural Research Development Organization (NGO)	Online, www.jpccfbih.ba	February 25, 2016.
30.	MUNICIPALITY OF TUZLA: Department of Physical Planning and Environment; Department of Urban Planning	Fax: 035/307-451 Fax: 035/251-575	29.2.2016. 25.2.2016.
31.	CCI (Center of Civil Initiatives) Tuzla Mostar	Fax: 035 278 232 Fax: 036 554 511	25.2.2016. 29.2.2016.
32.	Aarhus B&H (NGO)	E-mail: koordinatork@aarhus.ba	February 29, 2016.
33.	Žene BiH Mostar(Women BH-NGO)	Tel: + 387 36 550 339	February 29, 2016.
34.	Human Rights Office Tuzla (NGO)	E-mail: biroy@bih.net.ba	February 29, 2016.
35.	Centre for Ecology and Natural Resources (NGO)	Fax: 033 649 196	February 29, 2016.
36.	EKO-LINE Mostar (NGO)-Association for improving and developing and promotion of ecology and tourism	Facebook	February 29, 2016.
37.	EKOPOT TUZLA (NGO)-Association for development, improving I promotion of eco-agriculture, tourism and	E-mail: ekopot@yahoo.com	February 29, 2016.

	environmental protection)		
38.	Department of Physical Planning, Surveying and property rights; D.Vakuf	Fax: 030 509 615	February 29, 2016.
39.	MUNICIPALITY OF KONJIC	Fax: 036 729 813	February 29, 2016.
40.	Department of Physical Planning, Housing and Utilities, property and legal issues; Ključ	Fax: 037 661 104	February 29, 2016.
41.	MUNICIPALITY OF NEUM	Fax: 036 880 214	February 29, 2016.
42.	Mayor Office, MUNICIPALITY OF ŠIROKI BRIJEG	Fax: 039 705 915	February 29, 2016.
43.	MUNICIPALITY OF TRAVNIK	Fax: 030 511 277	February 29, 2016.
44.	Center for Education and Research	E-mail: info@nahla.ba	March 2, 2016.
45.	Center for education and research - CIN(NGO)	E-mail: info@cin.ba	March 2, 2016.
46.	Center for Environmentally Sustainable Development- COOR(NGO)	E-mail: coorsa@bih.net.ba	March 2, 2016.
47.	Iniciative civil action-ICVA(NGO)	E-mail: icva@bih.net.org	March 2, 2016.
48.	(NGO) Horizont- Association for ecology and tourism promotion	E-mail: info@nvohorizont.ba	March 2, 2016.
49.	“Žene ženama”(Association Women to women-NGO)	Tel: + 387 33 219 640	March 2, 2016.
50.	Ekotim UG(NGO) - Association for environmental, nature and health development	E-mail: ekotim@nih.net.ba	March 2, 2016.
51.	The Ministry of Urban Planning, Physical Planning and Environmental Protection, BPC	fax: 038 224 257	March 2, 2016.
52.	The Ministry of Social Affairs, Health, Displaced Persons and Refugees, BPC	fax: 038 221 224	March 2, 2016.
53.	Ministry of Agriculture, Forestry and Water Management, <i>Herzegovina-Neretva Canton (HNC)</i>	Fax: 036/445-901	March 2, 2016.
54.	The Ministry of Transport and Communications, HNC	Fax: 036/552-806	March 2, 2016.
55.	The Ministry of Trade, Tourism and Environmental Protection, <i>Herzegovina-Neretva Canton (HNC)</i>	Fax: 036/514-810	March 2, 2016.
56.	The Ministry of Physical Planning, Construction and Environmental Protection, <i>West Herzegovina Canton (ZHC)</i>	Fax: 039 682 160	March 2, 2016.
57.	Ministry of Agriculture, Forestry and Water Management, <i>West Herzegovina Canton (ZHC)</i>	Fax: 032 460 752	March 2, 2016.
58.	Ministry of Physical Planning, Transport and	Fax: 032 460 702	March 2,

	Communications and Environmental Protection, <i>West Herzegovina Canton (ZHC)</i>		2016.
59.	The Ministry of Physical Planning, Construction and Environmental Protection, <i>Una-Sana Canton(USC)</i>	E-mail: gradjenje@vladausk.ba	March 2, 2016.
60.	Ministry of Agriculture, Forestry and Water Management, <i>Una-Sana Canton(USC)</i>	E-mail: poljoprivreda@vladausk.ba	March 2, 2016.
61.	Ministry of Construction, Reconstruction, Physical Planning and Environment, <i>Canton 10 (HBC)</i>	E-mail: mgopuzo@vladahbz.com	March 2, 2016.
62.	Ministry of Agriculture, Forestry and Water Management, <i>Canton 10 (HBC)</i>	Fax: 034 200 364	March 2, 2016.
63.	The Ministry of Physical Planning, Construction and Environmental Protection, <i>Kanton Sarajevo(CS)</i>	Fax: 033 562-031	March 2, 2016.
64.	The Ministry of Transport, <i>Kanton Sarajevo(CS)</i>	Fax: 033 562-059	March 2, 2016.
65.	The Ministry of Urbanism, <i>Midbosnian Canton(SBC)</i>	E-mail: tr_urb_1@bih.net.ba	March 2, 2016.
66.	Ministry of Physical Planning and Environmental Protection, <i>Canton Tuzla (TC)</i>	Fax: 035 369 428	March 2, 2016.
67.	Federal Ministry of Transport and Communications	Fax: 036 550 024	March 2, 2016.

JP Ceste Federacije BiH d.o.o. Sarajevo i konsultant Ecoplan d.o.o. Mostar pozivaju sve zainteresirane subjekte, nevladine organizacije i stanovnike općina i naselja koja gravitiraju područjima predmetnih dionica iz Programa modernizacije magistralnih cesta, da uzmu učešće na

KONSULTATIVNOM SASTANKU
o nacrtu Okvira politike preseljenja i nacrtu Okvira upravljanja okolinskim i društvenim aspektima

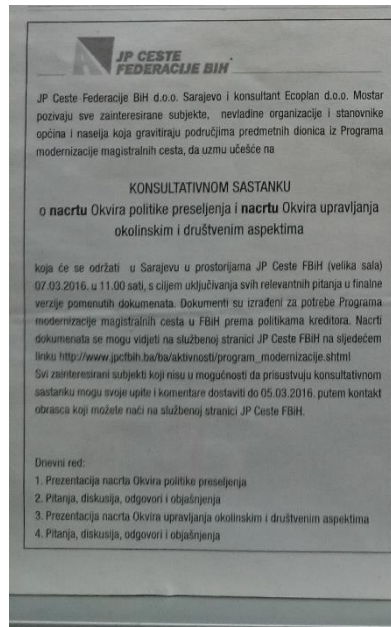
koja će se održati u Sarajevu, prostorijama JP Ceste FBiH (velika sala) 07.03.2016. u 11.00 sati, s ciljem uključivanja svih relevantnih pitanja u finalne verzije pomenutih dokumenata. Dokumenti su izrađeni za potrebe Programa modernizacije magistralnih cesta u FBiH prema politikama kreditora. Nacrti dokumenata se mogu vidjeti na službenoj stranici JP Ceste FBiH na sljedećem linku http://www.jpfbih.ba/ba/aktivnosti/program_modernizacije.shtml

Svi zainteresirani subjekti koji nisu u mogućnosti da prisustvuju konsultativnom sastanku mogu svoje upite i komentare dostaviti do 05.03.2016. putem kontakt obrasca koji možete naći na službenoj stranici JP Ceste FBiH.

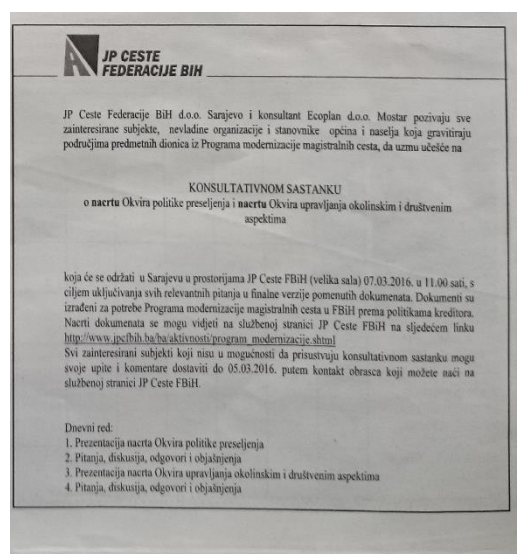
Dnevni red:

1. Presentacija nacrtu Okvira politike preseljenja
2. Pitanja, diskusija, odgovori i objašnjenja
3. Presentacija nacrtu Okvira upravljanja okolinskim i društvenim aspektima
4. Pitanja, diskusija, odgovori i objašnjenja

Sarajevo, 25.02.2016.



Announcement on Consultative Meeting in the Local Newspaper "Vecernji list" (February 29th 2016)



Announcement on Consultative Meeting in the Local Newspaper "Dnevni Avaz" (February 29th 2016)

Minutes

Of the Public Discussion on Draft of Resettlement policy framework and Environmental and Social Management framework for the FBH road sector modernization project

held on March 7th 2016 in Sarajevo at 11:00

Public discussion on draft of Resettlement policy framework and Environmental and social management framework, which was ordered by Public Company Roads of the Federation BH and developed by Ecoplan Ltd. Mostar, was held with aim to introduce the participants with the draft of these documents.

Public discussion was organized by the creator of the documents, the company Ecoplan Ltd. Mostar and the team members who participated are: Monika Kordić, Sanja Bekavac and Anđelka Vojvodić.

The investor, Public Company Roads of Federation of BH was represented by: Ivana Božić Krezić, Aida Landžo-Handžić and Selma Ljubijankić.

At the public meeting along the representatives of the PC Roads FBH and consultant, local government, cantonal and municipality officials were present.

The detailed list of the present persons is attached to the Minutes.

Presentations and discussions:

Item 1. Ivana Božić Krezić greeted the present persons, as the representative of Investor, PC Roads of FBH and inform them about the topic of the discussion. She made short presentation of overall road modernization project, reminded present persons that the documents are in draft version and that relevant comments from this discussion will be reviewed and included in the final document. She also remarked that documents were reviewed by the expert team from the World Bank and after it's approval, it will become obligatory document for the contracting parties during the project implementation.

Item 2. Ecoplan team member, Monika Kordić, made short presentation of Draft of the Resettlement policy framework, introducing objectives of the Framework, key principles for land acquisition and compensation, entitlement matrix and grievance mechanisms.

Item 3. After the presentation, public discussion followed, during which present persons gave comments on Resettlement policy framework, with the accent on grievance mechanisms and administration of grievances:

- Zlatko Hujic from Bosansko Petrovo Municipality asked about exact tasks that municipalities will have regarding Beneficiary feedback commissions.
- Ružica Krešić from Neum Municipality asked about exact definition of grievances. Will the commission be in charge for grievances of property rights? She pointed out from her experiences that it's very difficult to determine persons who are really below the poverty line. It shouldn't happen that answer given by commission is opposite of

those given by municipality. It's important to pay attention to deadline given to commission of 15 days, when municipality acts within 8 days.

Reply from PC Roads: Commission will receive all grievances related to project activities, including land acquisition grievances, construction site works (noise, dust etc.). Commission will record the data in the Central Grievance Log, implement monitoring and prepare reports. Commission will not interfere in municipality scope of work or work of competent authorities that deal with grievances under the national legislation. Additional guidelines for the commission will be prepared and it will be coordinated with municipalities.

- Mato Jozak from Travnik Municipality gave his opinion that commission is there to solve all grievances peacefully.
- Ružica Krešić made conclusion about directives for the commission where it should be clearly separated authority of commission and those of municipalities.
- Pero Raič from Neum Municipality informed present persons that on the area of road Neum-Stolac all project affected people are elder.
- Aida Landžo – Handžić from PC Roads of FBH made comment about how important is to specify kind of grievance that commission can answer. E.g. grievance considering noise and dust in the air, opposite those considering expropriation.
- Rasim Hamzić from Ministry of Agriculture Forestry and Water Management HNC made comment that national Law on expropriation is detailed enough. But problems occur on the site: e.g. more than one owner of the land, elder owner etc.
- Aida Brlek from PC Roads of FBH comments that national Law on expropriation is good enough and in her opinion Beneficiary feedback commissions for grievances is just an extension of already established procedure. National legislation already has instruments for vulnerable groups and for defining the term fair compensation. She pointed out one good local example from her experience where over 90% of cases for expropriation were solved during the road construction in city of Sarajevo. Commission should not deny profession and has to collect good local experiences.

Item 4. Sanja Bekavac, as Ecoplan team member, gave presentation of Environmental and Social Management Framework.

Item 5. Public discussion on Environmental and social management framework followed:

- Marinko Pranjić from Ministry of Agriculture Forestry and Water Management HNC referred to the public discussion in Hutovo regarding reconstruction of section Neum-Stolac held in Hutovo in Neum Municipality and asked about intersection of road and water supply system.

Item 6. PC Roads of FBH at the end of the discussion concluded that guidelines for the commission will be prepared and they will be agreed with municipalities.

Developer of the Assessment thank everyone for their participation in the public discussion.

Public discussion was closed at 12:30 PM.

Minutes created by Anđelka Vojvodić in Mostar on March 7th 2016.



Photographs of Attendents of the Meeting in Sarajevo

Sarajevo 7.3.2016.

Javna rasprava

Projekt modernizacije cestovnog sektora FBiH

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